

On the 30th anniversary of the Salzburg program, Pacific/McGeorge Law expands its international presence with ties to Soochow University in China. With an increasing number of alumni abroad, Pacific/McGeorge is making its mark throughout Asia and the Pacific Rim. By Robert T. Wazeka

Pacific/ McGeorge's Pacific Rim Connection





Soochow University The Kenneth Wang School of Law campus located in Suzhou, China

Pacific/McGeorge School of Law has long been a leader in international legal education, and the law school is well-positioned to capitalize on the explosion of economic growth, particularly in the Pacific Rim.



Professor Claude Rotwer

"More is happening internationally at Pacific/McGeorge than at any other law school west of the Appalachians," says Claude Rotwer, Associate Dean of International Affairs at Pacific/McGeorge School of Law. "Many students come here because they're interested

in international affairs. And this is especially important now because globalization is everywhere."

At the very moment Pacific/McGeorge is celebrating the 30th anniversary of its European summer institute in Salzburg, the school has launched a new initiative aimed at Pacific Rim countries. Cooperative efforts are well underway with China, Vietnam, Taiwan, and Chile, and this is only the beginning.

The Pacific Rim initiative moves beyond traditional exchange programs with law students, legal scholars, and government officials. Pacific/McGeorge is providing assistance to countries bringing cases before such international bodies as the International Court of Justice and the World Trade Organization. It is offering support to nations developing or revising civil codes or commercial laws and regulations. And, perhaps most excitingly, it is pioneering a series of innovative training programs in cooperation with other nations, particularly in China and Chile.

"Many of the prestigious law schools in the East stress legal theory," says Dean Elizabeth Rindskopf Parker. "Pacific/McGeorge is different; our approach focuses on the law as it is applied. This makes us particularly effective in assisting other countries with their legal systems."

China

Pacific/McGeorge's efforts in China extend back to the early 1980s when the school sponsored pioneering exchange programs with a Chinese law school. One of the Chinese students involved in the program, LL.M. graduate Zhu Su Li, is now Dean of the prestigious Beijing University Law School.

The exchange program stalled in the aftermath of the 1989 Tiananmen Square uprising that dampened Chinese relations with the U.S. When Dean Parker visited Chinese law schools during a 2002 lecture tour, she made contacts at the Kenneth Wang School of Law at Soochow University that led to the creation of Pacific/McGeorge's new Summer Institute in China, which holds its first session this year. Soochow University is located in the city of Suzhou, northwest and inland from Shanghai.

Instrumental in pulling the effort together was Kenneth Wang's son, Frank, a prominent San Francisco attorney and adjunct professor at Pacific/McGeorge.

The excitement over Pacific/McGeorge's work in China is palpable. "The level of interest in American law by Chinese students, half of whom are women, is very high," says Laura Young, an adjunct professor who accompanied Dean Parker to China. "The Chinese law students were



Professor Frank Wang

extremely interested in what we had to say," she says. "Their level of English was high and they posed tough questions about American law and foreign policy."

The creation of the summer institute reflects China's effort to modernize its legal system.

"We're helping China reinvigorate a system of laws that suffered because of the closure of all law schools in the country for 30 years," says Parker. "Their recovery has been remarkable. Now there are more than 300 law schools. They're well ahead of the Russians in developing a modern legal system."

Fifteen students each from the U.S. and China will participate in the summer institute. The Chinese students were chosen competitively and with special attention to their English language skills. "We deliberately wanted students with a range of language skills, from highly proficient to barely proficient," says Frank Wang. "In this way the students will have to deal with each other and help each other out with translation and other matters."

Before heading off to China, the American students will spend two weeks at Pacific/McGeorge attending a class in "concepts of Chinese law" taught by Professor Wang, Young and Brian Landsberg, a constitutional law expert. When the students arrive in Suzhou, they'll receive packets of mock contracts, invoices, and other materials, some written in English and others in Chinese. The Chinese students will receive identical packets.

"We're working on these right now," says Wang. "It's a real challenge, but it's exciting." In China, the 30 students will be divided into competitive *red teams* representing China and *blue teams* representing the U.S. Each team will include both Chinese and American students. To succeed, students have to help each other with translation and interpretation. "By their interaction," Wang says, "the students will build relationships that will help to remove cultural preconceptions and stereotypical behavior patterns. In a sense, this can contribute to developing a new kind of common law."

In addition to the summer program, Pacific/McGeorge has hosted two separate visits from Chinese lawyers and judges and several exchange programs are underway with law schools in Russia and Taiwan.



"I am very excited that Pacific/McGeorge

has formed a strong relationship with a law school in China. This new program will provide valuable experiences for its future participants, especially those who choose to practice law in the Pacific Rim."

— Lenny Li '02D, Preston | Gales | Ellis - Solicitors, Hong Kong

Professor Jay Leach works with Chilean prosecutors.



