

# GLOBALIZING LEGAL EDUCATION

**SURVEY RESULTS  
2007-2008**



## QUESTION 1

**What is your school currently doing, or planning to do, to ensure all graduates receive significant exposure to international, transnational and comparative law?** *(For example, do you now, or are you planning to, require a course addressing these topics? Is your faculty now introducing, or planning to introduce, these topics into required or core courses? Does your school offer a certificate or recognize a concentration in these topics? Do you have some other approach that you could briefly describe here? What is unique or unusual about your approach that might be a model for other schools?)*

## RESPONSES

### **Cornell University, Law School, Clarke Center for International and Comparative Legal Studies**

We do not have a mandatory course, nor, to my knowledge, are there any plans to create one. We have the following programs for J.D. students:

- a) the J.D. with Specialization in International Legal Affairs;
- b) the J.D./LL.M. in International and Comparative Law;
- c) three international dual-degree programs (J.D./Master en droit with the University of Paris I; J.D./M.LL.P. with Humboldt University, Berlin; and J.D./Master in Global Business Law, Sciences-Po, Paris); and an extensive semester abroad program (currently with 15 partner schools).

### **Creighton University School of Law**

Here at Creighton, we developed a concentration in International & Comparative Law that is noted on the transcript at graduation, which includes International Law, one Comparative Law course, one Private Law course, one Public Law course and one International Law elective course.

### **Cumberland School of Law, Samford University**

At present, Cumberland's courses expressly addressing international, transnational, and comparative law are all electives. Several faculty are reviewing what other law schools are doing to introduce students to this topic.

### **Drake University Law School**

A certificate program in international and comparative law for students involving the requirement that they take a certain number of specified classes.

The faculty has formally voted to request all first year faculty to integrate some international, comparative or trans-national material into their classes.

We have institute an International Law Week where we have speakers and other programs aimed at showing the importance of foreign law. Our foreign students also do presentations on their legal systems that week.

### **University of Florida Frederic G. Levin College of Law**

We have had a Certificate in International Law for approximately 10 years. Approximately 10-15 students per year apply for the certificate, which requires a minimum number of courses in international law, a minimum GPA in those courses, and an additional 8 hours of credit over the number needed for graduation.

We have three summer abroad academic programs, i.e. France, Costa Rica, and South Africa. Approximately 60-70 of our students participate in these programs. Another 5-10 students participate in summer foreign programs offered by other law schools.

We have student exchanges with universities in Australia, Netherlands, Poland, Germany, France, Brazil, South Africa, and Costa Rica. Approximately 15-20 students go abroad each year (usually for one semester) in these programs.

We have faculty exchanges with several foreign law schools. This year, for example, we will have courses taught here by visiting faculty from Germany, South Africa, and Brazil.

Perhaps our most unusual program is what we call our Foreign Enrichment Courses. Four courses per academic year are sponsored by various faculty members. Each course consists of three foreign academics or other scholars who each teach a 3-week block. Students are therefore exposed to comparative approaches from three different countries within a single basic subject. For example, this year our Foreign Enrichment Courses are Law Reform & Human Rights in Brazil, Money Laundering & Financial Crimes, Tax Policy & Development, and Comparative Tort Litigation. The latter course, for example, which will be taught Spring semester, 2008, will have faculty from South Africa, Switzerland, and Israel.

### **Florida International University College of Law**

The International and Comparative Law Program (ICLP) seeks to lead the study and research of international and comparative legal issues at the College of Law. Its mission is a cornerstone of the law school's founding philosophy: a comprehensive legal education requires the study of international law and knowledge of other legal systems. The College of Law's academic program emphasizes international and comparative law in four ways. First, the required, foundation curriculum includes a three-hour course entitled, Introduction to International and Comparative Law. Second, our curriculum takes a pervasive approach to international and comparative law; all courses not otherwise of an international focus devote several hours of instruction to a topic or topics in a comparative context. Third, the College of Law offers and will continue to expand an array of upper level electives in the areas of public international law, international commercial transactions, transnational arbitration, trade law, and comparative and foreign law. And fourth, we have moved quickly to establish FIU as a sponsor of first-rate foreign summer programs. Our first program was started in summer 2005 in Seville, Spain. We have just completed its third year of operation. It continues to attract 30-40 students each year and has been a great success. We are currently planning another summer program in Buenos Aires, Argentina. Finally, the First Week orientation program includes a presentation by the ICLP Director introducing students to the structure and purposes of ICL in the law school curriculum.

## Introduction to International and Comparative Law

We have modified the standard law school curriculum to reflect the fact of globalization by requiring Introduction to International and Comparative Law in the second semester for full-time students and the third semester for part-time students. The course has three objectives: (1) to impress upon students the importance of international and comparative law and its relevance to all future lawyers; (2) to interest students in the range of international and comparative subjects broached in the course; and (3) to provide a foundation in international and comparative law upon which upper-level courses can build.

While the course has evolved over time, it principally introduces students to public international law and comparative law. Exposure to the law of nations in the international component poses critical jurisprudential questions on the nature of law, the role of enforceability, and the prospects for constructing an international society. The comparative component compares and contrasts the common law system that prevails in the United States to civil law systems, especially as they have evolved in Latin America. Taken together the materials provide the foundation for later advanced study in international and comparative law in the upper level curriculum.

