

ASCL Sponsor Members

Minutes -- 2014

Annual Meeting of the Society on July 22, 2014

MINUTES

of the Annual Meeting of the Sponsor Members

of the American Society of Comparative Law, Inc.

Held on Tuesday, July 22, 2014, at 6:00 p.m.,

in the Juridicum at the University of Vienna Faculty of Law,

Schottenbastei 10-16 Vienna, Austria.

The annual meeting of the Sponsor Members of the American Society of Comparative Law, Inc., was called to order by President H. Patrick Glenn at 6:00 p.m.

1. Secretary's Roll Call

A sheet for silent roll call was distributed. The following 54 Sponsor Members were present at the meeting and were represented by the individuals listed below:

1. University of Alabama School of Law: Kenneth Rosen
2. American University, Washington College of Law: Fernanda Nicola, David V. Snyder, Padideh Ala'i
3. University of Arkansas at Fayetteville Lefar Law Center: Stephen M. Sheppard
4. University of Arkansas at Little Rock Bowen School of Law: Sarah H. Jenkins
5. University of Baltimore School of Law: James Maxeiner, Mortimer Sellers
6. Boston College Law School: Richard Albert
7. Boston University School of Law: Daniela Caruso (by proxy)
8. Brigham Young University J. Rueben Clark Law School: Cole Durham, Jr.
9. Brooklyn Law School: Arthur R. Pinto
10. Chicago-Kent College of Law, IIT: David J. Gerber
11. University of Connecticut School of Law: Richard S. Kay
12. University of Denver College of Law: Ved P. Nanda
13. University of Detroit Mercy School of Law: Howard B. Abrams
14. Duke University School of Law: Ralf Michaels
15. Emory University School of Law: Teemu Ruskola, Peter Hay
16. Fordham University: Martin Gelter
17. Georgetown University Law Center: Frank Werro
18. George Washington University National Law Center: Karen B. Brown
19. University of Illinois College of Law: Margaret Grossman
20. Indiana University at Bloomington Law School: Hannah Buxbaum
21. Indiana University at Indianapolis: Shawn Boyne
22. University of Iowa College of Law: John C. Reitz
23. University of Maryland School of Law: Peter E. Quint
24. McGill University, Institute of Comparative Law: H. Patrick Glenn, Helge Dedek
25. University of Michigan Law School: Mathias W. Reimann

26. University of Minnesota Law School: Fred L. Morrison
27. University of Missouri-Columbia School of Law: Stacie I. Strong
28. University of Missouri-Kansas City School of Law: Rana Lehr Lehnardt
29. University of Nevada, Las Vegas School of Law: Marketa Trimble
30. New York University School of Law: Frank Upham
31. Oklahoma University School of Law: Peter Kutner
32. University of the Pacific McGeorge School of Law: Franklin Gevurtz
33. Pennsylvania State University, Dickinson School of Law: Louis F. Del Duca
34. University of Pittsburgh School of Law: Vivian Grosswald Curran
35. University of Puerto Rico School of Law: Luis Muniz-Arguelles
36. Roger Williams University School of Law: Louise Teitz
37. Rutgers, State University of New Jersey School of Law, Camden: Richard Hyland
38. Saint Louis University School of Law: Steven Thaman
39. Saint John's University School of Law: Lucas Rezende
40. Saint Mary's University School of Law: Stephen M. Sheppard
41. University of San Diego School of Law: Bert Lazerow
42. Seton Hall University School of Law: Tracy A. Kaye
43. National University of Singapore Faculty of Law: Gary F. Bell
44. Southern Methodist University: Peter Winship
45. Southwestern Law School: Jonathan M. Miller
46. Università di Trento Facoltà di Giurisprudenza: Luisa Antonioli
47. Tulane University School of Law: Vernon Palmer, Ronald J. Scalise, Sally Richardson
48. Valparaiso University School of Law: Zachary R. Calo
49. Washington & Lee University School of Law: Nora Demleitner
50. Washington University School of Law: David Law
51. University of Washington: Melissa Durkee
52. Western New England College School of Law: Peter W. Schroth
53. Willamette University College of Law: David S. Clark
54. Zhejiang University Guanghua Law School: Jin Chengdong

2. Approval of Minutes of the 2013 Meeting of the Sponsor Members

The minutes from 2013 were approved with a typographical error corrected.

