From the Director

When we created the Center for International Legal Education two years ago, the idea was to add form to substance. We knew we had a solid program of international and comparative law activities at the University of Pittsburgh, but also realized those programs could be improved through better coordination. The experience of the past two years has proved us correct in our initial beliefs and allowed us to build on our many strengths through the benefits of a common focus. What was a solid foundation in international and comparative legal studies has been strengthened by the presence of a home built on that foundation.

We sincerely hope that all Pitt students, alumni, and friends can consider the Center for International Legal Education their home for programs, courses, expertise, and common ground in the development of knowledge of international and comparative law for the necessary global reach of the practice of law in the 21st century.

This issue of CILE Notes provides a glimpse of some of the international and comparative law activities at the School of Law over the past year and information on some of the exciting events to come. While we hope you will be interested in every word, we have tried to provide information in a manner that lets you turn first to matters of greatest interest to you.

The first item in this issue of CILE Notes is something new. In the report on developments at the Hague Conference on Private International Law, we hope not only to provide information on the activities of a Pitt Law faculty member, but also to present important substantive information that may be of value to the practice of law in the international realm. We will continue this practice in future issues of CILE Notes, with useful substantive reports on the international work of the Pitt Law family. The second part of CILE Notes provides articles on activities and events at the School of Law during the past year as well as reports of upcoming events. We hope this section will provide a flavor of our programs and activities, and interest you in becoming involved in them.

The third part continues a practice developed in the first issue of CILE Notes — that of providing "first person" accounts of events and experiences in the words of those directly involved. The accounts of experiences of the past year by Kurt Riechenberg, Nancy Maslanka, and Thomas Ogorevec are interesting as well as informative, and I invite you to share their experiences as you read their reports. Finally, we provide information on the soul of our programs in a brief — but we hope interesting — listing of the activities and scholarship of our students, alumni, and faculty. We know we have not come close to cataloguing everything possible in this section, and invite your assistance in providing more complete information on the international and comparative activities of the Pitt Law family in the next issue of CILE Notes.

I would be remiss at this point in the life of the Center if I did not note our special appreciation for the support of the Alcoa Foundation in the life of our activities. Through Alcoa's generous three-year grant, we have provided the equivalent of three full-tuition scholarships to foreign LL.M. students in each of the first three years of the program. This has allowed us to build a solid program, with outstanding...
SECOND YEAR...Continued from page 1

ing students. Three of the eight LL.M. students in the class of 1997 graduated magna cum laude (Linda Dhondt, Maria Fernanda González and Marco Gardini).

From 147 inquiries in the first year, we have had more than 382 requests for information and application materials in the current year of the LL.M. Program. The number of applicants for the class of 1998 was more than four times the number for the 1996 class. We have tried to develop a special program for foreign students, limited in size but expansive in opportunities, experiences, and the development of personal and professional relationships. The quality of this fall’s class is testament to the success of our efforts. The average TOEFL score alone (Test of English as a Foreign Language) is nearly 35 points higher than the average in either of the past two years.

The support provided by an Alcoa Foundation grant has allowed us to bring the best students possible to the program. At the same time, the end of the original three-year grant leaves us with the need to find other resources to support future classes. We invite your suggestions and your support in our continuing effort to see that diversity in the academic lives of all our students at the School of Law is enhanced by the presence of the best and the brightest from around the world.

A SUMMARY WITH SUBSTANCE

Brand on U.S. Negotiating Team for Hague Judgments Recognition Treaty

Delegations from 44 nations met at the Hague Conference on Private International Law in June to begin negotiations on a treaty that, if successful, will provide the rules governing jurisdiction over foreign parties and the ultimate recognition of judgments in transnational litigation. The Hague Convention on Jurisdiction and Judgments in Civil and Commercial Matters was proposed by the United States in 1992 and is now the principal focus of the Hague Conference through the year 2000.

The Hague Conference was established in 1893 in order to unify substantive and procedural law. The U.S. became a member state in 1964. The Hague Conference has 45 member states, including all European Union (EU) member states, the United States, Canada, Mexico, Venezuela, Argentina, Chile, China, Japan, Australia, Israel, Egypt, Morocco, the Czech Republic, Slovakia, and Croatia. It has produced four conventions to which the U.S. is a party: the Hague Conventions on service of process abroad and the taking of evidence abroad; the convention streamlining the certification of documents intended for use abroad; and the convention providing for the return of (usually parentally) abducted children.

At the meeting of the Hague Conference’s Special Commission on June 17-27, 1997, 35 Hague Conference Member States and nine nonmember states commenced work on a recognition of judgments convention designed to result, after three further two-week sessions in 1998 and 1999, in the adoption of a final convention text at the conclusion of the Hague Conference’s 19th Diplomatic Session in October 2000. Pitt Law Professor Ronald A. Brand is a member of the U.S. delegation to the negotiations, whose other members include Peter H. Pfund, assistant legal advisor for private international law at the U.S. Department of State; Professor Arthur von Mehren of Harvard Law School; attorney Peter D. Troboff of Covington & Burling, Washington, D.C.; and David Epstein, director of the Office of Foreign Litigation at the Civil Division of the U.S. Department of Justice.

