

Prague 2019

Czech Republic

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 historic Charles University*



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



*Lying proudly along the banks
of the River Vltava, Prague
offers a wealth of artistic and
cultural treasures, and possesses
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many buildings of spectacular
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OVERVIEW

Approved by the American Bar Association, the Prague program is open to students in good standing at ABA-accredited United States law schools. The program begins with an orientation session on Friday, May 24, 2019. Each class in Session One meets for thirteen (13) class periods on the following dates: May 27-30; June 3-6; June 11-14; June 17-18, 2019. A reading day on June 19 is followed by final exams for Session One on June 20, 2019. Session Two classes will meet on the following dates: June 24-28, July 1-3, with a reading day on July 4, and final exams on July 5, 2019.

“The Magical City,” “The City of a Hundred Towers,” and “The Paris of the East” are some of the common descriptions of Prague. Lying proudly along the banks of the River Vltava, Prague offers a wealth of artistic and cultural treasures, and possesses an individual charm with its many buildings of spectacular architectural form and proportional harmony. During his reign from 1346-1378, Charles IV made Prague the capital of the empire and founded Charles University in 1348. Prague grew into one of the largest cities in Europe and acquired many of its Gothic landmarks, including the Charles Bridge and St. Vitus Cathedral, during this period. Along with its fascinating history, Prague remains a bustling city of sights, sounds, and culture not to be missed.

COURSES

Orientation and classes will be held at the historic Charles University Law Faculty Building located in the Josefov section of Prague, near Old Town (Stare Mesto). All courses are taught in English and assessment of student performance uses the same criteria employed in upper-division elective courses, which includes written final examinations, graded projects and presentations. The professors responsible for each of the courses offered both write and grade the examination for his/her course. Courses in the first session of the 2019 Prague summer program are: *Cross-Cultural Negotiation and Dispute Resolution*; *Global Lawyering*; and *Law of Armed Conflict*. Students choose two of the courses offered for a total of four (4) semester credits in Session One. Students may earn two (2) additional credits by enrolling in Session Two from June 24-July 5, 2019 and choosing either *Commercial Law and Human Rights* or *Surveillance, Civil Liberty and National Intelligence*.

In order to complement the summer curriculum, one or two class days during Session One will be spent visiting legal institutions, including the Higher Court in Prague. A trip to the Terezin Concentration Camp is organized as part of program costs. While coursework is intensive during the week and attendance at orientation, all class sessions, enrichment lectures, and visits to governmental agencies and courts is mandatory, two long weekends allow for travel to nearby destinations. *Students should bring a business suit for the court or government agency visits.*

SESSION ONE - MAY 24 (ORIENTATION) – JUNE 20, 2019

Classes: May 27-June 18, 2019; Reading Day June 19, 2019; Final exams June 20, 2019

➤ *Choose two courses in Session One for four (4) hours credit.*

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

CROSS-CULTURAL NEGOTIATION AND DISPUTE RESOLUTION ➤ *Two semester credits*

➤ *Professor Mark Weinstein, California Western School of Law*

This interactive course examines negotiation theory and practice in a cross-cultural context. The course consists of a variety of readings, exercises and role-plays to encourage each student to develop the critical assessment necessary to employ learned theory into practice. Topics include the basic models of negotiation and the types of strategies and tactics that could be implemented during the different phases of the process. In addition, the course explores the application of these models in various lawyer contexts including transactional deal-making and dispute settlements. Students will participate in exercises and simulations which focus on the importance of advanced preparation, question-asking techniques, concession patterns and issue linkage, and reaching a final agreement. In addition, special emphasis will be given to developing awareness and sensitivity to potential ethical issues, cultural diversity issues and gender issues that may impact the negotiation process. Accordingly, European negotiation norms will be examined including the most common mistakes made by US attorneys when negotiating with European attorneys.



OR

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

GLOBAL LAWYERING > *Two semester credits*

> *Professor Katerina Lewinbuk, South Texas College of Law Houston*

This course is intended to expose students to various types of regulation of lawyers in different parts of the world. It will comparatively examine the structure and ethical framework of the legal profession in the United States, European Union and in a few selected countries, such as Russia, including the recourse that may be taken against attorneys for misconduct and professional malpractice. Other topics to be covered will include a range of accompanying ethical and legal issues, such as the role of lawyers and judges, beginning and ending of the attorney-client relationship, globalization of the legal profession and the image and expectations of lawyers in different parts of the world. The course will also address various aspects of law practice in selected countries and analyze the reasons behind established

traditions and practices in various legal systems. The assigned course book will be “Global Issues in Legal Ethics” by James Moliterno & Paul Paton (Thomson West 2014).

OR

Daily 1:00 to 2:50 p.m.