3. President's Report

President Glenn reported that the transition of administrative functions to Laurie Schnitzer at the University of Baltimore had been completed. He further stated that future dues notices would be sent electronically. In addition, he reported that he James Nafziger had attended the meeting of the Council of Learned Societies and that he had sent a letter on behalf of the Society to the Swiss government regarding the Swiss Institute of Comparative Law. He reported that the question of archives is still under study and congratulated members of the Society who had been admitted into membership in the International Academy of Comparative Law.

4. Election of New Sponsor Members, Corresponding Institutional Members and Associate Members

Two applications for sponsor membership were approved:

1. University of North Carolina at Chapel Hill School of Law
Tim Kelly (Director) Mike Corrado (Editor)

2. Portucalense Institute for Legal Research
Jose Caramelo Gomes (Director and Editor)

Two applications for associate membership were also approved:

1. Vanessa Villanueva Collao (Researcher, University of Genoa, Faculty of Law)
2. Dr. Bjoern E. Strehl (Attorney at Law, Frankfurt am Main)

5. Resolution to Fix the Number and Names of Directors

A resolution to fix the numbers and names of Directors as they appear on the Society's website (and as approved for the new sponsor members, now totaling 110) was made, seconded and approved pursuant to By-Law Section 4.1.

6. New Business

There was no new business.

7. Adjournment

There being no further business, it was moved, seconded and approved that the Meeting of the Sponsor Members be adjourned at 6:10 p.m.

Respectfully submitted,
Franklin A. Gevurtz, Secretary
American Society of Comparative Law, Inc.

ASCL Board of Directors

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MINUTES

of the Annual Meeting of the Board of Directors

of the American Society of Comparative Law, Inc.

Held on Tuesday, July 22, 2014, at 6:10 p.m.,

**in the Juridicum at the University of Vienna Faculty of Law,
Schottenbastei 10-16 Vienna, Austria.**

The annual meeting of the Board of Directors of the American Society of Comparative Law, Inc. was called to order at 6:10 p.m. by President H. Patrick Glenn, 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 25 Directors were present at the meeting, who are listed following the name of their institution:

1. University of Alabama School of Law: Kenneth Rosen
2. American University, Washington College of Law: Fernanda Nicola
3. University of Arkansas at Fayetteville Lefar Law Center: Stephen M. Sheppard
4. University of Baltimore School of Law: James Maxeiner
5. Brigham Young University J. Rueben Clark Law School: Cole Durham, Jr.
6. Brooklyn Law School: Arthur R. Pinto
7. Chicago-Kent College of Law, IIT: David J. Gerber
8. University of Connecticut School of Law: Richard S. Kay
9. University of Denver College of Law: Ved P. Nanda
10. University of Detroit Mercy School of Law: Howard B. Abrams
11. Emory University School of Law: Teemu Ruskola
12. Fordham University: Martin Gelter
13. University of Iowa College of Law: John C. Reitz
14. McGill University, Institute of Comparative Law: H. Patrick Glenn
15. University of Minnesota Law School: Fred L. Morrison
16. University of Missouri-Columbia School of Law: Stacie Strong
17. New York University School of Law: Frank Upham
18. University of Pittsburgh School of Law: Vivian Grosswald Curran
19. University of Puerto Rico School of Law: Luis Muniz-Arguelles
20. Roger Williams University School of Law: Louise Teitz
21. Rutgers, State University of New Jersey School of Law, Camden: Richard Hyland
22. Southern Methodist University: Peter Winship
23. Tulane University School of Law: Vernon Palmer
24. Valparaiso University School of Law: Zachary R. Calo
25. Zhejiang University Guanghua Law School: Jin Chengdong

In addition, the following 29 individuals were present and represented the Director from their institution:

1. University of Arkansas at Little Rock Bowen School of Law: Sarah H. Jenkins
2. Boston College Law School: Richard Albert
3. Boston University School of Law: Daniela Caruso (by proxy)
4. Duke University School of Law: Ralf Michaels
5. Georgetown University Law Center: Frank Werro
6. George Washington University National Law Center: Karen B. Brown
7. University of Illinois College of Law: Margaret Grossman
8. Indiana University at Bloomington Law School: Hannah Buxbaum
9. Indiana University at Indianapolis: Shawn Boyne
10. University of Maryland School of Law: Peter E. Quint
11. University of Michigan Law School: Mathias W. Reimann
12. University of Missouri-Kansas City School of Law: Rana Lehr Lehnardt
13. University of Nevada, Las Vegas School of Law: Marketa Trimble
14. Oklahoma University School of Law: Peter Kutner
15. University of the Pacific McGeorge School of Law: Franklin Gevurtz
16. Pennsylvania State University, Dickinson School of Law: Louis F. Del Duca
17. Saint Louis University School of Law: Steven Thaman
18. Saint John's University School of Law: Lucas Rezende
19. Saint Mary's University School of Law: Stephen M. Sheppard
20. University of San Diego School of Law: Bert Lazerow
21. Seton Hall University School of Law: Tracy A. Kaye
22. National University of Singapore Faculty of Law: Gary F. Bell
23. Southwestern Law School: Jonathan M. Miller
24. Università di Trento Facoltà di Giurisprudenza: Luisa Antonioli
25. Washington & Lee University School of Law: Nora Demleitner
26. Washington University School of Law: David Law
27. University of Washington: Melissa Durkee
28. Western New England College School of Law: Peter W. Schroth
29. Willamette University College of Law: David S. Clark

2. Approval of Minutes of the 2013 Meeting of the Board of Directors

The Minutes of the 2013 Meeting of the Board of Directors of the Society were approved with a typographical error corrected.

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

David Clark, Chair of the Nominating Committee, reported on nominations for the Society's officers and executive committee members. There were no nominations from the floor. The results of the elections were as follows:

President: Patrick Glenn (2014-2016)

Secretary: Franklin Gevurtz (2014-2016)

Information Officer: Wulf Kaal (2014-2016)

Executive Committee: Richard Albert and Sarah Jenkins (2014-2016).

4. Report of the Treasurer (Mortimer Sellers)

The Treasurer presented his annual report on the finances of the Society; the final financial report for January 1 to December 31, 2013, having been distributed to the members prior to the meeting. The Treasurer thanked his predecessor, Richard Kay, and Laurie Schnitzer for their assistance in his assuming his responsibilities. The Treasurer reported that the Society is in good financial condition. There are 110 sponsor members, although 10 have not yet paid dues for the year. The Treasurer is planning in the future to change the presentation of recommended expenditures by presenting to the Society at its annual meeting a proposed budget for the year.

For the next year, the Treasurer proposed that the Society continue charges for membership and expenditures at the level of recent years, with the modifications specified in the Treasurer's interim report to the finance committee, and specifically:

1. Dues for Sponsor Members for 2014 remain at \$700;
2. Up to \$1000 be paid to Paypal for fees associated with electronic payment of dues;
3. \$10,000 donation to a sponsor member in appreciation for the services of the Executive Assistant and for other costs;
4. Up to \$3000 be paid to the SMU Dedman School of Law 2015 annual dinner;
5. Up to \$2000 be paid for the expenses of travel to the 2015 annual meeting by the recipients of the Lifetime Achievement award.
6. Dues be paid to the American Council of Learned Societies in the amount of \$990;
7. Dues be paid to the International Association of Legal Science in the amount of €1000;
8. The maximum reimbursement for each Sponsor member represented at the 2015 Annual Meeting be set at \$600;
9. Up to \$3000 be paid to recipients of prizes for scholarship authorized by the Society;
10. Up to \$3000 be paid for reimbursement of expenses for participation in the 2015 Comparative Law Works-in-Progress Workshop;
11. Up to \$7000 be paid for reimbursement of expenses for participation in and other costs of conferences to be sponsored by the Younger Comparatists' Committee.

12. Up to \$1000 be paid for website maintenance.

13. Around \$1000 to hire an accountant to prepare the Society's annual tax return

A motion to adopt the Treasurer's Report and Recommendations was moved, seconded and adopted.

The Treasurer also proposed that the Finance Committee be empowered to direct the Treasurer to depart from the Society's investment guidelines on bond holdings if that seems prudent to the Committee. This proposal was moved, seconded and adopted.

Finally, the Treasurer raised the topic of establishing an endowment for the Society as something to explore.

