

ASCL Board of Directors

Minutes -- 2009

Annual Meeting of the Society on October 3, 2009

MINUTES

**of the Annual Meeting of the Board of Directors
of the American Society of Comparative Law, Inc.**

Held on Saturday, October 3, 2009, at 11:15 a.m.

at Roger Williams University School of Law, Ten Metacom Avenue, Bristol, Rhode Island

The annual meeting of the Board of Directors of the American Society of Comparative Law, Inc. was called to order by President Symeon C. Symeonides, immediately following the adjournment of the meeting of the Society's Sponsor Members.

1. Secretary's Roll Call

A sheet for silent roll call was distributed. The following 32 Directors were present at the meeting, who are listed following the name of their institution:

1. University of Alabama School of Law: Kenneth M. Rosen
2. University of Arkansas at Little Rock, Bowen School of Law: Kenneth S. Gallant
3. University of Baltimore School of Law: James Maxeiner
4. University of California at Davis School of Law: Afra Asharipour
5. Chicago-Kent College of Law, IIT: David J. Gerber
6. Columbia University School of Law, Parker School: George A. Bermann
7. University of Connecticut School of Law: Richard S. Kay
8. University of Denver College of Law: Ved Nanda
9. Emory University School of Law: Teemu Ruskola
10. Golden Gate University School of Law: Christian N. Okeke
11. University of Hawai'i, Richardson School of Law: Alison W. Conner
12. Hofstra University School of Law: Nora V. Demleitner
13. Indiana University at Indianapolis Law School: Frank Emmert
14. University of Iowa College of Law: John C. Reitz
15. University of Kentucky College of Law: Scott Bauries
16. McGill University, Institute of Comparative Law: H. Patrick Glenn
17. University of Miami School of Law: Keith S. Rosenn
18. University of Minnesota Law School: Fred L. Morrison
19. Mississippi College School of Law: Wulf Kaal
20. University of Missouri - Columbia School of Law: William B. Fisch
21. University of Missouri - Kansas City School of Law: Jeffrey E. Thomas
22. New York Law School: Lung-Chu Chen
23. Pennsylvania State University, Dickinson School of Law: Louis Del Duca
24. University of Pittsburgh School of Law: Vivian Grosswald Curran
25. University of Puerto Rico School of Law: Luis Muniz-Argüelles

26. Roger Williams University School of Law: Louise E. Teitz
27. Rutgers, State University of New Jersey School of Law, Camden: Richard Hyland
28. St. Louis University School of Law: Stephen C. Thaman
29. Southwestern University Law School: Silvia F. Faerman
30. Stanford University School of Law: Amalia D. Kessler
31. Swiss Institute of Comparative Law: Eleanor Cashin-Ritaine
32. University of Tulsa College of Law: Barbara Bucholtz

The following 22 individuals were present and represented the Director from their institution:

1. American University, Washington College of Law: David V. Snyder
2. Boston College Law School: Richard Albert
3. Brooklyn Law School: Robin Effron
4. University of California Hastings College of the Law: Dorit Reiss
5. University of California at Los Angeles: Maximo Langer
6. Florida International University College of Law: Manuel A. Gomez
7. Georgetown University Law Center: David P. Stewart
8. University of Houston Law Center: Antonio Gidi
9. University of Illinois College of Law: Jacqueline E. Ross
10. Indiana University at Bloomington Law School: Jayanth K. Krishnan
11. Louisiana State University Law Center: Alain A. Levasseur
12. Loyola University New Orleans School of Law: Dominique Custos
13. University of Maryland School of Law: Peter E. Quint
14. University of Michigan Law School: Mathias Reimann
15. University of the Pacific McGeorge School of Law: Franklin Gevurtz
16. University of San Diego School of Law: Herbert Lazerow
17. Seton Hall University School of Law: Tracey A. Kaye
18. National University of Singapore Faculty of Law: Gary F. Bell
19. Universita di Trento Facolta di Giurisprudenza: Luisa Antonioli
20. Wayne State University Law School: Julia Ya Qin
21. Western New England College School of Law: Peter W. Schroth
22. Willamette University College of Law: David S. Clark

2. Approval of Minutes of the 2008 Meeting of the Board of Directors

The Minutes of the 2008 Meeting of the Board of Directors of the Society were approved.

