

# *Prague Study Abroad Summer Program 2020*

## *Course Descriptions*

### **Global Lawyering**

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*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. In addition, the course will offer hands-on legal skills training in various scenarios, such as intake client interview and case assessment. The assigned course book will be “Global Issues in Legal Ethics” by James Moliterno & Paul Paton (Thomson West 2014).

### **Intellectual Property by Design**

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*Professor Phillip Page, South Texas College of Law Houston*

This course was a slant-wise approach to the range of intellectual property, by way of the design of objects. In the course we covered everything from automotive, housewares, and fashion, to industrial design, even chocolate bars. The focus was on how things looked. We joked that the course might also be called, “The Eyeball and the Stuff.” This was not really a broad survey of IP generally. Rather, I locked onto industrial design and used that as a way to explore the ways, whether by copyright, patent, design patent, trade dress, or the great variety of other measures, different legal systems protect products in the increasingly global market. Narrowing the course in this way allowed me to make the course more truly comparative than would have been possible in a wider ranging IP survey. This proved especially interesting since in the area of visual design in the U.S. is, quite intentionally, an outlier. And the Czechs have long been exemplars in industrial design. The product design focus meant the course was restricted to things that students could see and touch. This had the added advantage of reading out of the course deep, doubtless relevant, but problematic IP areas such as biotechnology, pharmaceuticals, and software protection.

### **Cross-Cultural Negotiation and Dispute Resolution**

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*Professor Laura Padilla, California Western School of Law*

Like any skill, negotiation can improve with careful work. There is a popular perception that some people are “born negotiators,” while others among us somehow “don’t have it.” In fact, all of us are born negotiators. Anyone who has ever dealt with infants and children for very long knows that negotiating begins very early in life. Since the time when we were very young, most of us have broadened our negotiation repertoires through a process of observation, experimentation, and reflection. You come to this course with many years of experience negotiating. While you may not have yet negotiated as a lawyer, there are some important lessons to be drawn from the experience you already have.

There is no single, universal “best” way to negotiate. We will consider many different approaches to negotiation. Your goal should not be to hunt for the one “right” approach. Negotiation is a dynamic, context-sensitive enterprise. You should be suspicious about efforts to create universal negotiation rules (“always/never give the first offer,” “always/never negotiate in private,” “always/never walk out,” and so on) because they ignore important differences in context, personal comfort, goals, and counterparts. At the same time, you are encouraged to develop a rich set of guidelines for yourself – practices that form something of a personal default, from which you can vary if you perceive a strategic reason to do so. Hopefully, our course discussions and exercises will help you start to build an expanded repertoire of skills.

Learning to negotiate need not be a competition. Many people see negotiation as a competition to be “won,” and we will talk at great length about whether and when this view of negotiation is accurate or helpful. Regardless of whether you view *negotiation* as a competition, *learning negotiation* need not and should not be a competitive endeavor. This is a course aimed at improving skills. By definition, it will require everyone in the class to experiment with different approaches, searching for those that seem to work best. That kind of genuine experimentation can take place only in a learning environment that is open, supportive, honest and creative. I will need your help in making sure that we create that atmosphere.

## **Supreme Court Advocacy**

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*President and Dean, Michael F. Barry and Associate Dean, Catherine G. Burnett*

This is an intensive skills-focused short course designed to hone professional judgment. Students critically assess litigants’ written and oral advocacy strategies in cases of constitutional magnitude recently presented before the United States Supreme Court. During class sessions, students analyze how parties chose to frame questions presented, fact statements, summaries, and legal arguments in a side by side review of one pending case. Students then apply that analytical framework to their assigned case.

## **A Comparative Study of the United States and European Supreme Courts**

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*Justice Sonia Sotomayor, Associate Justice of the Supreme Court of the United States*

In this five-day course, students will examine the differences between the two systems including the structure of processing cases before courts; jurisdiction of the courts; standards of reviews in lower court, executive, administrative, and congressional decisions; advocacy and best practices in oral and written presentations; and creating an ideal supreme court.