The Hague Convention is intended to provide greater predictability in international litigation, taking into account the interrelation and complexity of economic activities around the globe. Many international contracts include clauses providing for arbitration of any resulting disputes. For these situations, the successful 1968 New
York Arbitration Convention provides for the recognition and enforcement of both the agreement to arbitrate and the resulting award in more than 100 countries. The United States has no such treaty with any country regarding the recognition of court judgments, and our internal law on the matter is governed by state law, resulting in differing approaches and significant uncertainty in enforcing foreign judgments in the U.S. and U.S. judgments abroad. This is a subject on which Brand has written a book published by the International Law and Practice Section of the American Bar Association, as well as articles published in law reviews and journals in the U.S. and abroad.

While the Hague Convention will be designed to facilitate the recognition of judgments in other countries, it will in fact do much more. The convention will also provide guidance regarding the grounds of jurisdiction available when suit is brought against a foreign defendant appropriately connected with a country that is a party to the treaty. The resulting international codification of acceptable and unacceptable bases of jurisdiction in international litigation should provide greater predictability, both for plaintiffs who want any resulting judgment to be recognized and enforced when the defendant's assets are located abroad, and for defendants concerned with exposure to litigation in other than their home countries.

The example of the successful Brussels Convention in the EU, and the understanding that judgment recognition hinges largely on agreement on the validity of the bases of jurisdiction asserted in the court in which the judgment is obtained have led to the understanding that the Hague Convention also should provide guidance regarding the grounds of jurisdiction available when suit is brought against a foreign defendant appropriately connected with a country that is a party to the treaty.

At the June 1997 meeting in The Hague, a consensus began to emerge in favor of using the habitual residence of the defendant as the basic connecting factor for the rule of general jurisdiction under the convention. Thus, a plaintiff would always be able to sue the defendant in the defendant's country of habitual residence, ensuring the availability of at least one court with jurisdiction in every case under the convention. The concept of habitual residence of corporations and other legal persons remains for further discussion, but it seems likely that corporations will be subject to general jurisdiction in both the place of incorporation and their principal place of business.

The Special Commission also discussed specific jurisdictional rules for actions in tort and contract, and in cases involving trusts, intellectual property rights, immovable property, and internal corporate matters. Special jurisdictional rules were considered that would be designed to protect weaker parties, including consumers and workers. In all cases, it is likely that the convention will recognize the ability of parties to select the court for settlement of disputes, so long as that choice is mutual, reasonably related to the dispute, and made without coercion. Discussions also emphasized the importance of providing effective jurisdictional bases for provisional measures designed to prevent the removal of assets from a jurisdiction by the defendant prior to judgment.

Professor Brand will continue to be involved as a member of the U.S. delegation at future negotiation sessions. He is particularly interested in hearing from practitioners about their experiences (successful and otherwise) in seeking enforcement of foreign judgments in the U.S. and U.S. judgments abroad. Anyone interested in providing such information should contact him at the Center for International Legal Education.

Catherine Kessedjian, First Secretary of the Hague Conference Permanent Bureau, prepared a 56-page report for the June 1997 negotiations summarizing earlier non-negotiation sessions at the Hague Conference in 1994, 1995, and 1996, and establishing a framework for discussion at the 1997 meeting. The Permanent Bureau also will be preparing papers for the March 1998 meeting on jurisdictional rules for provisional measures and class actions, both of which are matters of particular interest to the U.S. delegation. The convention will be discussed at a meeting of a Study Group under the auspices of the Secretary of State's Advisory Committee on Private International Law prior to the next negotiating session in March 1998. Anyone interested in receiving copies of any of the Hague Conference documents, or in attending the Study Group meeting (probably in Washington, D.C., in early 1998), should make this interest known and ask to be placed on the mailing list for the project by faxing their name, address, phone, fax, and E-mail address, to Peter Pfund at (202) 776-8482.
The Challenge of China
by Nancy Mashanka, Class of 1998

When I came to the University of Pittsburgh, it was for the joint-degree program offered by the School of Law and the Graduate School of Public and International Affairs. Having majored in international studies, with a concentration in the People's Republic of China, I have aspirations of becoming an international corporate attorney, working specifically in the Asian arena. I knew Pitt’s program, coupled with the Asian Studies Program, would be the ideal place to begin. I had no idea, however, of the education and practical experience it would allow me to acquire before even graduating. As a result of Pitt’s various international connections and support of study abroad through scholarships such as the CILE summer abroad scholarship I received, I am writing this in a factory office in Shenzhen, PRC, and am more confident than ever in my goals and my ability to reach them.

The CILE scholarship has helped fund an incredible summer comprised of two perfectly complementary stages: education and work. My summer began with a three-week law program in Beijing, PRC, at the Chinese University of Political Science and Law, sponsored by Duquesne University School of Law. This program consisted of four hours of lecture every morning from leading authorities in various Chinese legal fields. These included a broad spectrum of laws including constitutional, criminal, civil, marriage, inheritance, tax, property, and contracts. There were also classes on Chinese language and culture, Chinese legal history, and an introduction to legal research of Chinese materials, both in English and Chinese. Additionally, the program offered visits to the Great Wall, the Ming Tombs, the Great Hall of People, a Chinese law firm, the Supreme Court, the port city of Tianjin, and a weekend in the city of Xi’an. Most afternoons were left free for leisurely exploration of Beijing.

Not only was I able to rediscover the temples, markets, and culture I had last seen in 1988, but visits to other cities gave me an understanding of the diversity of China I had not previously had. I was also able to brush up on some rather dusty language skills—they came back with incredible speed once I realized that I was one of the few in the group that had had any previous language training. The legal knowledge I gained, the cultural understanding I developed, and the opportunity to utilize and develop my language skills will no doubt prove valuable in the years to come. It also gave me the opportunity to establish relationships with law students from universities across the country that will prove fruitful over our respective careers.

