

Malta 2019

SOUTH TEXAS COLLEGE OF LAW HOUSTON
MITCHELL HAMLINE SCHOOL OF LAW
CALIFORNIA WESTERN SCHOOL OF LAW
NEW ENGLAND LAW | BOSTON

offer an exciting opportunity to study international and comparative law at the University of Malta



May 24-July 5, 2019
Application Deadline • March 25, 2019



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full of contrasts: from gently
sloping beaches to dramatic cliffs
and hidden coves along the
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to sprawling fields of vineyards
in the island's interior.*

OVERVIEW

Approved by the American Bar Association, the Malta program features international and comparative law courses taught by faculty members from the sponsoring schools. It is open to students in good standing at ABA-accredited United States law schools who have completed one year of full-time study or its equivalent in part-time study. Students will enroll in two courses in Session One and one course in Session Two for either four (4) or six (6) credits.

On the islands of Malta, rich historical traditions combine with modern European sensibilities to provide a unique setting for the study of international and comparative law. In the middle of the Mediterranean Sea, south of Italy, Malta lies at the crossroads of Eastern and Western civilizations and sea routes.

HISTORY

Malta's rich history stretches back thousands of years. Archeological sites yielded Neanderthal teeth from about 40,000 B.C., and still standing today are remnants of Neolithic temples from the fourth millennium B.C., before the pyramids in Egypt. The Apostle Paul shipwrecked on Malta in 60 A.D. and brought Christianity to the islands. In later centuries, Malta was invaded and controlled by the Byzantine empire, the Arabs, the Germans, the French, and finally the Spanish, before Emperor Charles V granted the islands to the Knights of St. John in the 1500s. For more than 260 years, the Knights ruled Malta, building massive walled fortress towns that survive today and contrast with modern developments along the coastline. In 1798, Napoleon conquered and plundered Malta, but the population rose up and with the help of British, drove the beleaguered French from the island. The British occupied the island peacefully for more than 150 years, until Malta's independence in the 1960s.

MALTA TODAY

Today the islands are very much a part of modern Europe, with bustling shopping and business districts and large luxurious resort hotels. The islands offer natural terrain full of contrasts: from gently sloping beaches to dramatic cliffs and hidden coves along the coastline; and from rolling hills to sprawling fields of vineyards in the island's interior. Malta is a member of the European Union. For general information about Malta, please visit the website www.visitmalta.com.

COURSES

Classes are held at the University of Malta in Msida. All courses are taught in English and assessment of student performance uses the same criteria employed in upper-division elective courses, which may include written final examinations, graded projects, papers, and presentations. Courses in Session One of the 2019 program are: *Cross-Cultural Negotiation and Mediation* and *Comparative Tax I*. Students enroll in both courses in Session One for a total of four (4) semester hours credit. Students may earn two additional credits by enrolling in Session Two and choosing one of the following courses: *Comparative Tax II* (prerequisite *Comparative Tax I*) or *International Criminal Law in the 21st Century*. To complement the curriculum, one or two class days during Session One will be spent visiting local courts or government agencies. Coursework is intensive during the week, and students are expected to attend all regularly scheduled classes and court or government agency visits. *Students should bring a business suit for the local court visit.*





SESSION ONE: MAY 24 – JUNE 20, 2019

Orientation – May 24, 9:00 a.m. University of Malta, Msida Campus.

Classes meet on the following dates: May 27–30; June 3–6; June 12–14; June 17–18;

Reading Day June 19; Final exams, June 20, 2019 – Choose both courses for four (4) credits in Session One:

Daily 9:00 a.m. to 10:50 a.m.

CROSS-CULTURAL NEGOTIATION AND MEDIATION > Two semester hours credit

> Associate Dean Catherine Greene Burnett, South Texas College of Law Houston

This interactive course will examine negotiation and mediation theory and practice in cross-cultural and international contexts. A variety of readings, exercises, and role-plays will be employed to encourage rigorous analysis of ADR concepts and critical assessment of the application of these concepts in international practice. Topics to be covered include conflict and negotiation theory, stages of the negotiation and mediation processes, ethical and legal issues in negotiation and mediation, reaching agreements and issues surrounding their enforceability, addressing power imbalances, and variation in the lawyer's role at all stages of negotiating and mediation. Students will participate in exercises and simulations that focus on various stages of these processes. Throughout the course, we will address the impact of diverse cultural backgrounds on facets of

both negotiation and mediation, as well as the use of these processes in dealing with international conflicts.

Daily 11:00 a.m. to 12:50 p.m.

