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When Local IS Global: Using a Consortium of Law Schools to Encourage Global Thinking

Dean Nancy B. Rapoport*

Introduction by Toni M. Fine:

Our next speaker is Nancy Rapoport, Dean and Professor of Law at the University of Houston Law Center. She has also been the Dean at the University of Nebraska College of Law; and, before that, she was Professor and Associate Dean for Student Affairs at The Ohio State University College of Law. She has written scores of articles largely on bankruptcy law and ethics issues. Dean Rapoport will discuss student and faculty consortia focusing on the North American Consortium on Legal Education (NACLE), which, among other things, promotes student and faculty exchanges between and among three law schools in the U.S., three in Canada, and three in Mexico. I see that we have representatives of those other countries, and perhaps the other schools involved, in the audience so I am sure we will have a very interesting discussion. Dean Rapoport.

Remarks by Dean Rapoport

Thanks. And I'm going to take a page off of Carl Monk's book. I'm going to sit because, if I were to stand by the podium, all you would see is about this much of me (describing her height). I am having a Sesame Street experience (which of these things is not like the others?) this morning. I am the only person on the panel who does not teach international law, nor do I write in international law. The reason I'm here is that I inherited a wonderful program when I became Dean at Houston in August of this year. And one of the people primarily responsible for the program (and who we

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lost to Georgetown right before I came to Houston), Ellen Farwell, is in the audience. Ellen, please wave so that everyone knows who you are. (Applause.) I inherited this program from Ellen and from Steve Zamora, who was my predecessor at Houston. A lot of the credit goes to these two people for founding something wonderful, along with our Consortium schools and the new person running the NACLE Consortium at Houston for us, Diane O'Brien. The most important thing I can tell you about the Consortium before I start talking about it is our web page, which is <http://www.nacle.org/>. We do have nine member schools: three from Canada (Dalhousie University, McGill University, and the University of Ottawa); three from the U.S. (besides Houston, there is The George Washington University and the University of Arizona, James E. Rogers School of Law); and three from Mexico (Universidad Panamerica, Instituto Tecnológico y Estudios Superiores de Monterrey (ITESM), and Instituto de Investigaciones Jurídicas (UNAM)). Two of my colleagues actually in NACLE are here today from ITESM.

So, we have nine member schools and as Toni [Fine] told you, NACLE's goal is really to do two things. One is to get students used to the idea of working globally and thinking about legal systems other than their own, and to get students speaking in languages other than their native languages so that real communication can start happening. So among the requirements for NACLE is a requirement that, if you go to another country, you have to be fluent in the language of instruction. And the home school verifies that and then the host school verifies it as well. The other thing that I am really excited about when it comes to NACLE is the idea of global units of education. There was a curriculum meeting in October of this past year. And we're trying to come up with units that we can plug into curricula in other law schools. The ones that we're developing now are in three areas: health law, environmental law, and family law. So right now we're already working on components to plug in. Obviously, we are also exploring things like delivering these components through distance education. (Ellen, by the way, the other thing that I am probably going to do is that, if the audience asks really hard questions, I'm going to have you help me answer them.)

But that is one of the two ways that we get a chance to interact with other North American law schools. The other is totally serendipitous. When I became Dean in August, I found out that, through the generosity of the Chapa family in Monterrey and one of the Houston lawyers who represents the Chapa family, John O'Quinn, there is an extra \$4 million grant—given in part by the

Chapas and in part by John O'Quinn—for links between the University of Houston and two schools in Monterrey, ITESM and Universidad de Monterrey (UDEM).

Thanks to our ITESM colleagues, we are talking about the possibilities of learning significantly more about how to deliver high quality legal education through distance education, because I have never seen anyone do it as well as ITESM. I had the chance to go down there and I was just floored by the technology and the extent to which distance learning is delivered all throughout Latin America. Also thanks to this grant, we'll be sending some of our faculty down to work cooperatively with the University of Monterrey to do a Certificate in International Business Transactions that will be formally run by the University of Monterrey and will share faculty with the University of Houston. This certificate program is not for law students. It is going to be CLE for Mexican lawyers. But it is going to be a long session—about fifteen weekends, complete with hands-on drafting and lectures from faculty from both countries.

NACLE and the Chapa-O'Quinn grant are two extremely exciting things that Houston is contributing to—I have now reached the maximum amount of knowledge that I have on these two programs, so I am open for questions.

Question: How do you handle the language and instruction issue, given the wide variety of languages in the world?

Answer: Well, it depends on the host school. For example, if it's a Canadian NACLE law school, the language will either be French or English, depending on which school and which course. If it's one of the three Mexican schools, it will be either Spanish or English. It's just these nine for the exchange program. Otherwise, the language issue would get even more complex.

Question regarding multiculturalism.

Answer: At this point, we have started with the exchanges. We have nineteen students in the exchange this year. My notes say five are visiting Mexican universities, four are visiting Canadian universities, and nine students from Mexico and Canada are visiting the three schools in the U.S.

One of the things that I noticed when I was teaching at Ohio State that I loved was the idea of FLAS (Foreign Language Area Studies) Fellowships. How many of you are familiar with that? This was a tremendous opportunity for second- and third-year law students at Ohio State. The students applied elsewhere in the university to take graduate level languages, for which up to six hours of their language instruction would count toward their law

degrees, along with (get this!) tuition and a stipend. That was a wonderful way to spend the second and third years of law school. And what we are talking about at Houston right now is trying to work into the process of getting FLAS Fellowships for our students as well. Law is global, and English isn't the only language used by lawyers. It makes so much sense to encourage students while they are in law school to attempt to learn another language.

A Short Remark from Associate Dean Louis F. Del Duca, The Pennsylvania State University—Dickinson School of Law: You can take this off of my ten minutes later on because it's a comment that I was going to make with reference to some of the developments in European legal education. On this point, the experience of Oxford University is relevant. We can learn a lot from our colleagues around the world. They have been in the business of internationalizing—some of them for a longer period of time that we have. What Oxford has done is set up a new kind of degree. The first degree is Jurisprudence I. That's a three-year course. The new program that was started is a Jurisprudence II degree, which is four years in length. Oxford has an arrangement with four German universities, with the University of Siena in Italy, with the Sorbonne, and with, I believe, [a university in] Spain, if my memory is correct on that. Students who intend to go for the four-year Jurisprudence II degree must make a declaration early on in their first year, and they are then required to establish proficiency in the language of the schools of the country where they're going for an extra year. The third of the four years is spent abroad in one of those countries. They are required to obtain a certificate that validates their skills in the language of the country to which they are going. I just cite that as one approach that has been taken and apparently is working fairly well.

After answering a few more questions on the globalization of legal education, Dean Rapoport concluded her remarks.