

PREPARING NEW STUDENTS FOR LEGAL PRACTICE IN A "FLAT WORLD"

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A "Flat World"

New York Times columnist Thomas Friedman book, "The World is Flat," describes a 21st Century society that is global and interactive.

"Globalization 3.0" will require services, such as legal counsel, to be

--available in all languages,

--adjustable to multiple cultures and constitutional systems,

--premised on collaboration among former competitors, societies, and even economic systems, and

--willing to accept a public policy obligation on a transnational basis.

The Present Academic Legal Environment

Law Schools are now evolving into Legal Education Centers, with skills training, specialization, and teaching of law to a broad array of interested parties.

A core element of these new Centers has to be a global perspective.

Yet, many, perhaps most American law students do not even take a course in Comparative or International Law.

Few "mainstream" courses, especially those taught in the first year, include a transnational perspective.

There is a bias - by faculty, alumni, university administrators, and students - that courses that focus on transnational perspectives are somehow "softer", and "not as rigorous."

Traditional Techniques to Promote Transnational Law

Many schools allow an elective in the first year, with a limited number of options

and include international law, and comparative law in that limited list.

Schools often sponsor "international law societies," and pay for social events [with food] and speakers for them.

An increasing number of schools support a specialized international, comparative, or transnational journal.

Most schools allow credit for students who take a summer or semester long course in an approved ABA overseas program.

Most schools will allow its travel funds to be used by faculty wishing to attend a conference overseas or in the States on a transnational topic.

ABA Standards for Library Collections include foreign and international materials.

An Administrator's Transnational Agenda

Promotion of a school-wide transnational focus requires personal involvement by academic administrators, led by the Dean.

He or she must build on the traditional techniques and urge experimentation with new ones.

This is a continuing effort - starting in the decanal and faculty recruitment and then including this perspective in most talks, publicity, and interactions.

Developing and Supplying Resources

Many of the ideas that will be proposed are relatively inexpensive and can easily be included in a budget or annual giving allocation. For more expansive actions, specially focused funding can often be secured by specially focused fund-raising.

Alumni, foundations, law firms, businesses, government agencies and non-profits [both commercial and non-commercial] with transnational foci can be asked for help. Many of these entities will not give to law schools generally.

Enhanced relationships with the University community can lead to fiscal support from the central administration, university foundation, and non-law colleges and department budgets.

Symposia, conferences, and courses can provide CLE or non-law continuing education credit and charge an appropriate fee.

Foreign Programs can provide discretionary funding.

Developing a "Transnational" Faculty

It is important to include a transnational perspective into curriculum, budgetary and strategic plan discussions.

Faculty who already have an interest in transnational law should be organized as a "lobbying" group.

An organizer - "Director" or "leader" - could be assigned - with release time and a small stipend.

A special funding pool and release time can be provided for overseas meetings and conferences, and for research on a transnational topic or that is published in a transnational or foreign journal.

Conference on a transnational topic, with stipends can be organized and home law faculty, who do not necessarily have a transnational perspective, should be asked to participate.

Overseas programs can be a way to interest a broader group of faculty to take a global perspective. This has been the single most successful method to bring a transnational perspective to first year and other mandated courses.

Provide funding for faculty who wish to participate in or become members of local organizations or bar committees and sections that discuss or hold meetings or have speakers on transnational topics.

Ask the curriculum committee to consider a transnational "track" or certificate, and ask them to consider including traditional courses in that specialty, if the course includes at least some transnational focus.

Priming the Pump

Premise - the more students demand transnational perspectives, the more the marketplace [here the law school] will respond.

Include global perspective into programs for college and even middle and high school students.

Most schools have an illustrated "View Book" and/or Catalogue and Magazine.

Include a transnational perspective in the Admissions Process and Pre-Orientation and Orientation Programs.

Consider and Promote "Three Plus Three," and Joint J.D./Masters programs.

Convincing the other "Players"

To develop resources for a transnational program and to incorporate such a program fully into the entire curriculum, support is needed from the various constituencies, in addition to the faculty.

The University Community

Some small expenditures and actions supporting multi-disciplinary global focused programs can secure support from University administrators and non-law faculty who often complain that law schools are "islands" and not really part of the campus.

Involvement with undergraduate foreign and international programs and departments can be promoted by an array of activities and actions.

Open up transnational law courses to upper level undergraduate and graduate students, without charge to the home college or department [marginal cost to school].

Invite faculty and students in other departments to attend and participate in law school events and programs.

Allow law students to get credit not just for transnational law courses, but also courses, including foreign language courses, in other colleges and their departments. Pay the colleges for credits involved.

The Local and Alumni "Transnational" Community

Provide resources for students, faculty and administrators to belong to and actively participate in local foreign affairs, international trade, global cooperation, and transnational focused bar committees and sections.

Enlist support of law school programs and activities from local "interested" entities and citizens. These include the media, foundations and charities, religious organizations, and retail merchants [especially those that are part of an international chain].

Meet with, involve and highlight alums who either practice overseas or have a

transnational practice.

The Students

Encourage students, with small stipends, to participate in law school and other on and off campus organizations with an transnational focus, overseas programs, transnational law related conferences and meetings.

Encourage student organizations, in addition to those already with this perspective, to include a transnational perspective.

Staff

Include staff in developing an implementing a transnational perspective.

Use alumni office staff to include alumni and members of the local transnational community

Use development office staff to secure resources for this initiative

Use your fiscal officer to develop and track special funds to support transnational programs and activities

Integrate the "priming the pump" agenda into the day to day work of the admissions staff

Encourage programming for career options with a transnational element

Work with the library director to enhance the international and foreign law materials that are available and accessible.

Integrating the Transnational Approach

It is clear that as faculty have experiences in the transnational arena, they bring that perspective into all their courses - including "core" courses in the first year.

It is also clear that as more and more students get exposed to transnational issues, they become more willing to handle even local matters that may have a transnational perspective.

These students, and newly energized alums, can provide a stable lobbying group for integrating "Globalization 3.0" into the "core curriculum."