LAW OF ARMED CONFLICT > *Two semester credits*

> *Professor Phillip Gragg, California Western School of Law*

This course provides an overview of the legal framework and principles governing the actions of State and non-state actors that are engaged in an armed conflict. It will consider legal issues from the perspective of States, international and domestic courts, and the individual, with a special emphasis on our present location in Europe. The course is highly interactive, and will follow a discussion format with assigned readings. The course concludes with a traditional final.

SESSION TWO JUNE 24-JULY 5, 2019

Classes June 24-July 3; Reading day July 4, Final exam July 5, 2019

> *Choose one course for two (2) hours credit:*

9:00 a.m. – 12:00 p.m.

COMMERCIAL LAW AND HUMAN RIGHTS > *Two semester credits*

> *Professor David East, South Texas College of Law Houston*

The primary goal is to inculcate in students interested in business and commercial law awareness and understanding of the ways in which commercial law and commercial activity impact human rights—to make human rights relevant to commercial lawyers. The point of departure will be a set of essays written from the Australian perspective but including references to cases, statutes, and scholarship from Canada, the United Kingdom, and the United States as well as various United Nations materials, and a new set of essays published by the American Bar Association. Students will be challenged not only to identify intersections between business law and human rights but also to propose and develop strategies for eliminating or ameliorating the impact of business practices and decisions on human rights nationally and internationally. Some problem models will be used to assist the students in applying what they learn to new situations.

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OR

9:00 a.m. – 12:00 p.m.

SURVEILLANCE, CIVIL LIBERTY AND NATIONAL INTELLIGENCE > *Two semester credits*

> *Professor Timothy Casey, California Western School of Law*

This course outlines the tension between the individual and the community in the context of the debate over civil liberty and national security. The first part of the course reviews the philosophical justification for the existence of governments in the post-Enlightenment era. We then move to an overview of the arguments surrounding the formation of the United States Constitution, with particular attention to the separation of powers, federalism and the Bill of Rights. The second part of the course reviews the basic structures of surveillance law, including the Electronic Communications Privacy Act (ECPA), the Foreign Intelligence Surveillance Act (FISA), the National Security Act, the USA PATRIOT Act (and amendments), and the cases and decisions interpreting these statutes. The third part of the course examines the expansion of the technological capacity and the simultaneous diminution of jurisprudential protection for individual security. The fourth part of the course compares international laws regarding privacy, surveillance, and national security, focusing on the way legal, social and political structures challenge the balance between liberty and security. The fourth part will examine specific historical experiences in East Germany and in the Czech Republic. The course will follow a discussion format with assigned readings for each class meeting.

FACULTY

Timothy Casey, Professor of Law at California Western School of Law, directs California Western’s STEPPS Program, an innovative course that focuses on the development of professional judgment through simulated law office experiences. He developed the materials for the course and oversees the STEPPS Program faculty of twenty adjunct professors. He previously held an appointment as Professor of Law at Case Western Reserve University School of Law, where he was a member of the faculty since 2004. He has taught courses in Criminal Justice, International Human Rights, Professional Responsibility, Surveillance and National Security. A specialist in clinical education, Professor Casey has worked with several international groups to further the rule of law through legal education programs. In 2009, he received a Fulbright award to develop the curriculum at the Universidad de San Andres, an emerging law school in Buenos Aires, Argentina. Before joining the faculty at Case Western Reserve University, he was an Associate in Law at Columbia Law School, where he received the Presidential Teaching Award. Professor Casey’s prior practice experience includes extensive trial and appellate work with the Manhattan office of the Legal Aid Society of New York, where he specialized in *coram nobis* proceedings. His efforts led to the exoneration of wrongfully convicted clients in two cases. He also directed the training of new lawyers in trial practice for the Legal Aid Society. Professor Casey will teach *Civil Liberty and National Security* in Session Two.

W. David East, Professor of Law at South Texas College of Law Houston, teaches and writes in the commercial law (Uniform Commercial Code) areas of Payment Systems, Bank Collections and Deposits, Letters of Credit, Secured Transactions, and Sales of Goods. He has taught Property, Contracts, Bankruptcy, Commercial Law and Human Rights, and Consumer Transactions. After serving as Associate Dean for Academic Affairs, Professor East returned to full-time teaching and later began developing and teaching problem model courses in Transaction Skills. Professor East is now the Director of the Transactional Practice Center at South Texas College of Law Houston. As an advisory member of the

Texas Business Law Foundation, Professor East has testified before legislative committees in Austin on pending commercial statutes. He serves as a consultant on commercial law cases and transactions. Professor East will teach Commercial Law and Human Rights and serve as program director in Session Two.