Chile Pacific/McGeorge designed and implemented an innovative, hands-on training program in January and February to help school Chilean prosecutors and public defenders in the arts of trial advocacy, mediation, and negotiation. In part because of our highly-ranked Trial Advocacy program, the Cultural Affairs Office at the American Embassy in Santiago chose Pacific/McGeorge to carry out the training. The school then signed a contract with the U.S. State Department to bring eight Chilean prosecutors and 11 public defenders to Sacramento for training.

"From our end, the results were great," says Professor Jay Leach, director of McGeorge's Center for Legal Advocacy and Dispute Resolution. "The Chileans were diligent and receptive, and their reactions were uniformly positive."

Chile's legal system is moving from an inquisitorial, judicial-tribunal system to an American-style system of adversarial trial. Its lawyers were in need of training in four areas: direct examination, cross-examination, impeachment of witnesses, and closing argument. "One of our concerns," says Leach, "was whether we would teach at the appropriate level of their experience, which varied from individual to individual. Another concern was whether we would take proper account of the similarities and differences between our two systems."

The seven-day sessions included lectures from Professors Joseph Taylor and Fred Galves on trial advocacy and from Professors Gregory Weber and Ed Villmoare on alternative dispute resolution. Mock trial segments and a complete trial that ended each session occupied 90 percent of the time, with two Chilean lawyers arguing for each side. Simultaneous translators were present, the sessions were videotaped, and McGeorge faculty observed the sessions and made comments and suggestions.

"I accompanied defendants from my office and was very impressed by the professors at Pacific/McGeorge," says Rodrigo Quintana, the Defensor Nacional for Chile's Defensoria Peral Publica.

"The Chilean legal system is going through an amazing transformation and it is a great honor for Pacific/McGeorge professors to be asked to share our knowledge with Chilean attorneys," says Professor Galves, who did human rights work in Chile in 1985 under the auspices of the Harvard Human Rights Program and Amnesty International.

Photography: Steve Weber



I went to Pacific/McGeorge for its international emphasis, and 22 years of Pacific Rim practice has proved my choice was right. With Japan and China starting to economically balance the U.S., business interests around the *Pacific pond* are poised for explosive recovery.

—Chris Jacobson #2 E, Sakai & Mimura, Tokyo

Viet Nam Technical legal assistance also plays a significant role in the law school's Pacific Rim initiative. A case in point is Professor Claude Rohwer's work as a consultant to several different government ministries in Viet Nam. Since 1996, Rohwer has made five separate trips to the country, providing assistance in areas such as contracts, sales, service transactions, personal property financing, and property law.

Rohwer's first visit occurred in 1996, when he went to Ho Chi Minh City under joint funding provided by the U.S. Department of Commerce and UNDP (United Nations Development Fund). Meeting with Vietnamese attorneys, accountants, and bankers, Rohwer consulted on the rewriting of the Vietnamese civil code. In 2002, he went to Vietnam to consult on the bilateral trade agreement with the U.S. and on amendments requested by the World Trade Organization (WTO) to ensure Viet Nam's accession into the WTO. (Assistant Professor Marjorie Fibresal has done similar work in Africa, assisting Cape Verde and Ethiopia in preparation for accession to the World Trade Organization.)

In a three-week working session last fall, Rohwer worked with the Vietnamese Ministry of Justice and Ministry of Trade to amend the country's civil code, rewrite some of its commercial law and draft repeal of a 1989 law that has stymied trade.

Portrait Photography: John Eberstein

Mexico Several Pacific/McGeorge professors are lending their expertise to projects in Mexico. Professor Steve McCaffrey is one of three Americans advising on the NAFTA environmental side agreement. He attended a meeting of advisers to the secretariat of the Commission for Environmental Cooperation on January 31 in Mexico City. They advise all three NAFTA countries, Canada, Mexico and the U.S., on the environmental agreement citizen submission process.

Professor Gregory Weber spent a recent sabbatical year in Oaxaca, Mexico, working for the formerly Mexico-based Forest Stewardship Council. In addition to a project for the World Wildlife Fund, he was one of three consultants who investigated and reported on a dispute involving the setting of regional standards for sustainable forestry in the Maritime Provinces of Canada.

Professor Linda Carter has written on the legal theory behind Mexico's International Court of Justice case seeking relief for 52 Mexican nationals on death row in the U.S. for violations of the Vienna Convention on Consular Relations, which gives detained foreign nationals the right to contact their consulate.



Elizabeth G. Bynum

"We're not focused on the Pacific Rim to the exclusion of any other area of the globe, but we are determined to seize upon opportunities when they come along," Dean Parker says. "We hope to use the experience we've acquired in

China and elsewhere as models

for assistance and collaboration with many other countries, both inside the Pacific Rim and elsewhere."

To that end, Pacific/McGeorge recently hired Elizabeth G. Bynum to coordinate law school projects in Asia. A *summa cum laude* graduate of Harvard University where she majored in East Asian Languages and Civilizations, Bynum earned her J.D. at Columbia. She practiced commercial law for more than three years with Debevoise & Plimpton in Hong Kong.

"We're excited to add Betsy Bynum to our team. International law is the exciting growth field of the 21st century and Pacific/McGeorge expects to be at the forefront of international legal education," Dean Parker says.