COMPARATIVE TAX I > Two semester hours credit

> Professor Kevin Yamamoto, South Texas College of Law Houston

Using a code created by the International Tax Program at Harvard to help developing and transitional countries, we will study the basic principles countries use to finance government. The topics that may be discussed include the tax base, source and character, assignment of income, and other matters. The class is designed to help students understand the underlying policies and different systems which governments use to finance their activities. No prior tax or other code classes are required. This course will help with any code class taken in the future.

SESSION TWO: JUNE 24 – JULY 5, 2019

Classes meet on the following dates: June 24–28; July 1–3; Reading day July 4; Final exam July 5, 2019. – Choose one course:

Daily 10:00 a.m. to 11:30 a.m. and 1:00 p.m. to 2:30 p.m.

COMPARATIVE TAXATION II > Two semester hours credit

> Professor Bruce McGovern, South Texas College of Law Houston

A continuation of the course from Session I, in this class we look at how various systems tax corporations, partnerships and international transactions. The topics that may be discussed include corporate/partnership formation, distributions and liquidation, and the taxation of inbound and outbound transactions. The class is designed to help students understand the underlying policies and different systems which governments use to finance their activities. The only prerequisite is Comparative Taxation I, and no other prior tax or code classes are required. This course will help with corporations/partnerships and any code class taken in the future.

NOTE: Successful completion of both *Comparative Tax I* and *Comparative Tax II* satisfies the *Federal Income Tax* requirement of South Texas College of Law Houston. Students who wish to take advanced tax courses at the law school are still required to complete the regular *Federal Income Tax* course.

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OR

INTERNATIONAL CRIMINAL LAW IN THE 21ST CENTURY > Two semester hours credit

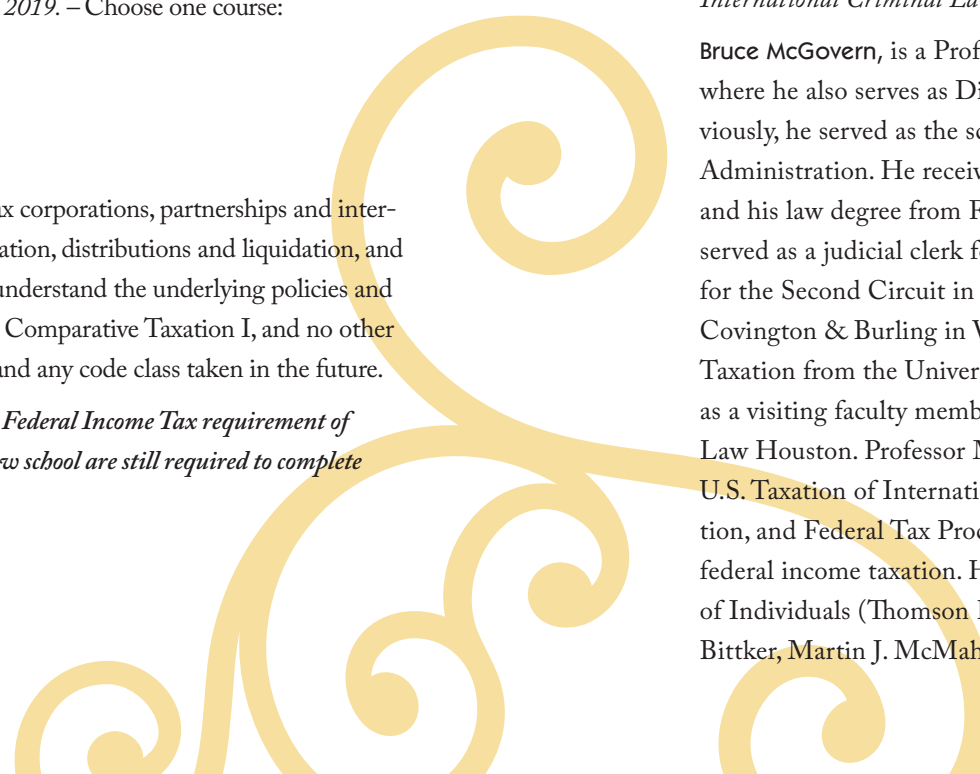
> Associate Dean Catherine Greene Burnett, South Texas College of Law Houston

This class starts with the basics – what crimes are international crimes and on what authority can individual countries prosecute those offenses? We then consider specific international crimes such as piracy, terrorism, torture, and corruption, which might be prosecuted in national courts. Our focus next turns to substantive international crimes, including genocide, crimes against humanity, and war crimes. We conclude by examining the prosecution of these crimes in international tribunals following World War II and extending to the present day. Classes are interactive and problem-based. No prior coursework in international criminal law is necessary.

