

ASCL Board of Directors

Minutes -- 2010

Annual Meeting of the Society on July 27, 2010

MINUTES

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

Held on Tuesday, July 27, 2010 at 7:45 p.m.

**at George Washington University, National Law Center, 2000 H Street, N.W.,
Washington DC.**

The annual meeting of the Board of Directors of the American Society of Comparative Law, Inc. was called to order at 7:45 p.m. 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 36 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. American University, Washington College of Law: Fernanda Nicola
3. University of Arizona College of Law: Boris Kozolchyk
4. University of Arkansas at Little Rock, Bowen School of Law: Kenneth S. Gallant
5. University of Baltimore School of Law: James Maxeiner
6. Brigham Young University, J. Reuben Clark Law School: Stephen G. Wood
7. Brooklyn Law School: Arthur R. Pinto
8. University of California at Berkeley School of Law: Richard M. Buxbaum
9. University of California at Davis School of Law: Afra Asharipour
10. Chicago-Kent College of Law, IIT: David J. Gerber
11. Columbia University School of Law, Parker School: George A. Bermann
12. University of Connecticut School of Law: Richard S. Kay
13. University of Denver College of Law: Ved P. Nanda
14. University of Detroit Mercy College of Law: Bret Boyce
15. Emory University School of Law: Teemu Ruskola
16. University of Hawai'i, Richardson School of Law: Alison W. Conner
17. University of Iowa College of Law: John C. Reitz
18. McGill University, Institute of Comparative Law: H. Patrick Glenn
19. University of Maryland School of Law: Shruti Rana
20. University of Minnesota Law School: Fred L. Morrison
21. Mississippi College School of Law: Wulf Kaal
22. New York Law School: Lung-Chu Chen
23. Oklahoma City University School of Law: Carla Spivack
24. Pennsylvania State University, Dickinson School of Law: Louis Del Duca

25. Pepperdine University School of Law: Donald Childress
26. University of Pittsburgh School of Law: Vivian Grosswald Curran
27. Princeton University Program on Law & Public Affairs: Kim Lane Scheppele
28. University of Puerto Rico School of Law: Luis Muniz-Argüelles
29. St. Louis University School of Law: Stephen C. Thaman
30. University of San Diego School of Law: Joseph J. Darby
31. University of South Carolina: Joel Samuels
32. Southwestern University Law School: Mark E. Cammack
33. Stanford University School of Law: Amalia D. Kessler
34. University of Tulsa College of Law: Barbara Bucholtz
35. Villanova University School of Law: Chaim Saimin
36. Willamette University College of Law: James A.R. Nafziger

In addition, the following 22 individuals were present and represented the Director from their institution:

1. Boston University School of Law School: Daniela Caruso
2. University of Colorado School of Law: William T. Pizzi
3. Duke University School of Law: Ralf Michaels
4. Florida International University College of Law: Manuel A. Gomez
5. George Washington University, National Law Center: Susan L. Karamanian
6. Georgetown University Law Center: James V. Feinerman
7. University of Illinois College of Law: Margaret Grossman
8. Indiana University at Bloomington Law School: Hannah L. Buxbaum
9. Louisiana State University Law Center: Alain A. Levasseur
10. Loyola University New Orleans School of Law: Dominique Custos
11. Marquette University Law School: J. Gordon Hylton
12. University of Michigan Law School: Mathias Reimann
13. University of the Pacific McGeorge School of Law: Franklin Gevurtz
14. University of Pennsylvania Law School: William B. Ewald
15. Roger Williams University School of Law: Edward J. Eberle
16. Seton Hall University School of Law: Tracey A. Kaye
17. National University of Singapore Faculty of Law: Gary F. Bell
18. Swiss Institute of Comparative Law: Lukas Heckendorn Urscheler
19. Università di Trento Facoltà di Giurisprudenza: Luisa Antonioli
20. Tulane University School of Law: Ronald J. Scalise
21. Wayne State University Law School: Paul R. Dubinsky
22. Western New England College School of Law: Peter W. Schroth

2. Approval of Minutes of the 2009 Meeting of the Board of Directors

The Minutes of the 2009 Meeting of the Board of Directors of the Society were approved with no corrections.