From Beijing it was on to Hong Kong, which was arguably the most exciting part of the summer. I had lived in Hong Kong for six months in 1988 as an undergraduate on a study abroad program, and had been anxious to return. Hong Kong has proved itself to be the epitome of the saying, “The more things change, the more they stay the same.” I was an intern at Respironics (HK) Ltd., which designs, manufactures, and sells face masks and valves used in medical institutions for both anesthesia and sleep apnea treatment. It is, not coincidentally, owned by Respironics, Inc., a Pittsburgh corporation. The Hong Kong corporation maintains offices and production facilities in Hong Kong, as well as production facilities in both Shenzhen and Subic Bay, Philippines.

The internship was designed to provide the basis for an independent study project under the guidance of Professor Ronald Brand on the laws of Hong Kong and China, which are currently hindering foreign investment in these countries. The projects assigned to me by the general manager, a Pitt Law alumnus, allowed me to become significantly more familiar with the tax, corporate, and customs laws of the PRC, Hong Kong, and the U.S. In addition to applying black letter law to real corporate problems, I also observed the daily operations and problems of an American corporation overseas. This observation was made more worthwhile by the openness of the staff to discuss all facets of the business, relevant laws, and their personal opinions on a number of issues. While the internship was unpaid, it was a priceless experience.

On the cultural side, being in Hong Kong for the return of the colony to Chinese sovereignty was an exhilarating and unforgettable experience. I feel I was in a fairly unique situation by witnessing both the Chinese and Hong Kong anticipation and expectations of July 1. The differences explain much about the two distinct yet similar cultures. As a result of the long holiday, I was able to attend the 20th anniversary reunion of the International Asian Studies Programme in which I participated as an undergraduate in 1988. This reunion took place at the Chinese University of Hong Kong, and was comprised of several conference-style seminars discussing various facets of Hong Kong, including education projections regarding its future, offered by members of Hong Kong’s democratic party. This gave me the opportunity to consider these important influences on Hong Kong’s development, as well as to establish friendships with former program participants now living and working around the world.
CILE Sponsors 10th Anniversary Symposium on U.N. Sales Convention

On Friday, October 17, 1997 the Center for International Legal Education will join with the Law School’s Journal of Law and Commerce and the Private International Law Interest Group of the American Society of International Law to sponsor a symposium on the United Nations Convention on Contracts for the International Sale of Goods ("CISG"), the multilateral treaty that has displaced U.C.C. Article 2 as the law applicable to many international sales involving U.S. parties.

The symposium, to be held in the Teplitz Court Room at the Law School, marks the tenth anniversary of the date the CISG took effect in the United States. Forty-nine countries are now parties to the Sales Convention, which is now the presumptive law (unless displaced by agreement of the parties) for almost all cross-border sales in North America, a very large portion of U.S. transactions with Europe, and a substantial percentage of U.S. trade with the rest of the world. Attorneys serving clients with any international activity, from routine transactions involving Mexican or Canadian parties, to multi-million dollar transactions ranging across the globe, need to be familiar with the Sales Convention.

The keynote speaker at the day-long symposium will be Professor Emeritus John O. Honnold of the University of Pennsylvania Law School. Professor Honnold is a former Secretary of the United Nations Commission on International Trade Law (UNCITRAL), co-chair of the U.S. delegation to the diplomatic conference that approved the CISG, and author of the leading treatise on the Convention. Harold S. Burman of the Office of the Legal Advisor to the U.S. Secretary of State will be the luncheon speaker. Burman serves as executive director of the State Department’s Advisory Committee on Private International Law and is a frequent U.S. representative in international negotiations involving business law.

Speaking on the CISG from a U.S. perspective will be Professor John E. Murray, Jr., president of Duquesne University, Professor Harry Fletchert of the Law School, and V. Susanne Cook of Cohen and Grigsby. Professor Ronald Brand and E. Ramsey Coates of Westinghouse Electric Corporation will address ethical issues and legal limitations on transnational contracts. The symposium will also feature prominent CISG scholars from Europe and South America: Professors Volker Behr from the University of Augsburg, Franco Ferrari from Tilburg, and Alejandro Garro from Columbia Law School.

Those attending the full-day symposium on the CISG may earn six hours of Pennsylvania CLE credit, including an hour of ethics credit. For further information and registration materials, please contact the Center for International Legal Education.

Recent Grants Boost Faculty Exchanges at Pitt

Two recent grants will provide support to continue the tradition of Pitt faculty exchanges with foreign law faculties. Dean Hubert Bochen of the University of Ghent, Belgium, received notice in June that the Commission for Educational Exchange Between the United States of America, Belgium and Luxembou had awarded $15,000 to be used to develop an exchange of law faculty between Ghent and Pitt. The proposal for the exchange was developed jointly by Dean Bochen and Dean Peter Shane at Pitt. The award will be used as seed money to fund reciprocal visits of faculty over the next three academic years. Both schools will work to develop support for continued exchange beyond the initial term.

The University of Pittsburgh Center for Russian and East European Studies (REES) was awarded a three-year grant from the U.S. Department of Education earlier this year. The grant includes support for a visiting instructor from the Russian Academy of Jurisprudence at the Ministry of Justice in Moscow. The instructor would teach an undergraduate course on Russian law and society and participate in programs at the School of Law.