We are very committed to this innovation in our curriculum. At the same time, this course presents some particular challenges. It involves the teaching of typically upper-level materials in the first year. Both international law and comparative law courses and published textbooks presume a good base of knowledge of the U.S. legal system and its workings. From there, comparisons and contrasts are made to an international body of laws or to other national legal systems.

## The Pervasive Approach to International and Comparative Law

One of the distinguishing features of our curriculum is the faculty's commitment to include international and comparative materials in all domestic law courses. The Faculty Bylaws provide that faculty members will incorporate in all domestic law courses at least one hour of international or comparative law materials for every credit hour in the course. This pervasive approach to international and comparative law encourages students to analyze political, economic, social and cultural particularities contributing to different legal treatment of comparable phenomena in other societies. It also assists students in developing a broad appreciation of choice of law questions for clients whose interests cross national boundaries.

Since our inaugural term, the Director of ICLP has endeavored to support the faculty in realizing its commitment to incorporate ICL across the curriculum. The Director works with individual faculty members to help develop class materials. Faculty scholarship colloquia are regularly devoted to ICL topics. Further, our foreign summer programs provide opportunities for faculty members to co-teach courses abroad with foreign colleagues. This summer program model will, it is expected, not only redound to the edification of our students, but will also assist faculty members in deepening the comparative content of their courses taught at FIU.

We review and assess faculty efforts at incorporating ICL topics in domestic law classes at the end of each year. Overall, the pervasive approach is working well, with some faculty members even expanding coverage of ICL topics beyond the basic expectations. To mention just a few examples, in our first-year constitutional law course, a professor has developed course segments on comparative constitutional law, specifically on judicial review, transnational interpretation, affirmative action and reproductive rights. In the first-year Contracts course another professor gives substantial attention to the Vienna Convention on Contracts for the International Sale of Goods, and in the past has assigned a written exercise comparing CISG provisions to U.S. common law and statutory counterparts. The Legal Skills and Values Program

has also experimented with different exercises involving international and comparative components.

The experience of qualifications of our faculty gives FIU a comparative advantage over other law schools and allows us to effectively incorporate international and comparative components in our domestic law courses. Approximately 60% of our faculty members have formal training in international or comparative law, participate in international and comparative law-related professional organizations, and publish on a wide spectrum of international and comparative issues in leading journals. For example, several FIU professors are members of the American Society of International Law and one is a Patron of the Society. Another faculty member is the Principal Collaborateur Etranger for the *Revue de droit international et de droit comparé* and on the board of editors of the *American Journal of Comparative Law*, and yet another is a Correspondant for America (Amérique Anglophone) for the journal *Droit et Société*.

FIU professors are also on the cutting edge of international legal education publishing, for example, Professor Mirow is co-author of *GLOBAL ISSUES IN PROPERTY LAW* (2006) published by West Publishing, and Professor Gruber is co-author of a forthcoming volume titled *PRACTICAL GLOBAL CRIMINAL PROCEDURE: UNITED STATES, ARGENTINA AND JAPAN* with Carolina Academic Press.

In the upper level, the faculty has taken well to the comparative component requirement. With few exceptions, we are meeting our rule-of-thumb minimum of an equal number of class hours in international as credit hours for a given course. Most faculty members introduce these materials by way of law review articles, which are used as bases for lectures and classroom discussions.

Of course, there are challenges that we have begun to address. Providing only several hours of instruction in international and comparative law in the domestic law courses is clearly a limitation. Fitting more substantive material into already heavy, first-year courses presents yet another difficulty. Furthermore, some have voiced concern that comparative materials might be used in a way that simply suggests the superiority of American laws – as opposed to a more nuanced and contextualized approach. There have been some courses in which the message has been communicated to students that these materials are peripheral. Undoubtedly, some faculty members are less comfortable teaching these subjects and have questioned the time spent on them. While we are cognizant of the many pitfalls, we believe that our effort is worthwhile.

#### Upper-Level International and Comparative Curriculum

The faculty has approved a broad array of international and comparative law courses for inclusion in the curriculum. To date, we have been able to regularly offer Immigration Law, International Business Transactions, and International Human Rights Law. We have also intermittently offered International Trade Law, International Litigation and Profesion Juridica Comparada (Spanish for Lawyers), but anticipate offering these courses every year going forward. In spring 2008, we will offer for the first time International Criminal Law and Islamic Law. In addition, we have offered a number of seminars with an international or comparative law focus, including Comparative Corporate Law; Citizenship and Identity; International Environmental Justice; National Security and the Constitution; Law, Finance and Developing Nations; International Law of the Use of Force and Armed Conflict; Law and Politics of Africa; International Finance, Selected Topics in International Law; and Indigenous Peoples & the Law. As discussed above, the number of upper level ICL offerings thus far has been limited primarily by the small size of the student body. We anticipate increasing the range and frequency of such offerings as the size of the entering classes increases. As noted above, there is a distributional requirement that students take at least one upper level ICL course.