3. Report of the Nominating Committee and the Election of Officers and Executive Committee Members (David Gerber)

David Gerber, Chair of the Nominating Committee, reported on nominations for the Society's officers and executive committee members. Candidates for vice president and treasurer ran unopposed, and there were no nominations from the floor.

The results of the elections were as follows:

Vice President: John C. Reitz (2009-2011)

Treasurer: Richard S. Kay (2009-11)

Executive Committee: Colin Picker (2009-2011) and Amalia D. Kessler (2009-2011).

4. Report of the Treasurer (Richard Kay)

The Treasurer presented his annual report on the finances of the Society, which is running a surplus now that the subsidy to the the *American Journal of Comparative Law* has been eliminated. The final report for January 1 to December 31 2008 and the interim report for January 1 to August 31, 2009 were distributed to members of the Society. The Treasurer reported October 2 he met with the members of the Finance Committee, which approved his work. He plans to continue gradually to shift the Society's portfolio to more conservative investments.

The Treasurer then presented eight recommendations, which were also distributed to the members. He recommended that:

1. Dues for Sponsor Members for 2010 remain at \$700;
2. \$10,000 be paid to the University of Connecticut Law School as reimbursement for the services of the Executive Assistant and for other costs;
3. \$725 be paid to the American Council of Learned Societies for 2010 dues;
4. \$1000 be paid to the International Association of Legal Science for 2010 dues;
5. Up to \$3000 be paid to the Roger Williams University Law School for expenses of the 2009 annual dinner.
6. The maximum reimbursement for each Sponsor member represented at the 2010 Annual Meeting be set at \$800.
7. The Treasurer and Secretary be authorized to transact business on behalf of the Society.
8. The draft Conflict of Interest, Retention of Records and Whistleblower policies previously distributed be approved.

All eight recommendations made by the Treasurer were approved and the Treasurer's report was adopted unanimously.

5. Report on Academy's 2010 International Congress in Washington, D.C. (David Snyder)

David Snyder reported on current planning and arrangements for the 2010 International Congress of Comparative Law, which is being hosted by American University Washington College of Law, George Washington University Law School and Georgetown University Law Center, and will be held in Washington DC from July 25 to August 1, 2010. The registration fee for the congress for the whole week (including meals) is \$675 if payment is made before November 30, 2009; \$785 if it is made before April 30, 2010; and \$895 thereafter. The conference hotel is the Ritz-Carlton and special conference rate for the event is \$229 per night. CLE accreditation has been arranged, as indicated on the website.

The reports have now all been assigned. The committee has made every effort to encourage reports and participation from countries in Latin America, Asia and Africa, areas not well represented in the past. It was suggested that letters of invitation be

provided to participants, which can be done through the website, and that reporters and others attending also be given certificates of participation in the congress.

The website for the Congress is now available at (www.wcl.american.edu/events/2010congress) and link will be provided from the Society's website. The website includes the meeting agenda and session topics and also provides for online registration. David recommended early registration and hotel reservations for members planning to attend.

The Society's annual meeting for 2010 will be held during the Congress and will be scheduled in the middle of the conference week, at 6:00 p.m. on Tuesday July 28 to make it easier for Society members to attend. At the suggestion of George Bermann, the directors voted their thanks to David Snyder and commended his committee for all their work on the 2010 congress.

6. Report on U.S. national reports for the 2010 Congress (John Reitz)

John Reitz thanked all those who had volunteered to serve as national reporters; the deadline for submission was Sept 30, 2009.