Phillip Gragg joined the California Western School of Law faculty in 2016 as Associate Professor of Law, and Associate Dean of Library & Information Services. He teaches Law of Armed Conflict, Second Amendment Law, Advanced Legal Research, and first year legal instruction. Professor Gragg studied international, EU, and domestic UK law while living in London, and further pursued those interests, and Louisiana Civil Law, while working at LSU. He previously served as founding faculty and Library Director of the George R. White Law Library at Concordia University School of Law, in Boise, Idaho from 2012-2016, and at the Louisiana State University Paul M. Hebert Law Center from 2006-2012. He holds a Juris Doctor from the University of Iowa College of Law, a Master's Degree from the University of Arizona, and studied at the University of Alaska, Fairbanks before graduating from the University of California with a degree in Archaeology. Professor Gragg will teach the *Law of Armed Conflict* in Session One.

Katerina Lewinbuk, Professor of Law at South Texas College of Law Houston, previously taught at DePaul University Law School in Chicago and practiced law at the Chicago office of Baker & McKenzie. Her major interest and research involve global and comparative legal ethics, profession and malpractice, as well as human rights law. Professor Lewinbuk served a two-year term as a Fellow from the Texas Project for Human Rights, and served as a Program Director/Course Advisor at the International Law Institute in Washington, D.C. She taught abroad as a Fulbright Senior Specialist in both Monterrey, Mexico and in Prague, Czech Republic, and has offered legal skills courses and lectured on law-related topics in multiple international locations. Professor Lewinbuk will teach *Legal Profession in a Comparative Context* in Session One.

Mark Weinstein, Professor of Law at California Western School of Law, is the current Director of California Western's Clinical Externship Program. He has taught Legal Negotiation, Interviewing Counseling and Negotiation, Civil Procedure I and II and supervised students in California Western's Clinical Externship Program. Weinstein is a three-time winner of the "Teacher of the Year" award selected by students and was the Associate Dean for Administration for 5½ years. He has written a textbook on Civil Litigation and articles in the areas of law firm dissolution, clinical internships and veterinary lien laws. Prior to joining the faculty of California Western, Weinstein was a clinical professor at Washington University Law School in St. Louis and the University of Pennsylvania Law School in Philadelphia. In addition, he was a partner in a law firm in Allentown, Pennsylvania, a Managing Attorney of Lehigh Valley Legal Services in Allentown, PA and a Staff Attorney for Central Pennsylvania Legal Services in Reading, PA. Professor Weinstein earned his B.A. degree from Rutgers University in New Brunswick, NJ and his J.D. degree (with honors) from the George Washington University Law School in Washington, D.C. Professor Weinstein has taught Cross-Cultural Negotiation and Dispute Resolution four times in Prague, and will repeat that course in Session One in 2019.

HOUSING

Students make their own housing arrangements for Prague. An internet search for "apartments in Prague" provides multiple links to companies that provide short term rentals. The law school is located in Prague 1 near Old Town (Stare Mesto) in Josefov, right on the river at the Cechuv "Most" (Most means bridge). The physical address of the Law Faculty building is Namesti Curieovych 7, Prague 1. Students are provided with transport passes at orientation that are valid on trams, buses and public transportation in Prague, so it is not necessary to live in the immediate vicinity of the law school. The college does not endorse any particular housing agents, but past students have made positive comments about their experiences with housing agencies in Prague such as: www.vrbo.com (select Europe, Czech Republic, then Prague), www.prestigeapartments.cz, and www.lovingprague.com. Costs for housing will vary based on location and desired amenities.

TRANSPORTATION

Arranging air and ground transportation to and from Prague is the student's responsibility. Several airlines serve Prague through European hub cities such as Amsterdam, Frankfurt, Paris and London. Locally, transportation to most areas of the city by tram, trains (Metro) and bus is inexpensive, reliable and easy to navigate.

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 713-646-1825 by March 20, 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

Seventeen (17) students representing four (4) U.S. law schools attended the 2018 program in Prague. Expected enrollment for 2019 is thirty (30) 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 application for admission along with \$200 application fee; and 2) a letter of good standing from his or her law school stating that credits earned in the Prague 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, opening reception, and closing dinner and visits to courts and governmental agencies.

TUITION AND FEES

Tuition for Session One is \$3,000 for up to four credits, or \$4,500 for six credits if attending both sessions. Tuition includes the orientation program, transport pass, trip to Terezin Concentration Camp, court or government visits, use of facilities at the law library of the Charles University Law Faculty, and course materials supplied by the professors. It does not include airfare, medical insurance, traveling expenses, costs associated with 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 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 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 the Czech Republic, students will be notified promptly of the warning and given an opportunity to withdraw from the program. If students withdraw as a result of such a warning or if the program is terminated, students will be refunded fees paid to the program prior to the date of termination or withdrawal within twenty (20) days of withdrawal. The Prague program has never been canceled. In the event of cancellation, all monies, including the \$200 application fee, would be returned within 20 days after 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 one is 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 maintain or obtain medical insurance coverage for accidents or illness that may occur during their participation in this program, including 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 Prague 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 the program director or Assistant Dean Wanda Morrow at South Texas College of Law Houston.

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/prague/

QUESTIONS

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

2019 Summer Law Study Abroad Program
South Texas College of Law Houston
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/prague.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.