### Joint Degree Programs

The University now has in place two joint degree programs with an international focus: the joint J.D./Masters of Latin American and Caribbean Studies (J.D./ M.A.L.A.C.S.) program and the joint J.D./Masters of International Business (J.D./M.I.B.) program. Thus far, we have not had any students enroll in one of these joint degree programs.

### Specialty Programs

The College of Law has also instituted the Program for Human Rights and Global Justice (PHRGJ), which seeks to be the leading center of excellence in research and advocacy on human rights and global justice in the United States and developing world. It endeavors to assist states, international institutions, not-for-profit organizations, private institutions and people in the developing world to create an enabling environment for peace and security, democratization, good governance, economic development, and the preeminence of the rule of law by facilitating projects and programs that build capacity and increase and generate human knowledge and understanding.

The PHRGJ is composed of five faculty members, including Professors Levitt, Miranda, Román, Travis and Waterhouse, who are developing an array of advocacy-based and research projects on truth commissions, indigenous people's rights, genocide in the Middle East and Africa, and restorative justice. To date, the PHRGJ has provided technical and resource support to the Liberian Truth and Reconciliation Commission, raised over 1,500 book volumes for the University of Liberia, organized several international law student internships and sponsored numerous roundtable discussions and lectures, including the Annual Lincoln Diaz-Balart Lecture on Human Rights and Global Justice. Congressman Lincoln Diaz-Balart is co-chair of the Program's Advisory Board.

### Student Activities

The College of Law supports various student initiatives, including the International Law Students Association (ILSA), an international law internship course, the Philip C. Jessup International Law Moot Court Competition along with other competitions, and a host of speakers on international and comparative topics.

### Professional Affiliations

The College of Law is a founding member of the newly-formed International Association of Law Schools (IALS), "a non-profit organization founded in 2005 with a membership of educational institutions, associations, and legal educators from throughout the world. Its members are committed to the proposition that the quality of legal education in any society is improved when students learn about other cultures and legal systems and the diverse approaches to solving legal problems employed in those legal systems." It is also a sponsor member of the American Society of Comparative Law. The College of Law recently sent a faculty member to its inaugural conference in Shanghai, China.

### ***LL.M. Program***

In fall 2006, the law faculty approved establishing a general LL.M. program. Beginning January 2009, we expect to begin the process of obtaining University approval for the program, with plans to enroll the first class of students in fall 2011. The faculty approved the LL.M. program based on the premise that it will not detract from the faculty and financial resources of

the J.D. program. Indeed, it will enrich the experience of J.D. students in that LL.M. students, mostly or all foreign lawyers, will take regular J.D. courses.

### **George Washington University Law School**

We offer more than 50 courses in ICL. We also co-sponsor with the University of Oxford a summer program in International Human Rights Law. Through our Munich Intellectual Property Center, we offer a variety of courses in intellectual property law which also touch on ICL issues.

During term, we have a monthly International and Comparative Law Colloquium at which a guest professor gives a substantive presentation. All students and faculty are invited to the Colloquium and also to the many other lectures and symposia in ICL that we host each semester.

We do not require our JD students to take any ICL course; nor do we offer a certificate if a student takes a certain number of ICL courses. The reality is that nearly all of our students take at least one ICL course as they know the subject is important to them for their professional development. We recognize certain practice areas, and ICL is one of them. Further, we offer an LL.M. degree in ICL, and students in the program are required to take 14 credits in the field.

Some of our faculty introduce ICL principles into core courses. Perhaps the most interesting development at GW Law has been the expansion of ICL principles into courses beyond the first-year course, such as patents, copyrights, trademarks, antitrust, government contracts, and environmental law. These areas are of particular strength at GW Law, and they are also areas in which treaties have affected the law in a substantial way.

### **University of Miami School of Law**

More than fifty percent of our faculty write or teach in international, transnational or comparative law fields. As a result, most of our current J.D. courses include an international, transnational or comparative law component. In addition, distinguished foreign scholars and leading practitioners regularly teach mini-courses in their fields of expertise. As part of the School's 2007-08 Strategic Plan, the faculty recently adopted several initiatives designed to further enhance our offerings in these areas. Every first year student will encounter at least one international or comparative law problem, we will increase the number of upper level courses relating to international business, and we will continue to encourage the inclusion of international and comparative law aspects in all our classes. We also agreed to increase the number of courses related to the Caribbean. We plan to expand the number of civil and comparative law courses taught in a foreign language. We also agreed to develop a concentration in international and comparative law and to increase the number of clinical opportunities in fields related to international, immigration, and human rights law.

We are in the early development stages of an International Arbitration Institute and are investigating the establishment of a LL.M. program in International Arbitration. (We currently offer LL.M. programs in International Law, Inter-American Law, and Ocean and Coastal Law; we also offer a Comparative Law LL.M. program for foreign lawyers and we enrol foreign lawyers in our Tax LL.M.) Each of these programs offers a seven semester J.D./LL.M. option.)

In addition to our summer abroad programs, we offer a unique exchange/seminar program with the University of Leipzig. Faculty from both universities teach a joint intensive short-term seminar to Miami and Leipzig students. Leipzig students come for a short course in Miami and Miami students join their counter-parts for a short course in Leipzig. We are currently investigating opportunities to replicate this model with other schools around the world.