The Ghent exchange builds on contacts made by Professor Ronald Brand as a Fulbright Scholar in Belgium in 1989-90 and by other faculty members who participated in a USIA-funded exchange with the Free University of Brussels from 1991 to 1996. The Russian visit developed from relationships established with the Academy of Jurisprudence through the efforts of the Law School faculty and lawyers at the Pittsburgh firm of Dickey McCamey & Chilcote in publishing translations and commentary on developing Russian commercial laws. These exchanges will help ensure the Pitt Law School tradition of having foreign professors available to teach aspects of foreign and comparative law important in preparing U.S. lawyers for an international practice.

English for Lawyers Program to Begin in Summer 1998

Beginning in the summer of 1998, the University of Pittsburgh School of Law will offer a month-long English for Lawyers program to help prepare foreign lawyers for legal studies at U.S. universities. Designed by Pitt Law Professor Vivian Curran and Legal Writing Instructor Theresa Brostoff, the program will help to familiarize foreign law students with legal terminology and common law before they take part in I.L.L.M. Programs in the United States.

Foreign I.L.L.M. students generally have strong analytical skills, but often lack experience with English legal vocabulary. Students in the new Pitt program will focus on the particular terminology necessary for legal studies. The program will take place during the month of July, with classes held for three hours a day. Instruction will include visits to nearby courts.

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and other legal institutions so students can observe the practice of law in the United States.

The English for Lawyers program will be open to persons with foreign law degrees who are enrolled or interested in any United States LL.M. program. Students need not be scheduled to attend the University of Pittsburgh's LL.M. program. Interested persons should contact Jody Hohren at the Center for International Legal Education.

New LL.M. Class Reflects International Support for U.S. Legal Education

The third class of students in Pitt's LL.M. Program for Foreign Law Graduates reflects a growing need for legal education in former "fringe" countries. Its members come to Pitt with support from the Fulbright Program, the Muskie Scholar Program, and the Alcoa, Ford, Hewitt, and McArthur Foundations, and the Mexican National Council for Science and Technology.

Students in this year's class come from France, Mexico, New Zealand, the West Bank, Panama, the Philippines, and Russia.

—Anthony Dubois, from Carentan, France, received his Bachelors degree in Business, License in Law, and D.E.U.G. in law from the University of Paris V Rene Descartes. He has worked as a legal assistant, an accountant and a stockbroker in Paris, and as an assistant managing auditor for a company in the Gabon Republic, Africa, where he spent his childhood. Since January 1997, Mr. Dubois has been pursuing graduate study in business administration at Strayer College in Washington, D.C.

—Rami Ibrahim, a Palestinian from the West Bank, received a BA in English from Bethlehem University, and did his legal studies at the University of Westminster in London. For the past two years he has worked on legal issues of the West Bank. He has also worked as a solicitor for Safitri & Company in London.

—Carmen Maria Justiniani is a Municipal Civil Judge in La Chorrera, Panama, dealing with family and civil cases. She received her law degree from the University of Panama, where she helped Professor Luis Solari revise his book on public international law. She also was a research assistant in a study of the administration of justice in Panama, managed by the Center for Legal Investigation of the University of Panama and sponsored by Florida International University and the Latin American Institute for the Prevention of Crime. Justiniani has lectured throughout Panama on issues of family law, and comes to Pitt Law as a Fulbright Fellow.

—Claudia Maldonado of Monclova, Mexico, graduated from the Instituto Tecnologico y de Estudios de Monterrey where she received top grades in her class. During her legal studies, she was a teaching assistant and a member of her law school journal. She has also worked in her father's law office. Ms. Maldonado has received fellowships for her studies from both the National Council for Science and Technology of Mexico and the Alcoa Foundation.

—Arnao Muria Tunon received his law degree from the Universidad de Guadalajara, where he received the Outstanding Student Fellowship for both 1993-94 and 1994-95. He also received "Mariano Otero," an acknowledgment for being the best in his class in 1994. Muria has studied American government and foreign policy at the Harvard University summer program. He is interested in human rights work, and has provided free legal service to Cabanas Hospital, an orphanage in Guadalajara. Most recently, he was offered a position at the Instituto Federal Electoral, to work on the organization of the Governor Elections in Mexico City. He has received scholarship support for his LL.M. studies from the McArthur, Ford, Hewlett and Begas Magdalena O. VDA. de Brogkman Foundations.

—Alejandro Osuna (Alex), of Tijuana, Mexico, served as the president of the Student Body Association at Universidad Iberoamerica. He has worked for the Mexican Ministry of the Treasury and the Ministry of Foreign Affairs, and was personal assistant to Mr. Hugo Torres, the first Mayor of Mexico's Rosarito Beach. Before coming to Pitt, he worked at Krasovsky Asociados, SC, a law firm in Tijuana which deals with real estate developments, international subcontracting and litigation. Mr. Osuna also received fellowships from both the National Council for Science and Technology of Mexico and the Alcoa Foundation.

—Julia Sokolova is a Muskie Fellow from Russia. She graduated with distinction from Kostromo State Institute of Education with a major in English and German and worked as an interpreter for organizations including Duke University.
and Bayer AG. She received her law degree from Moscow State Law Academy, where she specialized in civil and commercial law. During law school, Ms. Sokolova worked for both the American firm of White and Case and the British firm of Freshfields, dealing with corporate matters for foreign clients.

—Jose Luis Syquia (Joel) comes from Makati City, the Philippines. He received his BA. in Philosophy and his L.L.B. from the University of Santo Tomas Espana, Manila. He was a trainee in the Legal Office of the Department of Foreign Affairs of the Philippines and a volunteer in the Legal Aid Clinic of the University of Santo Tomas. Syquia is the Managing Editor of The Lawyers Review Journal and comes to Pitt from employment with the Syquia Law Offices in the Philippines.