7. Directors' Meeting Suspended – Meeting of the Board of Editors of the *American Journal of Comparative Law* convened – Report of the Editor-in-Chief (Mathias Reimann)

Editor-in-chief Mathias Reimann presented a report on the *Journal of Comparative Law*. As planned, the *Journal* is now available online as well as in print from Volume 57; he expects that online subscriptions will increase for Volume 58 and the *Journal* will attract a broader readership. (Society members are provided access to the online version without payment of a fee.) The subscription fee is now \$75 for both print and online versions, and \$55-\$65 for the print version only. It was suggested that the *Journal* should check to make sure that all members wish to receive their printed copies, in order to save postage if they do not; the editors will check on this.

The editor-in-chief distributed the *Journal's* financial reports for July 1, 2008 to December 31, 2008. From now on the *Journal* will provide financial reports for the calendar year instead of a fiscal year; the next report will begin on January 1, 2009.

Financially the *Journal* is in good shape and the quality of the articles is very good; it is a completely peer-reviewed journal and the editors plan to modify the reviewing system to respond to submissions even more quickly. Ugo Mattei is no longer participating in the review process and the editor-in-chief will seek a replacement, as well as an additional reviewer with Asian expertise.

Mathias Reiman also asked approval to increase the price for Volume 58 by \$10 in order to include the cost of the Supplement instead of sending out a separate invoice for it. The Editors then voted to ratify the increase in price by \$10 as requested and to approve the report by the *Journal's* editor-in-chief.

8. Meeting of the Board of Editors of the *American Journal of Comparative Law* adjourned; Directors' Meeting Reconvened

9. Report of Annual Programs Committee (William Fisch) on proposals for the 2011 Annual Meeting

Bill Fisch reported that the committee had received two program proposals for the 2011 annual meeting, one from the University of Iowa College of Law on comparative judicial review and one from the University of the Pacific McGeorge School of Law on teaching comparative law. The committee recommended that the McGeorge proposal be accepted for 2011 and the Iowa proposal be accepted for 2012. There was support for both proposals and discussion followed on the order in which they might be held and whether other panels might be included in the programs. After further discussion, the Directors voted to table the decision until the 2010 annual meeting; in the meantime, the committee will continue to work with the two schools on their proposals.

10. Report of the Prizes Committee (Vivian Curran)

Vivian Curran reported the committee's choice for this year's prizes. Professor Mirjan Damaska of Yale Law School was chosen to receive the Society's Lifetime Achievement Award for his extraordinary contributions to the study of comparative law in the United States. The winner of this year's Hessel Yntema Prize for younger scholars was Haider Ala Hamoudi for his article "The Muezzin's Call and the Dow Jones Bell: On the Necessity of Realism in the Study of Islamic Law," which was published in 56 Am. J. Comp. L. 423 (2008).

11. Report by Younger Comparatists Committee (Colin Picker)

Colin Picker noted the panel presentation that morning and reported that the committee plans to organize more presentations addressed to the interests of 'younger' and new comparatists at future annual meetings.

12. Report on joint meetings and conferences

President Symeonides reported (on behalf of John Haley) that the Comparative Law Works in Progress Workshops for younger scholars have been successful. Mathias Reimann of the University of Michigan Law School will be stepping down, but the University of Illinois College of Law and Princeton University's Program for Law and Public Affairs will continue to sponsor the annual workshops. Jacqueline Ross has agreed to host the program at Illinois again.

It was moved and second that the Society continue the co-sponsorship for another year, as recommended by the Executive Committee, and the motion was approved. Co-sponsorship would involve reimbursing five people for expenses up to \$600 each to participate (for a maximum amount of \$3000), but only if their own institution is not providing reimbursement.

13. New Business

President Symeonides reported that a new website for the Society will be developed to replace and update the current one.

14. Announcements

At the conclusion of the meeting, President Symeonides thanked Ed Eberle and Louise Teitz of Roger Williams University School of Law for hosting an excellent conference, and members of the Society also expressed their thanks for the conference and meeting arrangements.

15. Adjournment

There being no further business, the meeting was adjourned at 12:35 p.m.

Respectfully submitted,

Alison W. Conner

Secretary, American Society of Comparative Law, Inc.