### **University of Minnesota Law School**

We do not require exposure to international and comparative law, but we encourage it in several ways. First, starting next year, International Law will be one of four courses which students will be able to choose as an elective in the first year. We do not yet have experience with this program, but a test-run of what students will choose suggests that up to a third of students are likely to choose International Law. We also have a concentration in Human Rights Law.

### **University of Missouri - Kansas City**

We are currently studying the issue and hope to make a report and recommendation to the faculty next semester. Student focus groups showed the need to have exposure to international, foreign and comparative law issues during the first year, if possible. External constituents agreed with this, and suggested that making it mandatory or at least encouraged to study international, foreign or comparative law during one's law school education would be beneficial. At this point we don't have any requirement, but three possibilities are under consideration:

*First*, we may want to encourage first-year faculty to include some international, foreign or comparative issues in their "domestic" courses.

*Second*, we are re-evaluating our required curriculum, and there is some support for putting upper-division required courses into a menu to allow students to select from those courses. If that is adopted by the faculty, the International Committee will likely suggest that International Law be included in the group of foundational courses. We may also suggest that Comparative Law be included as well.

*Third*, if we make progress on the first two points, we will likely create a curricular "track" for international, foreign and comparative law so that students who have or develop an interest in that area will have a sequence of courses available to them. We do not have sufficient resources, and probably not sufficient demand at this point, to offer a concentration.

### **University of Nevada, William S. Boyd School of Law**

The UNLV Boyd School of Law is planning to grow and further develop our international curriculum in the next few years but we have not yet determined the direction of our international growth. We do not currently require a course addressing these topics and we do not offer a certificate or recognize a concentration in these topics.

At present, our regular international law course offerings include International Business Transactions, International Criminal Law, International Human Rights Law, International Public Law, and U.S. Taxation of International Transactions. We have also offered special topics courses on The Global Marketplace and Human Rights, a course in Nicaragua on Domestic Violence in a Post-conflict Society (experiential learning), and a course on the Criminalization of Immigrants (experiential learning), and are planning on adding, for example, a course on International and Comparative Family Law in the future. Students often write papers in the international law courses and our faculty has supervised numerous student papers on international law issues. In addition, our faculty integrates international law components into several of the non-international law courses.

We also think that it is likely that many scholars in both history departments and law schools will incorporate materials from a special issue of the Law and History Review into their teaching. In 2007 Boyd partnered with the Institute for Legal Research, University of California, Berkeley to cosponsor A Symposium on Law, War, and History. The participants, including scholars from

the U.S., England, Israel, and Japan, met on February 16 and 17 at Boalt Hall to deliver and discuss papers. The journal of the American Society for Legal History, is publishing a special issue (LHR 26:3) that includes papers revised from the conferences on international law from ancient to modern times. We also support and train a Jessup International Moot Court Team and place externs in international placements.

Finally, the Saltman Center for Conflict Resolution sponsors speakers and symposia relating to conflict resolution. Many of these events have focused on conflict resolution in international settings. Some of the events have compared conflict resolution among various countries/societies, and others have focused on a single setting such as the Israeli/Palestinian disputes. These events are open to students.

### **New York University**

NYU School of Law places significant emphasis on providing its students with significant exposure to international, transnational, and comparative law.

In 1994, the Law School established the Hauser Global Law School Program. Since that time, the structure of the Law School's faculty and curriculum, the composition of its student body, and its extracurricular offerings, have undergone substantial transformation. Every year, the Program has about 10-12 leading international scholars and jurists teaching at the Law School.

In addition, more than 300 foreign students (from almost three dozen countries and six continents) enroll as LLM and JSD students in the Law School each year; the end result is that, at any given time, the student body is nearly 25% "international." These international students are fully integrated into the intellectual life of the Law School. They sit side-by-side in courses with upper-class J.D. students, and each group learns from the other – exchanging their unique perspectives, analytical approaches to legal issues, and cultural/ "real-world" insights.

First-year students are also exposed to international issues in a variety of ways. Many of the Professors in the required, first-year curriculum incorporate a cross-cultural perspective into their classes. For instance, in the Civil Procedure course, the students might be introduced to the European Regulation on Jurisdiction and Judgments, and asked to compare it with the American approach to the same issues. During their second semester, first-year students have the opportunity to select an introductory International Law course from among a number of elective courses.

Encouraged by the success of the Hauser Global Law School Program, the Law School has enhanced the depth and breadth of its commitment to advancing the global perspective by expanding its offerings to include a broad range of inter-university agreements, institutes, and centers.

The Law School has agreements with ten universities, pursuant to which second and third year students can apply to spend one semester abroad and receive 12 credits towards their J.D. degree. Study abroad programs are currently established with the Universities of Amsterdam (The Netherlands), Kyushu (Japan), Copenhagen (Denmark), Leuven (Belgium), Palermo (Argentina), Paris II and Paris X (France), Sydney (Australia), and the European University Institute (Italy), Bucerius Law School (Germany), and the National University of Singapore.