—Amanda Willis-Reed, of Takapuna, New Zealand, received her law degree from the University of Auckland. She was admitted to the New Zealand bar in 1993 and has worked in the area of commercial property with Bell, Gully, Buddle & Weir, Barristers and Solicitors, in Auckland. Ms. Willis-Reed has taught English in Kanoya City, Japan. Most recently, she has been a paralegal at Federated Investors and a project coordinator and volunteer for Pittsburgh Cares.

Honnold will talk about his involvement with the UN Sales Convention and the importance the Convention has for private international law generally, while Burman will focus on the context for negotiation of private international agreements, the State Department's role in the process, and where all of this fits in the broader picture of international law.

Co-sponsored by the World Federalist Association of Pittsburgh, the McLean Lecture brings major participants in international law to the Law School each year. Past lectures have focused on the International Court of Justice, the War Crimes Tribunal for the former Yugoslavia, the Nuremberg Trials, and similar public international law topics. This year's focus on private international law will provide additional perspectives on important developments in the international legal realm.

### International Curriculum Enriched by Visiting Professors, Scholars, and Guest Lecturers

The Law School curriculum was enriched during the 1996-97 academic year by courses taught by two European scholars. Professor Joachim Herrmann, from the University of Augsburg, taught an intensive fall-term Introduction to the German Legal System course. This was Professor Herrmann's third visit to Pitt, representing the strength of the Augsburg-Pittsburgh faculty exchange. On September 13, Professor Herrmann spoke to lawyers in the local American Council on Germany chapter, on "Lawyers in Germany: A Business or a Service?".

Kurt Riechenberg, one of only two lawyers to serve as European Union Fulbright Scholars-in-Residence in the U.S. during the year, taught a course in European Union Law in the fall term and a course on European Environmental Law in the spring term. He also taught a course on European business issues to the undergraduate Honors College during the fall term.

Beyond courses taught by foreign visitors, the School of Law hosted a number of guest lecturers, visiting scholars, and researchers during the 1996-97 academic year. Professor Spencer Weber Waller of the University of Brooklyn Law School visited on Monday, November 18, and Tuesday, November 19, 1996. He presented a faculty colloquium on "The Internationalization of Antitrust Enforcement," on Monday, November 18, and lectured on international antitrust issues for Professor Brand's International Business Transactions course. Waller, a professor at Brooklyn Law School, is one of the leading international antitrust scholars in the U.S. today, and is currently completing the third edition of Atwood and Brewster on Antitrust and American Business Abroad, which has long been a leading treatise in this area.

On September 6, 1996, Professor Pierre Legrand, of Tilburg University, The Netherlands, lectured on "Uniformity, Legal Traditions and Law's Limits: The European Experience."

Professor Richard Weisberg, the Walter Folsom Professor of Constitutional Law at Cardozo Law School, presented a lecture on Vichy Law and the Holocaust in France on Monday, April 7. His lecture was co-sponsored by the Center for West European Studies.

John L. Washburn, former director of the Office of the Secretary General and the Department of Political Affairs of the United Nations, presented a seminar for the university community on "The United States, The United Nations, and Sovereignty" on October 23, 1996. The seminar was co-sponsored by the University Center for International Studies, the Graduate School of Public and International Affairs, the Center for International Legal Education, and the Institute for International Studies in Education.

Professor Hajime Yoshino from Meiji Gakuin University visited the Law School in March to discuss work on artificial intelligence and the UN Convention on Contracts for the International Sale of Goods with Professors Brand and...
Flechtner. Professor Yoshino has collaborated with Professor Kevin Ashley on conferences and projects on artificial intelligence and the law.

Feng Li, a lawyer with the Department of Foreign Capital Utilization of the State Planning Commission in the People’s Republic of China, was a visiting research scholar at Pitt during the 1996-97 academic year. Having received both her bachelor’s and master’s degrees from Peking University, Feng researched foreign investment in China, particularly build, operate, and transfer (BOT) projects, under the sponsorship of the World Bank. In addition to her research, she also lectured in Professor Pat Chew’s Chinese Law course, observed other courses, and tutored Pitt law students in Chinese.

Professor Toru Nagaoka, a professor at Kwansei Gakuin University School of Law in Japan, spent the academic year researching constitutional law and religion. He will continue his research through December 1997. Miyuki Arimoto, a student at Kwansei Gakuin University, Japan, visited Pitt Law School in June 1997 to research juvenile criminal law.

During the first six weeks of the 1997-98 academic year, Professor Bernhard Schloch has taught a course in European Community Law. This course continues the six-year practice at the Law School of having a course on European Community Law taught by a lawyer or academician personally involved in European Union matters. Schloch recently retired from the Legal Service of the Council of the European Union, where he served for over thirty years. He has taught at the Universities of Brussels, Louvain, and the Saarland, and will be teaching at the University of Hamburg later this fall. During the spring semester of 1997, he was the European Union Fulbright Scholar-in-Residence at Columbia Law School.

Dr. Han-Taeck Kim, an assistant professor of law at Kangwon National University, the Republic of Korea, will be a visiting scholar at the School of Law for the 1997-98 academic year.

Mr. Ajax D’Alesantara from Salvador, Brazil was awarded a Howard Heinz Fellowship to study at the University of Pittsburgh for the 1997-98 academic year. Mr. D’Alesantara will spend the year studying at the Law School.

