Last Class Schedule

January 16, 2009
Laurie Levenson & Michael Greco
Breakfast (8:30 am – 10:00 am)
Federal Court Conference Room
co-hosted by the Federal Bar Association

January 20, 2009
Donald Horowitz
Asia Law Talks - An Inside Job:
How Indonesia Produced a
Democratic Constitution
Lunch (12:40 pm – 1:45 pm)
Room 254
Hosted by PALS

David Caron
International Dispute Resolution
Lunch (12:00 pm – 1:00 pm)
Supreme Court Conference room
Hosted by State Judiciary, Center
for Alternative Dispute Resolution

January 21, 2009
Frank Michelman
Brown Bag Lunch
CR5 (12:00 pm – 1:45 pm)
with the Harvard Club

January 12-23, 2009
HONOLULU, HI

Challenges & Issues in Private Int’l Dispute Resolution
Professor David Caron
January 12-16
3:20 pm – 5:20 pm
The course will consider more prominent issues that arise in international commercial arbitrations including: (1) the structure of private international arbitration systems, (2) issues prior to the proceedings such as enforceability of arbitration agreements and arbitrability, (3) the conduct of the arbitral proceedings including multiparty arbitration and interim measures of protection, and (4) post-proceeding issues such as challenging arbitral awards and the recognition and enforcement of arbitral awards. A mock arbitration video will be used to illustrate certain issues and prompt discussion.

Attorney-Client Privilege:
Endangered Species?
Michael Greco, Esq.
January 12-16
5:30 pm – 7:30 pm
For more than two centuries, the attorney-client privilege has been a cornerstone of the US justice system. The privilege, which belongs to the people and not to lawyers, enables clients to communicate with their lawyer in absolute privacy and confidence, and in turn enables the lawyer to know all there is to know in order to protect the rights of the client. The federal government, particularly the US Department of Justice, during the past several years has attempted to curtail the privilege and the role of lawyers. This seminar will examine the privilege, the US Supreme Court decisions that have protected it, the Justice Department’s efforts to erode it, and current efforts to safeguard it.

Seminar in Comparative Constitutional Design
Professor Donald Horowitz
January 12-16
9:00 am – 11:00 am
This seminar focuses on the configurations of political institutions that might be apt for democratizing countries, especially those divided by ethnic or religious affiliations. In recent decades, constitution-making has become a much more international and comparative exercise than it was previously, with the result that democratizing or redemocratizing countries are more open to a wide range of institutions than they were previously. The seminar deals with many of the most common issues confronted by constitutional designers. It considers four overarching issues: (1) What are the sources of constitutional change, and what governs the choice of designers when they borrow institutions from abroad? (2) Are such institutions able to have a benign effect on ethnic and religious conflict? (3) What determines whether apt designs can in fact be adopted and by what mode they will be adopted? (4) Is there a single best process for constitution making?

Bill of Rights & Private Comparative Perspective
Professor Frank Michelman
January 12-16
11:05 am – 1:05 pm
In many countries, constitutions guarantee certain interests of individuals and groups against infringement by the state. What effect, if any, do or should these guarantees have in the resolution of legal controversies among individuals and groups — say, in common-law contract, tort, or property cases — where the state is not a party? This course will look at answers given in Europe and South Africa, in comparison with those arrived at in the United States under our “state action” doctrine.

NOTE: SEE BACK PANEL OF BROCHURE FOR LAST CLASS INFORMATION
J-Term Faculty & Lecturer Profiles

David D. Caron
Visiting Wallace S. Fujiyama Professor
David Caron is an expert in international law. He currently teaches public international law, resolution of private international disputes, ocean law and policy, and an advanced international law writing workshop.

Before joining the Boalt faculty in 1987, Caron practiced with the San Francisco firm of Pillsbury, Madison & Sutro. From 1985 to 1986, he was a senior research fellow at the Max Planck Institute for Comparative Public and International Law. A Fulbright scholar and former navigator and salvage diver in the U.S. Coast Guard, Caron graduated from Boalt in 1983. He then served as a legal assistant to Judges Richard Mosk and Charles Brower at the Iran-United States Claims Tribunal in The Hague.

Caron has served as director of studies (1987), director of research (1995) and as a lecturer (2006) at the Hague Academy of International Law. He was a member of the board of editors of the American Journal of International Law from 1990 to 2005 and received the 1991 Dale Prize for the American Society of International Law for outstanding scholarship by a younger academic. He has served as chair of the International Law Section of the Association of American Law Schools; a member of the precedent panel of the U.N. Compensation Commission for claims arising out of the Gulf War; counsel for Ethiopia before the Eritrea-Ethiopia Claims Commission; and president of the International Centre for Settlement of Investment Disputes Tribunal in the matter of Agua del Tunari v. The Republic of Colombia.

In 2000, he received the Stefan A. Riesenfeld Award of the University of California for outstanding achievement and contribution to the field of international law.

Michael S. Greco
Visiting Wallace S. Fujiyama Professor
Michael S. Greco is a partner in the Boston office of K&L Gates LLP and past president (2005-06) of the American Bar Association. A trial lawyer, arbitrator, mediator, and he has more than thirty-five years of litigation and arbitration experience throughout the United States and internationally in complex business and other disputes, and in counseling individuals and business entities regarding crisis management.