FACULTY

Catherine Greene Burnett, Associate Dean and Professor of Law at South Texas College of Law Houston, earned her B.A. from the University of Texas and her J.D. from the University of Texas School of Law. She served as a law clerk for the Texas Court of Criminal Appeals and as a State Assistant Attorney General before beginning a criminal defense practice. Dean Burnett is certified as a criminal law specialist by the State Bar of Texas and has published extensively in the area. Dean Burnett will teach *Cross-Cultural Negotiation and Mediation* in Session One, and *International Criminal Law in the 21st Century* in Session Two.

Bruce McGovern, is a Professor of Law at South Texas College of Law Houston, where he also serves as Director of the school's Low Income Taxpayer Clinic. Previously, he served as the school's Vice President and Associate Dean for Academic Administration. He received his undergraduate degree from Columbia University and his law degree from Fordham University School of Law. After law school, he served as a judicial clerk for Judge Thomas Meskill on the U.S. Court of Appeals for the Second Circuit in New York. He then practiced law with the law firm of Covington & Burling in Washington, D.C. He subsequently earned an LL.M. in Taxation from the University of Florida Levin College of Law, where he taught as a visiting faculty member before joining the faculty at South Texas College of Law Houston. Professor McGovern's courses include Federal Income Taxation, U.S. Taxation of International Transactions, Partnership and Subchapter S Taxation, and Federal Tax Procedure. He frequently speaks on recent developments in federal income taxation. He is the co-author of a treatise, *Federal Income Taxation of Individuals* (Thomson Reuters 3d ed. 2002 and supplement 2018) (with Boris I. Bittker, Martin J. McMahon, and Lawrence A. Zelenak) and a casebook, *Agency*,





Partnerships, and Limited Liability Companies (Carolina Academic Press 2d ed. 2013) (with Gary S. Rosin). Professor McGovern is a member of the Council of the State Bar of Texas Tax Section, a former Chair of the Houston Bar Association Section of Taxation, and a Fellow of the American College of Tax Counsel. Professor McGovern will teach *Comparative Tax II* and serve as program director in Session Two.

Kevin Yamamoto, Professor of Law at South Texas College of Law Houston, teaches all levels of income, estate, and corporate tax. He is the co-author of a number of books, including the law student's staple *Black Letter on Federal Income Taxation* and the *Black Letter on Federal Wealth Transfer Taxes* published by West. Professor Yamamoto has taught a variety of tax-related courses as a visiting professor and has also taught courses in law school summer programs in the Czech Republic and Cambridge, England. Before teaching, he practiced law in San Diego and clerked for U.S. District Court Judge Irving Hill of the Central District of California. He earned his LL.M. in Taxation from the University of Florida, and J.D. from the University of San Diego. Professor Yamamoto will teach *Comparative Taxation I* and will serve as the program director in Session One.

HOUSING

Students participating in the Malta program make their own housing arrangements. An Internet search for "apartments in Malta" yields links to several agencies that can provide assistance in finding rental properties to meet individual student housing needs

and budgets. Links to available properties and traveler reviews of specific properties through sites such as Trip Advisor or AirBNB.com can provide valuable insight as to the quality and amenities to expect. Bus service on Malta makes transportation fairly simple and students may purchase monthly Tallinja card bus passes online to save on transportation costs at www.publictransport.com.mt/en/tallinja-card

TRANSPORTATION

Arranging airline reservations and transportation to and from Malta is the student's responsibility. Several airlines serve Malta through European hub cities, such as Amsterdam, London, Rome, Frankfurt and Paris.

ACCESSIBILITY

Facilities in Europe are not as accessible to individuals with disabilities as American facilities are. Individuals with special needs should contact the program at wmorrow@stcl.edu by March 5, 2019.

ACADEMIC CREDITS

Students should consult their home schools about transfer of credits and about their schools' grading requirements for transfer of course credits. It is unlikely that participation in foreign summer programs may be used to accelerate graduation. Students interested in acceleration of graduation should consult their home school about this possibility. For students not enrolled at South Texas College of Law Houston, transfer of Summer Program credits to another law school will be the responsibility of the students and requires receipt of a written Request for Transcript form.

ENROLLMENT

Ten (10) students, representing two (2) U.S. law schools enrolled in the 2018 Malta program. Expected enrollment in 2019 is twenty (20) students.