Additional institutes and centers inspired by the success of the Hauser Global Law School Program include: the *Institute for International Law and Justice*; the *Center for Human Rights and Global Justice*; the *Center on Law and Security*; the *Global Public Service Law Project*; the *Jean Monnet Center for International and Regional Economic Law and Justice*; the *Project on Transitional Justice*; and the recently established *Private and Transactional International Law Program*. Each of these institutes, centers, and programs provide NYU Law School students with the opportunity to develop expertise in the subject matter through a combination of coursework, colloquia, advanced seminars, and unique internship placements.

## **University of the Pacific, McGeorge School of Law**

Pacific McGeorge seeks to ensure that every graduate has received significant exposure to international, transnational and comparative law by introducing these topics into required courses. During their first year, every student should receive significant exposure to these topics in at least one of their courses and the majority of the students will receive significant exposure in more than one of their courses. The extent of exposure depends upon the particular faculty teaching the section to which the student is assigned. Because of the Convention on Contracts for the International Sales of Goods, Contracts courses are the most consistent in exposing students to transnational issues. Beyond that, we are fortunate that a number of Pacific McGeorge faculty members have authored books designed to introduce international, transnational and comparative law into the traditional first-year courses such as Property, Civil Procedure, Criminal Law and Torts, and, not surprisingly, they and some of their colleagues are using these books.

During the second year, virtually every Pacific McGeorge student will receive additional significant exposure to international, transnational and comparative law. The Appellate Advocacy course (which is required for all students except those on the law reviews) seeks every year to incorporate an issue involving international or transnational law into the problem on which the students work. In addition, most sections of Constitutional Law and Business Associations at Pacific McGeorge provide significant coverage of these topics. Professors teaching other upper-level required courses such as Wills & Trusts, Remedies, and Professional Responsibility have also authored books that incorporate global perspectives into those course.

## **Penn State Dickinson School of Law**

Penn State Dickinson School of Law has offered an integrated "transnational law" course as a first year elective. In addition, it is gradually adopting the "pervasive" approach by incorporating international, transnational and comparative law topics into "traditional" type courses such as competition law, contracts, procedure, sales, and secured transactions which now contain a significant portion of transnational-comparative law materials.

On July 1, 2007 Penn State University launched its new School of International Affairs, a highly interdisciplinary school drawing extensively upon the intellectual resources of the faculty in several academic colleges of the University. The SIA is connected intimately with the law school, a connection predicated on the professional orientation of the law school and other schools of the University, their mutual emphasis on the practical application of knowledge for solving complex social problems and the law school's significant pre-existing depth with respect to international and comparative law and economic development. The Schools will share a magnificent new building (occupancy December 2008) pervasively equipped with advanced audiovisual telecommunications capacity that will enable the exchange of educational programs throughout the world.

The SIA will offer a professional master's degree in international affairs with several specialty concentrations. It will operate under the guidance of Tiyanjana Maluwa, its inaugural Director and the law school's H. Laddie Montague Chair in Law, and a faculty governing council composed of leading faculty from some of Penn State's top graduate departments. We are actively engaged in recruiting faculty of exceptional scholarly depth and professional experience in diplomacy and international relations; international economics; multi-sector and quantitative analysis; development and civil society; nonprofit organizations; and/or any of the major transnational policy challenges identified by the Copenhagen Consensus.

### **University of Pittsburgh School of Law**

We are doing nothing formally to ensure that all graduates receive significant exposure to international, transnational and comparative law. While concern for global practice requirements is mentioned in our long-term strategic plan. We have no specific plans to address that concern. We do, however, offer a certificate program in international and comparative law. Approximately 15% of our third year class and 30% of our second year class are enrolled in this certificate program.

### **Rutgers School of Law, Camden**

We are in the early stages of a globalization discussion. We do not yet have any requirements for students and we would benefit from knowing what the choices are that other schools have made;

### **University of Saskatchewan College of Law**

Our students are aware of the increasing importance of these areas, and are made aware through discussions on the evolving nature of law, and tend to choose to take courses of interest to them within these areas. We are interested in hearing about more unique approaches.

### **Seton Hall University School of Law**

We do not have a required international law course, nor do we have a concentration in international law. There was a concentration in international law in the past, but this was eliminated (along with a number of other concentrations) due to a general desire to tighten up the curriculum. We are encouraging faculty to incorporate international materials into their core courses, and are engaged in an ongoing review of the international law curriculum now.

### **Southern Illinois University School of Law**

SIU offers a few courses on international law each year, including a public International Law course, an International Business Transactions course, and a handful of other courses that are rotated in the curriculum, including International Trade, European Union Law, and International Human Rights. We also sometimes offer a writing seminar on a comparative law topic. We regularly offer seminars on terrorism and national security law that have international components. We have also had a faculty teaching seminar designed to assist faculty in incorporating international issues and materials into other doctrinal courses, such as teaching about the Convention on the International Sale of Goods in contracts or international adoption in family law. We do not offer a certificate in international law. We are working toward becoming a co-sponsor of UMKC's summer study abroad program in Ireland. SIU faculty and students participated in the program last summer and will do so again this summer. While we have always had a number of students study abroad during the summer, we are finding that having our own program is increasing that number significantly.