The University of Pittsburgh School of Law was selected in 1996 as one of only three law schools in the United States to host a European Union Fulbright Scholar-in-Residence, and as the only one selected for a period of two full semesters. This decision indicates the recognition by the Fulbright Commission of the outstanding quality of the proposal submitted by Professor Ronald Brand, director of the Center for International Legal Education. Having visited Pitt Law School during the fall term of 1993, and having known Professor Brand since that time, I was particularly pleased to be assigned by the Fulbright Commission to the University of Pittsburgh.

During my year at Pitt, I became a witness to the impact of the Center for International Legal Education on the Law School faculty and students. I found the students in my fall term Law of the European Union class extremely well-motivated and active in class discussions. Almost all of the cases we discussed could be compared to either the American federal experience and the case law of the U.S. Supreme Court or current international trade issues. Students learned how much the international community, including American corporations and citizens, are to gain from the rule of law and binding dispute settlement mechanisms in economic relations. In my spring term course on European Environmental Law, students showed a great awareness for the international dimension of environmental protection and its interaction with national laws and programs.

One of the very pleasant aspects of my experience at Pitt was the opportunity to teach both at the Law School and in the undergraduate Honors College. Undergraduates with strong backgrounds in history, political science, economics and international relations were introduced to the European Union as a model for future structures of regional and multinational economic integration. Again, they could relate to current issues of free trade being discussed in the United States and learned about the European response to market deregulation and economic interchange.

One of the important benefits for a visiting scholar at Pitt is the ease with which interdisciplinary opportunities are arranged. Through the initiative of political science Professor Alberta Sbragia, I was involved in numerous lectures and seminars organized by the Center for West European Studies. Professor Sbragia is one of the leading American political science scholars in the area of West European Affairs. She and Professor Brand have established a very productive cooperation between the Political Science Department and the Law School, which I found to be unique and immensely beneficial for the students.

I found support during my stay at the Law School from Dean Peter Shane and other colleagues involved with the Center for International Legal Education, including Professors Harry Flechtner and Vivian Curran, with whom I had the privilege of most interesting academic discussions. I wish everyone at the Center for International Legal Education all the best for the future development of the international programs at Pitt Law School.
ACTIVITIES

Faculty

Some of the international and comparative activities of the Pitt faculty over the past year include the following:

Professor Kevin Ashley attended two international workshops on a Legal Expert System for the United Nations Convention on Contracts for the International Sale of Goods (CISG) in Amsterdam and Melbourne. In August, he gave a presentation with V. Alevin in Nagoya, Japan, at the International Joint Conference on Artificial Intelligence, on "Reasoning Symbolically About Partially Matched Cases." A paper based on this presentation, entitled "Using Abstract Knowledge to Generate Alternative Interpretations of Similarities and Differences," was accepted for a specialized workshop on "Using Abstraction and Reformulation in Analogies," while in Nagoya, Ashley also presented a paper on "Using Machine Learning to Assign Indices to Textual Cases," with S. Bruninghaus at the Workshop on Practical Uses on Case-Based Reasoning. In Kobe, Japan, Professor Ashley and V. Alevin presented "Teaching Case-Based Argumentation through a Model and Examples: Empirical Evaluation of an Intelligent Learning Environment," with V. Alevin, which will be published in the Journal of Artificial Intelligence in Education.


Professor Douglas Branson lectured on corporate and securities litigation in the graduate (LL.M.) program and on the regulation of insider and market manipulation in undergraduate courses at the University of Adelaide during the summer of 1997. At the University of Melbourne, he co-taught his annual one-week intensive course on corporate governance. Later in the summer, he taught on the topic of multinational corporations in the University of San Diego summer law program at the University of Barcelona.

Professor John Burkoff served as academic dean on the Semester-at-Sea Program for the 1996 fall term. On October 31, 1996, he lectured to 300 students at the college for Muslim women in Madras, India, on "Exploring the World: Cultural and Political Differences & Similarities.

Professor Pat Chew traveled to Hong Kong, Tokyo, and Beijing during the summer of 1997. In Hong Kong, she studied the legal and political issues surrounding the reunification of Hong Kong and China. In Beijing, she studied the economic and social evolution of China through discussions with individuals involved in direct foreign investment businesses there. Professor Chew's article, "Asian Americans in the Legal Academy: An Empirical and Narrative Profile," was published in the Asian Law Journal of the University of California, Berkeley.


Professor Curran published the following articles during the past year: "Metaphor is the Mother of All Law," in Law and the Conflict of Ideologies (Robert Kegelson, ed. 1996); "Humanity's Gain: Remarks on Similarity, Difference and the Vienna Convention," Festschrift for Prof. Karl Heinz Neumann (Verlag für Recht und Gesellschaft 1996); "Vichy France: A Crisis in Identity, Legitimacy and Legalism," in European Memory at the Millennium (MIT Press 1997). Her article, "Cultural Immersion, Difference and Categories in U.S. Comparative Law" will be published by the American Journal of Comparative Law.


Howard Messer, Adjunct Professor of Law and JD '71, visited the law faculty at the University of Nairobi, Kenya in July 1997. His visit built upon relationships between Pitt and the University of Nairobi established when Dean Peter Shane visited Kenya in 1995.

Professor and Chancellor Mark A. Nordenberg was in Hong Kong for the transition of government from Britain to China in July 1997.