APPLICATION INFORMATION AND DEADLINES

Admission is open to any law student at an ABA-accredited law school who is in good academic standing and who has completed the first year of full-time study or its equivalent in part-time study. Applicants should submit: 1) an online application for admission along with \$200 application fee payable to South Texas College of Law Houston and 2) a letter of good standing from his or her law school stating that credits earned in the Malta program will transfer toward his or her J.D.

Should an application not be accepted, South Texas College of Law Houston will return this application fee within 20 days. The application fee will be applied to the tuition and program expenses such as orientation, closing dinner and visits to courts and governmental agencies. The application deadline is March 25, 2019. The online application URL is www.stcl.edu/registration/malta/

TUITION AND FEES

Tuition is \$3,000 for up to four (4) credits for Session One and \$4,500 for six (6) credits for students who enroll in both sessions. This includes the use of facilities at the University of Malta main campus in Msida, the orientation session and closing dinner. It does not include airfare, medical insurance, traveling expenses, local transportation costs, optional tours or field trips to areas outside the home campus, housing, meals, or books.

The application and \$200 application fee are due by March 25, 2019. The remaining balance of the tuition and housing is due May 18, 2019. Enrollment is limited; therefore, early application is encouraged.

Financial aid loans are generally available to students participating in this study abroad program. Students interested in obtaining loans for the study abroad program should contact the Financial Aid Office at their home school for applicable financial aid deadlines.

CANCELLATION

The sponsoring schools may cancel the summer program in the event of compelling circumstances, including unrest or instability in the host country, or insufficient enrollment. If, during the course of a program, a U.S. State Department Travel Warning or Alert is issued for Malta, students will be notified promptly of the warning and be given an opportunity to withdraw from the program. If students withdraw as a result of such a warning or if the program is terminated, they will be refunded fees paid to the program prior to the date of termination or withdrawal. The Malta program was canceled in 2015 due to low enrollment. In the event of cancellation, all monies, including the \$200 application fee, would be returned within twenty (20) days after the student withdraws or the program is canceled. Individual courses in any program may be canceled if they are under-enrolled.

The \$200 application fee is non-refundable unless you are not accepted into the program or the program is canceled.

RESPONSIBILITY AND MODIFICATIONS

The sponsoring schools will not be responsible for personal injury or for loss or damage to personal property. Students are expected to obtain and maintain medical insurance coverage for accidents or illness that may occur during their participation in this program, including medical evacuation and repatriation expenses.

The sponsoring schools reserve the right to change any aspect of the program which circumstances make necessary or desirable. Participants will be notified of material changes or cancellation of the program.

Student and faculty conduct in the Malta program is governed by the rules on attendance, plagiarism, and sexual harassment of South Texas College of Law Houston. Any student who has questions about any aspect of this policy should contact Assistant Dean Wanda Morrow at South Texas College of Law Houston at wmorrow@stcl.edu.

QUESTIONS

All inquiries, forms and correspondence about the program should be directed to:

South Texas College of Law Houston
2019 Summer Law Study Abroad Program
Attention: Assistant Dean Wanda Morrow
1303 San Jacinto Street
Houston, Texas 77002-7006

Phone: 713-646-1825 Fax: 713-646-2987

E-mail: wmorrow@stcl.edu

Internet: www.stcl.edu/study-abroad/malta.htm/

Photography by Catherine Greene Burnett and Wanda Morrow.



LEARNING OUTCOMES

Learning Outcome 1: Substantive Law and Legal Process Knowledge

Graduates of the law school will demonstrate mastery of the foundational areas of legal knowledge and legal processes with the proficiency suitable for a competent entry-level practitioner.

Learning Outcome 2: Legal Analysis, Reasoning, and Problem Solving

Graduates of the law school will demonstrate the ability to perform legal analysis, legal reasoning, and legal problem solving with the proficiency suitable for a competent entry-level practitioner.

Learning Outcome 3: Legal Research

Graduates of the law school will be able independently to conduct effective legal research with the proficiency suitable for a competent entry-level practitioner.

Learning Outcome 4: Other Professional Skills, Including Effective Communication

Graduates of the law school will be able to perform such other professional skills as are appropriate for a new lawyer in their chosen areas of specialization with proficiency appropriate for a competent entry-level practitioner.

Learning Outcome 5: Professional and Ethical Responsibility

Graduates of the law school will be able to demonstrate an ability to exercise the professional judgment and ethical standards expected of a competent entry-level practitioner.

Learning Outcome 6: Self-Management and Collaboration

Graduates of the law school will be able to use the skills and concepts required for the effective and efficient management of law practice with the proficiency suitable for a competent entry-level practitioner.