### **Southern University Law Center, Baton Rouge**

SULC, a historically black law school, is a fee-paid, non-member school. Currently, our school does not have a formal program that guarantees all graduates receive significant exposure to international, transnational, and comparative law. However, because our core curriculum is mixed civilian in nature, all students gain a certain amount of knowledge of comparative law simply through that curriculum. Furthermore, certain of us make sure that every course we teach exposes students to international and transnational law as well. This is relatively easy for me (and several others at SULC) to do, as I teach contracts, obligations (the civilian equivalent of contracts), sales and leases, and international business transactions. Furthermore, my textbook “Legal Reasoning, Research, and Writing for International LL.M. students,” while originally aimed at non-U.S. LL.M. students, is being used here in some of the Legal Writing courses.

### **Syracuse University**

Our first-year curriculum includes an elective section of a research and writing course that is devoted to international and comparative law. In addition, each student takes an elective in the spring semester of the first year in public law processes and institutions, and many of the offerings contain significant international and comparative law. Our school offers a clinical course for students interested in working with the Special Court for Sierra Leone, and we offer a Certificate of Advanced Study for students interested in National Security and Counterterrorism. A new on-line publication, Impunity Watch, offers students a chance to follow and study human rights and ICL issues around the world.

### **University of Tennessee College of Law**

The University of Tennessee College of Law does not have a formal requirement that students take a particular course in international law. However, many of our courses introduce international law concepts as a part of their course coverage, as discussed below. In addition, many of our faculty include international perspectives in their scholarship. Thus, many of our students will be exposed to international law concepts in their course work and in their interactions with faculty, even though we do not currently have a formal requirement in this area. Note also that all of our law students are required to meet a “Perspectives” requirement, and many of our international offerings meet that requirement.

UT also fields a Philip C. Jessup International Law Moot Court Competition team and has a very active ILSA chapter.

In addition, we currently participate in two summer programs that allow interested students to study abroad and receive course credit. One of these programs is held at Cambridge, England, and the other is held at Rio de Janeiro, Brazil. We hope to initiate a third program in Shanghai, China, within the next few years. As a result of these linkages, we have been able to invite visiting faculty and guest speakers to our campus and to send our own faculty members abroad to these institutions.

### **Washburn University School of Law**

Washburn has a summer abroad program with Utrecht University in the Netherlands. The program uses a comparative model and takes advantage of co-teaching by Utrecht University and Washburn law professors in addition to enrolling law students from Utrecht University. The first

course is a comparative legal systems course and the second course is a comparative substantive law course. This program has resulted in a number of Utrecht faculty members visiting Washburn as guest scholars and lecturers. Washburn also has had several condensed six-week courses that were team-taught by as many as 5 Washburn faculty members and a Utrecht University faculty member. Next year Washburn and Utrecht will expand its cooperation by implementing a semester abroad student exchange program.

In addition to the summer abroad program, Washburn has a student exchange program with Maastricht University in the Netherlands. Washburn students may attend either a semester or a full academic year at Maastricht University. If students are admitted for a full academic year, they may apply to three Maastricht LL.M. programs (European Law School, Globalization and Law, and International and European Tax Law) and obtain an LL.M. from Maastricht University at the end of their year abroad.

Washburn continues to expand its course offerings in international law and comparative law, with the faculty recently adding two new courses to the curriculum. Also, this semester Dean Thomas Romig appointed an International Legal Programs faculty committee, consisting of faculty members with substantial international teaching or legal experience. The committee is investigating the addition of programs or externships in Europe, Asia, Africa, and the Subcontinent, implementing an international law certificate, and initiating a Jessup moot court program at the law school. The students also are interested in obtaining more exposure to international law and have re-energized the International Law Society, with 1L students taking on key leadership roles.

### **Washington and Lee University, School of Law**

Washington and Lee University, School of Law, established a Transnational Law Institute in 2006 to promote the integrated teaching and study of international and comparative law. Major initiatives include adoption of a mandatory 3 credit course in Transnational Law for all 1Ls. To be offered second semester of the first year, compulsorily, and serving also as a basis for additional 2 credits of instruction in legal writing to students. This represents a major mainstreaming of international and comparative law and compulsory exposure for all students, meaning that all students in the second and third year can jump into advanced coursework in specialized areas, interdisciplinary research seminars, and cutting-edge experiential offerings. On the latter note, our students are participating in instruction that has them assisting defense counsel in the Khmer Rouge trials, writing memos for Iraqi public defenders, and traveling to Liberia to instruct in human rights training. In addition, the Transnational Law Institute sponsors a speakers' series (featuring two ASIL Presidents thus far), visiting professors and scholars, a series of student internships (in Sarajevo, Pristina, Vienna, and in other settings with intergovernmental or nongovernmental organizations), and symposia/conferences. One aspect of our pedagogical model that might be of interest to others is the experiential focus of our third year and the extent to which these offerings permit students theoretically sophisticated as well as practically relevant pedagogical opportunities. We also have JD exchange opportunities with 4 foreign law schools and a new LLM that will have transnational law as among its focal points.