Students

Student activities in the area of international and comparative law during the past year include the following:

Geoffrey Bedell, a third-year JD/GSIPA student, was awarded a Fulbright Grant by the German Fulbright Commission to pursue an LLM. Degree at the University of Augsburg, Germany.

Jennifer Bright, a second-year law student, was awarded a summer foreign language and area study scholarship (FLAS) sponsored through the Center for West European Studies. Bright studied German in Munich, Germany, during the summer of 1997, where she also interned at Dr. Stock and Colleagues with Eva Diederichsen, a former German for Lawyers Instructor at Pitt Law School.

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On April 1-6, 1997, Pitt's team of Jennifer Bright and Mark Walter participated in the Vis International Commercial Arbitration Moot competition in Vienna, Austria.


Michael Carrasco, a first-year law student, was an alternate both for the year-long foreign language and area study fellowship (FLAS) and the Howard Heinz Social and Public Policy Fellowship both sponsored through the Center for Latin American Studies.

In February 1997, Stacey Cohen, Dan Shidlovsky, Jeffrey Waxman, and Daoud Yaqub representing Pitt participated in the regional Jessup International Law Moot Court Competition at American University. They received third place for their memorial and Shidlovsky received the award for the second place oralist.

Robert Gross, a third-year law student, interned at the Office of the United States Trade Representative during the 1996 fall term.

Parastou Hassouri, a first-year law student, was awarded the Margery and Phil Weiner Israel Heritage Room Scholarship sponsored through the Nationality Rooms and Intercultural Exchange Programs. She used the award to do human rights work in Israel during the summer of 1997 with a group called LAW: The Palestine Society for the Protection of Human Rights.

Tayanita Hayes, a tri-degree JD/MBA/MBI student, was awarded a summer study foreign language and area study scholarship (FLAS) sponsored through the Center for West European Studies. She used the award to pursue intensive French in Paris at the Alliance Française de Paris during the summer of 1997.

Alexander Karpan, a first-year law student, and Ericson Kimbel, a joint-degree JD/GSPIA student, were alternates for the year-long foreign language and area study scholarships (FLAS) offered through the Center for Russian and East European Studies.

Nancy Maslanka, a joint-degree JD/MPIA student, was awarded a scholarship through the Center for International Legal Education. Maslanka was an intern with Respironics LTD in Hong Kong during the summer of 1997. The internship provided the basis for an independent study to ascertain what changes are needed in the Chinese legal system to facilitate the establishment of more American corporations in mainland China and Hong Kong.

Thomas Ogorec, a joint-degree JD/MPIA student, was awarded a scholarship through the Center for International Legal Education. Ogorec was selected by the U.S. Department of State to participate in a summer internship program at the American Embassy in Ljubljana, Slovenia.

Shirley Schwarzberg, a joint-degree JD/MPIA student, was awarded a summer foreign language and area study scholarship (FLAS) sponsored by the Center for West European Studies, to study intensive French at programs in Paris during the summer of 1997. During the summer, Shirley also had an internship with France Telecom La Branche Enterprises, Direction Juridique.

Ileana Simplicean, a third-year law student, spent the year studying at the Universities of Paris I and II, earning credit toward her JD, as well as the French "maitrise." Simplicean's article, "Study of the State Aid Policy in the European Community — the "Illegal" State Aid Problem," was published at 3 Journal of International Legal Studies 87 (1997).

Bobby Standish Jr., a first-year law student, won a foreign language and area study scholarship (FLAS) sponsored by the Center for Asian Studies to take intensive Japanese in Hikone, Japan, during the summer of 1997.

 Roxanne Tena, a second-year law student, won the Lithuanian Room Committee Scholarship sponsored by the Nationality Rooms and Intercultural Exchange Program to do a summer law program sponsored by Syracuse University, England.

Christopher Wilson, a first-year law student, won the Italian Room Committee Scholarship sponsored by the Nationality Rooms and Intercultural Exchange Program to do a summer law program in Rome, Italy, sponsored by Temple University.

The following Pitt students participated in study abroad programs during the summer of 1997:

Linda Banks—JAG corps in Germany; Jennifer Bright—internship in Germany; Andrew Brinker—law program with Syracuse in Zimbabwe; Elsa Chang—law program with Santa Clara in Switzerland and France; Steven Clark—law program with San Diego in Dublin; Frank Fisani—law program with Duquesne in Beijing; Marco Gardini—seminar in Brussels; Parastou Hassouri—internship in Israel; Tayanita Hayes—language program in France; Matt Johnson—seminar in Brussels; Steve Kelley—law program with Syracuse in London; Eric Kimbel—law program with Cleveland State and Case Western in St. Petersburg; Michael Kovacocy, Jr.—business program in France; James Li—internship with Commerce Department Foreign Commercial Service in Beijing; Nancy Maslanka—law program with Duquesne in Beijing and internship in Hong Kong; Tom Ogorec—internship with State Department in Slovenia; Ryan Peterson—law program with Santa Clara in Hong Kong; Shirley Schwarzberg—summer language program and internship in France; Bobby Standish—language program in Hikone, Japan; Kathleen Sybiz—law program with Cornell in France; Roxanne Tena—law program with Syracuse in England; Jeffrey Teso—law program with the University of New Mexico in Mexico; Mark Walter—seminar in Brussels, then travel to India; Rachel Wenthold—law program with Temple in Greece; Chris Wilson—law program with Temple in Rome. Daoud Yaqub—studies in Strasbourg at the Human Rights Institute and also worked with an NGO in Geneva on documenting human rights abuses in Afghanistan.