3. Report of the Nominating Committee and the Election of Officers and Executive Committee Members (Mathias Reimann)

Mathias Reimann, Chair of the Nominating Committee, reported on nominations for the

Society's officers and executive committee members. Candidates for honorary president, secretary and parliamentarian ran unopposed, and there were no nominations from the floor. The results of the elections were as follows:

Honorary President: Symeon C. Symeonides (2010-12)

President: John C. Reitz (2010-2012)

Vice President: H. Patrick Glenn (2010-2011)

Secretary: Alison W. Conner (2010-12)

Parliamentarian: H. Patrick Glenn (2010-12)

Executive Committee: Francesca Bignami and Hannah Buxbaum (2010-12).

4. Report of the Treasurer (Richard Kay)

The Treasurer presented his annual report on the finances of the Society, including the final financial report and reconciliation for the period January 1 to December 31 2009 and the interim report for January 1 to June 30, 2010. The Treasurer reported that he has consolidated the Society's accounts in a single brokerage account to make it easier to manage the Society's funds. During the last year, he has made some investment shifts to comply with the guidelines, and he will continue to shift the Society's portfolio to more conservative investments.

The Treasurer then presented six recommendations to the members. He recommended that:

1. Dues for Sponsor Members for 2011 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 2011 dues;
4. \$1000 be paid to the International Association of Legal Science for 2011 dues;
5. The maximum reimbursement for each Sponsor member represented at the 2011 Annual Meeting be set at \$600.
6. Up to \$3000 be paid for website design and web hosting with the approval of the Executive Committee.

President Symeonides announced that the Finance Committee (chaired by Fred Morrison) had met that morning to review the Treasurer's reports and found them in order and that the Executive Committee had also reviewed them. In response to a question, the Treasurer explained that the reimbursement for hosting the 2011 meeting would be presented for approval at the 2011 meeting. There being no other questions or comments, Fred Morrison moved their approval; all six recommendations made by the Treasurer were approved and the Treasurer's report was adopted unanimously. Richard Kay

expressed his thanks to the Finance Committee for their help and support, and the President also thanked the Treasurer for all his efforts on behalf of the Society.

5. Report of the Annual Programs Committee and Selection of the Venue for the 2011 Annual Meeting

President Symeon Symeonides reported on the recommendations of the Programs Committee (chaired by William Fisch) for the 2011 and 2012 annual meetings of the Society. Two proposals, 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, were considered at the 2009 meeting of the Society. Both proposals had support, and after some discussion on the order in which they might be held and whether other panels might be included, the Directors voted to table the decision until the 2010 annual meeting.

Since the 2009 meeting, both schools have submitted revised proposals, and on that basis the Programs Committee recommended that the 2011 annual meeting be held at McGeorge School of Law and the 2012 annual meeting of the Society be held at the University of Iowa. The Executive Committee recommended approval by the Society, and the Directors voted to approve the recommendation. The 2011 meeting will therefore be held at McGeorge and the 2012 meeting will be held at Iowa on the basis of these revised proposals.

6. Report on joint meetings and conferences

President Symeonides reported (on behalf of John Haley) that the Comparative Law Works-in-Progress Workshops have continued to provide very successful and meaningful programs for younger scholars. The fifth annual workshop was held at the University of Illinois College of Law on May 20-21, 2010 and was co-sponsored by Yale Law School and Princeton University's Law and Public Affairs Program, as well as the Society. The sixth annual workshop will be held at Yale Law School on February 11-12, 2011 and will be organized by Jaqueline Ross (University of Illinois), Kim Lane Scheppele (Princeton) and James Q. Whitman (Yale).

As in 2010, co-sponsorship by the Society would involve reimbursing five people for expenses of up to \$600 each to participate in the workshop (for a maximum amount of \$3000), but only if their own institution is not providing reimbursement. Kim Lane Scheppele was present at the meeting and spoke about the 2011 workshop; the call for papers has been sent out. It was moved and seconded that the Society continue the co-sponsorship for another year, as recommended by the Executive Committee, and the motion was approved unanimously.