### **University of Windsor, Ontario**

The law school is currently reviewing its curriculum to determine whether a required course should be introduced or whether issues in international, transnational and comparative law could be introduced pervasively across the curriculum.

## QUESTION 2

**If you rely on electives to expose students to international, transnational and comparative law, what percentage of your students would you estimate to take such electives? (In lieu of an estimate, perhaps your registrar has enrollment figures for such electives.) What sort of counseling do students receive to learn of the importance of such electives?**

## RESPONSES

### Cumberland School of Law, Samford University

I estimate that 25% - 40% of Cumberland students take at least one course that addresses international, transnational, or comparative law. Other than the counseling we provide students generally about course selection, we do not engage in any counseling specifically directed at these topics. This counseling consists of two presentations to the first year class and numerous individual conferences with faculty.

### University of Minnesota Law School

For the two largest enrollment international courses, International Law and International Business Transactions, the enrollment each year tends to be about 50 students for each, out of a total class of 260 students. I presume there are a fair number of students who take both, but I do not have figures on the overlap. We have many other elective courses and seminars with somewhat smaller enrollments; again, it is hard to tell how many students overall take at least one of these classes. We have counseling sessions every spring where faculty from the major curricular areas discuss the value of the different areas--international law faculty are well-represented at these sessions. International Law is an area of real strength for our faculty, and I think it draws a lot of our students, so a pretty large fraction of our student body probably winds up doing some sort of coursework in international law.

### University of the Pacific, McGeorge School of Law

As stated above, we do not rely solely on electives to expose students to international, transnational, and comparative law, but rather view electives as an opportunity for interested students to explore such topics in a depth not possible in the exposure provided through incorporation in required courses. Last semester spring 2008, 209 J.D. students enrolled in these electives, and the school's total enrollment was 1,033. This figure overstates the number of individual students enrolled in international electives because many students will take more than one international elective. The counseling on the importance of international electives consists of ad hoc comments by individual faculty.

We also offer a number of electives that were traditionally "domestic," but now incorporate global perspectives—e.g., Employment Law, Employment Discrimination Law, and Family Law.

### **University of Saskatchewan College of Law**

We offer a number of elective courses. These include a public international law (approx 50% of students take); international trade law (15% take); conflict of laws (30%); international commercial transactions (10%); indigenous peoples in intl and comparative law (10%); international criminal law (10%); human rights (10%). Some students obviously take more than one, given that the numbers sum to over 100%. In terms of how many take at least one, it would be a bit of a guess (ie our data don't easily let us answer this question), but I would estimate around 75%. Students don't receive counseling specifically related to the importance of these electives but the changing and globalizing nature of legal practice would be discussed within general comments about choosing electives

### **Southern Illinois University School of Law**

In response to the letter I received asking what percentage of our students take elective courses on international law, I would estimate about 20-25% of our students take such elective courses.

### **University of Tennessee College of Law**

We currently offer the following courses that focus on international law issues on a regular basis. These courses are listed along with their enrollments for each offering during the past five academic years. Note that each entering class at the University of Tennessee contains approximately 150 students (for a total of 450-460 students in our program at any one time).

- Public International Law: Taken by 9, 27, 10, 35, and 18 students when offered during the past 5 years.
- International Business Transactions: Taken by 62, 29, and 10 students when offered three times during the past 5 years.

In addition, we also have offered the following non-recurring courses in recent years, and their enrollment follows:

- Comparative Regulation: Offered once, to 10 students, in past 5 years
- Contemporary Chinese Law: Offered once, to 18 students, in past 5 years
- Immigration Law: Offered to 24, 20, and 31 students
- International Law and American Foreign Policy: Offered once, to 9 students
- International Human Rights: Offered once, to 5 students
- National Security Law: Offered to 15 and 18 students
- Space Law: Offered to 18 and 14 students
- Global Constitutionalism: Offered once, to 8 students
- International Intellectual Property: Offered once, to 14 students
- Public Health Law & Policy: Global and Comparative Perspectives: Offered once, to 18 students
- Cross-Cultural Communication in International Dispute Resolution: Offered once, to 24 students
- International Human Rights Law: Offered once, to 5 students
- International Freedom of Religion: To be offered for the first time in Spring, 2009

Moreover, as noted in the answer to Question 1, several of our other courses, while not focusing on international law issues, do introduce students to these concepts.

**University of Windsor, Ontario**

We regularly have a yearly enrollment of about 250 students in these courses.

### QUESTION 3

**What aid (*e.g., information, resources or support*) would you like to see ASIL or other law schools provide you to enhance your school's efforts to introduce more international, transnational and comparative law into your curriculum?**

### RESPONSES

#### **Cornell University, Law School, Clarke Center for International and Comparative Legal Studies**

The most useful information would be statistics concerning what other schools are doing, as well as "best practice" samples. Some of these statistics currently are being compiled by the ABA, though.

#### **Cumberland School of Law, Samford University**

Information about how other law schools fit these topics into their curriculum would be helpful as would information about materials that can be used to integrate the topics into traditional required courses.

#### **Drake Law School**

Regarding aid, more information and details about creative approaches by schools and links with international lawyers are always welcome.