Alumni

Janet Sargent (JD '71) has left the Pittsburgh firm of Meyer, Unkovic and Scott to open a consulting firm in Pittsburgh, advising clients on international transactions and intellectual property matters. In 1996, she was named one of the Best 50 Women in Business by the Pennsylvania Department of Community and Economic Development.

Renée Martin-Nagle (JD '84) continues her work as senior counsel for Airbus AINA Holdings, Inc., in Herndon, Virginia.

Max Laun (JD '88) continues to be involved with international transactions as a general attorney in the legal department at Alcoa in Pittsburgh.

Myles Getlan (JD '95) is pursuing an LLM in international legal matters at Georgetown University Law Center. After an internship with the General Counsel's Office of the Office of the United States Trade Representative, he has taken a position with the U.S. Commerce Department, International Trade Administration, working on antidumping and countervailing duty cases.

Lawrence Waldman (JD '95) has taken a break from private practice to pursue an LLM degree in international law at New
York University Law School.

James Callaghan (JD '96) graduated cum laude with a master's degree from the Program on International Legal Cooperation of the Vrije Universiteit Brussel.

David Pawlak (JD '96) is in the Department of Justice Honors Program, practicing with the Immigration and Naturalization Service in New York City.

Daniela Brito (LL.M. '96) served as assistant to the director of the new Brazilian Studies Program at the University of Pittsburgh during the 1996-97 academic year. A recipient of the Howard Heinz Social and Public Policy Fellowship, she will graduate in December 1997 from Pitt's Graduate School of Public and International Affairs with a master's degree in international affairs.

Katrin Kuehnle (LL.M. '96) has joined the law firm of Hengeler Mueller Wirtz in Frankfurt.

LL.M. Class of 1997 from left:
Masue Nagaoka, Marco Gardini, Daniela Ernclud, Linda Dhorn, Maru Ferraro, Maria Fernanda Gonzalez, Bor-shan Lin, and Min Zhou

Alessandra Micheli (LL.M. '96) is international commercial coordinator for ADTRAN, ABB Daimler-Benz Transportation, a company formed by the joint-venture of ABB, a Swedish electrical engineering company, and Daimler Benz, a German transportation systems and mechanical engineering firm.

David Teece (JD '96) graduated magna cum laude with a master's degree from the Program on International Legal Cooperation of the Vrije Universiteit Brussel. He also published his article, "Global Overfishing and the Spanish-Canadian Turbot War: Can International Law Protect the High-Sea's Environment?" at 8 Colorado Journal of International Environmental Law and Policy 89 (1997).

Daniela Ernclud (LL.M. '97) rejoined the firm of Anderson Balko Advocacia in Brazil where she is a partner practicing international and maritime law.

Marco Gardini (LL.M. '97) attended a seminar on European Union law in Brussels this July and is now preparing for the second part of his bar examination in Italy.

Maria Fernanda Gonzalez (LL.M. '97) has joined the law office of Brigard & Urrutia in Bogota, Colombia where she will practice international law.

Bor-shan Lin (LL.M. '97) has rejoined the law faculty of the Chinese Culture University where he teaches constitutional and commercial law. He is also an adjunct professor at Sih-Shin University School of Law where he teaches courses in Constitutional and Anglo-American Law of Contracts.

Melda A. Tisoglu (JD '97) is pursuing an LL.M. degree in corporate law at New York University School of Law.

Min Zhou (LL.M. '97) will lecture at the Center for Comparative Constitutional Studies at the University of Melbourne Law School in November 1997, and return to a law faculty position in Beijing.

The following articles by recent graduates of the School of Law were published during the past year:


Deborah Schweikart, "Dile Straits: The International Maritime Organization in the Bosphorus and Dardanelles," 5 University of Miami Yearbook of International Law 29 (1996-97)


The most exciting event of the summer was Secretary of State Madeline Albright's visit to Slovenia. This was the highest level visit ever made by an American to Slovenia. During her two-day visit and the week leading up to it, I was fortunate enough to serve as a site-officer. This involved arranging meetings by the Secretary of State with the Foreign Minister and Prime Minister. I also arranged her press conference and remained on site during the talks to assist Secretary Albright and her staff.

Not only was the work at the Embassy interesting and challenging, but the experience of living in Slovenia proved to be memorable. While once a part of the federal republic of Yugoslavia, Slovenia has for the past six years lived a peaceful and independent life. The country was fortunate to escape the fighting that has scarred the other former Yugoslav Republics. The countryside has remained much the same as it was in the Middle Ages with castles and churches dotting the hilltops. Slovenia truly is the "green piece of Europe" as the local tourist bureau likes to say. For such a small country (comparable in size to New Jersey), it is possible to ski or hike in the Alps in the morning, relax by the seaside in the afternoon, and spend the evening enjoying the Slovene wines in the eastern wine growing regions. Today, its main concerns are expanding the exports of Slovene goods and attracting foreign capital and businesses into Slovenia. Economically, Slovenia has grown by leaps and bounds with an estimated 1997 per capita GDP of $9,736, placing it among the highest of Europe's transitional countries.

On a more personal level, living in Slovenia provided the opportunity to immerse myself in the country of my family's heritage. Being a second generation Slovene-American, I was fortunate to have been exposed to the Slovene language when I was a child, both in the U.S. and on visits to Slovenia. I always enjoy returning to Slovenia, and this trip was all the more worthwhile because of the legal and international affairs experience I was able to develop. I am grateful to the University of Pittsburgh's Center for International Legal Education for helping me to work as a State Department Intern here in Slovenia.