7. Report of the Prizes Committee (Vivian Curran)

Vivian Curran thanked the committee for its work and reported the committee's choice for this year's Hessel Yntema Prize for younger scholars. The winner was Richard Albert, an assistant professor at Boston College, for his article on "The Fusion of Presidentialism and Parliamentarism," which was published in 57 Am. J. Comp. L. 531 (2009).

8. New Business

President Symeonides then called for any new business. George Bermann, as the president of the International Academy of Comparative Law, reported on its recent activities. He has undertaken to modernize the Academy's structure, and the meeting to be held on Saturday July 31 will include a vote on proposed amendments to the bylaws relating to membership. Under current rules, of the two classes of membership (titular and associate), only titular members have the right to vote, even though associate members also pay dues. Amending the bylaws to extend the franchise to associate members and to end the numerus clausis nature of their membership requires the approval of two-thirds of the titular members. Attempts to change to one class of membership have not been successful, but if the vote is given to associate members, then all can vote to end the current membership rules. President Symeonides also urged members to vote for the proposed changes, as did former President David Clark.

George Bermann also noted that the executive committee of the Academy has made it a priority to increase the diversity of attendance at the Congress and to encourage reports and participation from countries in Latin America, Asia and Africa—which is reflected in this year's programs. He announced that the next international congress was scheduled to be held in Vienna in four years (2014). To increase the visibility of the congress and allow for a greater range of venue, intermediate conferences devoted to a single theme will now also be held every two years, between the main meetings. The next thematic conference will be held in Taiwan on May 24-26, 2012 and the general theme will be codification.

At the suggestion of Ved Nanda, members of the Society expressed their thanks to George Bermann for his work at the Academy and his contributions to this year's congress.

A question was raised about the lack of translation into French, at least at plenary sessions, for Francophone attendees. Speaking on behalf of the organizing committee, David Snyder reported that the issue was discussed but in principle these congresses are bilingual and there was an expectation that members could do both languages. It might seem there is more English than usual this year because the meeting is being held in the U.S. But he indicated that French-speaking members would be able to help with at least informal translation for attendees who required it.

At the end of the discussion, Susan Karamanian praised the camaraderie and informal discussions as well as formal programs at the Congress. David Snyder also encouraged Society members to participate in the program, which is our meeting this year. He also thanked all members of the 2010 Congress organizing committee for their work on the meetings.

9. American Journal of Comparative Law

Mathias Reimann, editor-in-chief of the Journal, distributed materials relating to the *Journal*, including its financial reports for January 1 to December 31, 2009. The Supplement to volume 58, which covers twenty-seven of the topics selected by the Academy for the XVIIIth International Congress.

10. Announcements

At the conclusion of the meeting, John Reitz thanked the members of the Society for electing him to the office of president. He stated that although it would be difficult to follow Symeon Symeonides, he looked forward to the help of the Society's members while he is in office. Then new President Reitz thanked Symeon Symeonides for his leadership of the Society and for all his contributions to the study of comparative law, and presented him with a plaque on behalf of the Executive Committee. The plaque read as follows:

The American Society of Comparative Law, Inc.

*On the Occasion of Its Annual Meeting
In Conjunction with the XVIIIth International Congress of Comparative Law
Washington, D.C.*

Honors with Appreciation

Symeon C. Symeonides

For His Extraordinary Leadership of the Society as Secretary, Vice-President and, most recently, as President, 2006-2010, and for His Numerous Contributions to the Study of Comparative Law and Private International Law

The Executive Board, American Society of Comparative Law July 27, 2010

President Symeonides accepted the plaque and thanked members of the Society for their friendship and support.

10. Adjournment

There being no further business, the meeting was adjourned at 8:40 p.m.

Respectfully submitted,

Alison W. Conner

Secretary, American Society of Comparative Law, Inc.