#### **George Washington University Law School**

Our faculty would benefit from a centrally-located repository of information on ICL courses, e.g., syllabi, evaluation of casebooks and other teaching materials.

#### **University of Florida Frederic G. Levin College of Law**

We are exploring the idea of a required first-year course regarding comparative and transnational law. We would very much appreciate information on any models that have proven effective.

#### **University of Miami School of Law**

It would be helpful if ASIL assisted law schools in the development of internship opportunities - both public and private law related and both in the U.S. and abroad.

### **University of Minnesota Law School**

I'm not quite sure what aid would be helpful. I have seen some of the supplementary books that give international and comparative material that one can use to supplement non-specifically-international courses. More of that could be helpful, although to tell the truth I'm not sure how much that gets used. A more likely road to success would be to build such material into the original casebooks.

### **University of Missouri - Kansas City**

Faculty members have indicated that they would like to have training and resources. We have the Global Issues books from West, and now would like to have some support on how to make good use of these books. Workshops, problems, suggested lesson plans would all be possibilities. We are also looking for ways to create an incentive for faculty to include these materials in their courses. Faculty tends to become set in their ways, and unless there is a compelling reason, often resist adding new material to their courses. They often think it will require cutting present material, and they resist cutting material they think is important.

### **University of Nevada, William S. Boyd School of Law**

- The ability to access comparative data on trends in family law across countries from a central repository.
- A few short essays that could be included in course materials to support points addressed in Civil Procedure and Alternative Dispute Resolution courses such as:
  - U.S. far more extensive reliance on jury trial, far more extensive discovery, far more extensive use of punitive damages, more willing to find personal jurisdiction based on minimum contacts, use of more adversarial system in contrast to civil law or other approaches of other countries, court system is structured differently from other countries
  - differences between other countries conception of mediation and arbitration and that of the United States
- A comparative constitutional law reader designed to be used with the core constitutional law course and perhaps a corresponding list of or links to materials available via a website.

### **New York University**

ASIL can play a significant role in enhancing student interest in the fields of international, transnational, and comparative law by increasing its visibility to law students. For instance, it might conduct outreach on careers in international law, and include on its website a synopsis of some of the very helpful materials in its book entitled *Careers in International Law: A Guide to Career Paths and Internships in International Law*.

Further, ASIL might consider strengthening its focus in the field of private international law, as much of its current focus is in the public international law arena.

### **University of the Pacific, McGeorge School of Law**

We have found the responses from other law schools regarding what they are doing to expose all of their students to international, transnational and international law to be very helpful in informing our own efforts.

### **University of Pittsburgh School of Law**

I believe the Pacific McGeorge effort to create modules for inclusion in first year and core courses are a good one. The problem, however, lies with those professors not reached by ASIL or the AALS international sections. The choir is converted. It is the mass of uninitiated that must make the difference.

### **Rutgers School of Law, Camden**

Knowing the range of options is helpful. We are a regional law school and, hence, have a different focus than many others

### **University of Saskatchewan College of Law**

Distribution of information about any unique ideas would be helpful.

### **Southern Illinois University School of Law**

Information and materials about how to incorporate international, transnational and comparative law perspectives into doctrinal courses are helpful, as is discussion about the benefits of doing so.

### **Syracuse University**

ASIL might send around information about new developments in the law and graduate schools in these areas. ASIL might also be a clearinghouse for visitors or fellows interested in teaching or research in these areas.

### **University of Tennessee College of Law**

Those faculty members at the University of Tennessee who do not specifically focus on international law issues would probably be more likely to address these issues in class if they received some education on how best to accomplish this goal. In addition, if teaching materials were available to assist teachers in this effort, it would probably increase the likelihood that teachers would include this material in their course plan. If traditional materials, such as casebooks, do not infuse this material throughout, then perhaps course supplements might help. ASIL also could engage in greater outreach to our students, specifically by holding programs or panels here at UT that might expose them more broadly to professional opportunities that are linked to the practice of international law.

### **Washburn University School of Law**

It would be quite productive for the ASIL to work together with the International Association of Law Schools, the ABA International Legal Education Activities Committee and the AALS Committee on International Cooperation.\* Not only will it prevent duplication of efforts but, with combined resources, these groups could help law schools advance the US faculty members' level of expertise in the areas of international, transnational and comparative law. For example, these three groups jointly could sponsor an international conference where faculty involved in international, transnational or comparative law could meet to discuss new ideas to advance globalization in the curriculum, exchange teaching ideas, investigate more cooperative international programs and facilitate faculty and research exchanges.

\* and related AALS Sections:

Section on Comparative Law

Section on International Law

Section on International Legal Exchange

Section on International Human Rights

Section on Graduate Programs for Foreign Lawyers

Section on North American Cooperation

Section on Africa

### **Washington and Lee University, School of Law**

Were ASIL to increase professional outreach to students regarding contacts, mentors, and placement opportunities post graduation, I believe that would further increase the number of students who would see themselves able to practice international law.

### **University of Windsor, Ontario**

Information from other law schools about the curriculum models they use to teach international, transnational and comparative law.