Greco has lectured and published articles on arbitration, international and domestic, litigation and other subjects. He is a member of the Massachusetts Bar and is admitted to practice before the Massachusetts Supreme Judicial Court and all Massachusetts lower courts, the Supreme Court of the United States, the US Tax Court, the US Court of Claims, the US Court of Appeals for the Armed Forces, the US Court of Appeals for the First Circuit, and the US District Court for the District of Massachusetts.

A member of the American Law Institute, he is a graduate of Princeton University and Boston College Law School where he served as executive assistant to the Chief of the Boston College Law Review and class president. After law school he clerked for the Hon. Leonard P. Moore on the U.S. Court of Appeals for the Second Circuit: was a Fellow at the Institute of Comparative Law, University of Florence, Italy; a partner in the former Boston law firm of Hill & Barlow (1972-2002); and partner at K&L Gates LLP (1993-present). Greco is listed in Best Lawyers in America, Who’s Who in American Law and Who’s Who in America. Additional biographic information appears on the K&L Gates website, www.klgates.com.

Donald L. Horowitz
Visiting Wallace S. Fujiyama Professor
Donald L. Horowitz is the James B. Duke Professor of Law and the Duke University Professor of Public Policy. Professor Horowitz is the author of six books: The Courts and Social Policy (1977), which won the Louis Brownlow Award of the National Academy of Public Administration; The Arcos (1977), a book about government lawyers; Cop Theories and Officers’ Motives: Sri Lanka in Comparative Perspective (1980); Ethnic Groups in Conflict (1980); A Democratic South Africa? Constitutional Engineering in a Divided Society (1991), which won the Ralph Bunche Prize of the American Political Science Association; and The Deadly Ethnic Riot (2001).

Professor Horowitz has been a Visiting Professor at the University of Chicago Law School and at the Central European University; and a Visiting Fellow at Wolfson College, Cambridge, at the Law Faculty of the University of Canterbury in New Zealand; and at Universiti Kebangsaan in Malaysia. In 2001, he was Centennial Professor at the London School of Economics; and in 2001-02, he was a Carnegie Scholar. In 2009, he will be awarded the Distinguished Scholar Award of the Ethnicity, Nationalism, and Migration Section of the International Studies Association.

Professor Horowitz is currently writing a book about constitutional design, particularly for divided societies, a subject on which he has advised in a number of countries. His book on the making of constitutional democracy is nearing completion. Elected to the American Academy of Arts and Sciences in 1995, he is currently President of the American Society for Political and Legal Philosophy and is a member of the Society’s bipartisan Advisory Committee on Democracy Promotion.

Frank I. Michelman
Frank Boas Visiting Professor
Frank I. Michelman is the Robert Walmsley University Professor at Harvard University, where he has taught since 1963. He is the author of Breaking with Democracy (1999), and has published widely in the fields of constitutional law and theory, property law and theory, local government law, and administrative law.

Professor Michelman is a past President of the American Society for Political and Legal Philosophy, and a fellow of the American Academy of Arts and Sciences. In 2005, he was awarded the American Philosophical Society’s Phillips Prize in Jurisprudence. He is a member of the Board of Directors of the United States Association of Constitutional Law and of the National Advisory Board of the American Constitution Society. Over the past several years, he has maintained an active interest in matters of constitutionalism in South Africa.

Laurie L. Levenson
Visiting Wallace S. Fujiyama Professor
Laurie L. Levenson is Professor of Law, William M. Raines Fellow, and Director for the Center for Ethical Advocacy at Loyola Law School. She teaches ethics, criminal law, criminal procedure, trial advocacy and evidence. Professor Levenson served as Loyola’s Associate Dean for Academic Affairs from 1996-1999. Prior to joining the Loyola Law School faculty in 1989, Professor Levenson served for eight years as an Assistant United States Attorney in Los Angeles. She was Chief of Training and Chief of the Criminal Appellate Sections of the U.S. Attorney’s Office. In 1988, she received the Attorney General’s Director’s Award for Superior Performance.

Professor Levenson received her J.D. from UCLA School of Law in 1980 and her A.B. from Stanford University. She was Chief Article Editor of the UCLA Law Review and clerked for the Honorable Judge James Hunter, III, of the U.S. Court of Appeals for the Third Circuit after graduation.

Professor Levenson is the author of numerous books and articles including Criminal Procedure (West 2007) and California Criminal Law (West 2007). She has provided legal commentary on several high profile cases, and was a commentator for CBS News, ABC, NBC, CNN and NPR. Professor Levenson lectures regularly throughout the country for the Federal Judicial Center, National Judicial College, international bar associations, bar review courses, community groups and local socials.

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Professor of Law, William M. Raines Fellow, and Director for the Center for Ethical Advocacy at Loyola Law School. She teaches ethics, criminal law, criminal procedure, trial advocacy and evidence. Professor Levenson served as Loyola’s Associate Dean for Academic Affairs from 1996-1999. Prior to joining the Loyola Law School faculty in 1989, Professor Levenson served for eight years as an Assistant United States Attorney in Los Angeles. She was Chief of Training and Chief of the Criminal Appellate Sections of the U.S. Attorney’s Office. In 1988, she received the Attorney General’s Director’s Award for Superior Performance.

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