5. Board of Directors Meeting Suspended – Meeting of the Board of Editors of the American Journal of Comparative Law Convened – Report of the Editors-in-Chief (Mathias Reimann 2013; Helge Dedek 2014)

The Directors meeting was suspended and the meeting of the Board of Editors of the American Journal of Comparative Law was convened at 6:55 p.m. Former Editor-in-Chief Mathias Reimann reported on the Journal for 2013, while Helge Dedek reported on behalf of the three new Editors-in-Chief on the Journal for 2014. Mathias Reimann distributed and reviewed the annual report for the Journal, including its financial reports for January 1 to December 31, 2013. He reported that the Journal had been essentially cost neutral for the year. He recommended, however, that the Society think ahead regarding plans for the Journal if, in the future, subscriptions decline because of increasingly open access to academic journals in electronic form. Helge Dedek reported that the transition to the new Editors-in-Chief and host institutions had been smooth. Because of a backlog of article submissions accumulated during the transition, the Journal had closed to new submissions, but was now reopened for submissions. He expects around 300 articles to be submitted to the Journal, which has been accepting between six and eight percent of the articles submitted.

6. Meeting of the Board of Editors of the American Journal of Comparative Law Adjourned--Directors' Meeting Reconvened

President Glenn reconvened the Board of Directors meeting at 7:05 p.m.

7. Proposals relating to the Journal (Helge Dedek)

Helge Dedek reported that By-Law 1.4A currently provides for a five-person Executive Editorial Board for the Journal, but in practice eight to ten individuals have been serving on the Executive Editorial Board. To reflect practice and allow flexibility, he moved to amend By-Law 1.4A to change "five" to read "up to twenty." The motion was seconded and adopted.

In light of trends impacting the publication of academic journals, Helge Dedek moved to create a committee to investigate all publishing models for the Journal. The motion was seconded and adopted.

8. Report of the Annual Meeting Program Committee, Discussion of Program Committee Proposals (Ralf Michaels).

Ralf Michaels, chair of the Annual Meeting Program Committee, reported on behalf of the Committee. The Committee received four proposals to host the 2016 annual meeting: American University (who proposed a conference built around the topic of comparative law involving faith); University of Washington (who proposed a conference built around the topic of law in the new world, as opposed to the United States or Europe); Boston University (who proposed a conference built around the topic of comparative legal history), and Portucalense Institute for Legal Research (who proposed a conference built around the topic of global solutions for international problems). The Committee viewed three of the proposals favorably. (The Committee was concerned that the proposal from Portucalense Institute for Legal Research was premature, as the Institute was just admitted into membership at this meeting, and also was concerned about the costs of holding a meeting in Europe.) The Committee recommended acceptance of the proposal from the University of Washington. The Members heard from representatives from the University of Washington and American University. The recommendation of the Committee to hold the 2016 annual meeting at the University of Washington was adopted. Ralf Michaels, on behalf of the Committee, next moved to set the location now for the 2017 meeting, instead of waiting until 2015 to pick the location for 2017. The motion was seconded, and, after discussion, adopted. Ralf Michaels then moved to accept to proposal of American University to host the 2017 meeting, which motion was seconded and adopted.

9. Proposal for an ASCL Comparative Law book series (Mortimer Sellers)

Tim Sellers briefed the members on discussions he has conducted with Cambridge University Press and other publishers regarding a possible ASCL Comparative Law book series. There was discussion of the nature of such a series and the issues raised by entering an agreement with an academic press to publish such a series. Tim Sellers moved that the Society empower the Executive Committee to create a book series entitled "ASCL Studies in Comparative Law" and to enter into negotiations with Cambridge University Press and with other presses and to conclude an agreement to publish such a series if reasonable terms can be reached with Cambridge or with some other press. The motion was seconded and adopted.

10. Report of the Younger Comparativists' Committee (Richard Albert)

Richard Albert, chairman of the committee, thanked the members of the committee for their work and then reported on the group's plans and activities. He made available a written report detailing upcoming events, including:

1. Workshop on Comparative Public Law, November 2014, Trinity College Dublin, Ireland (Call for Papers already issued; selections already made);

2. Workshop on Comparative Corporate and Financial Law, November 2014, University of California—Davis (Call for Papers issued; selections to be made in August 2014);
3. Workshop on Comparative/International law, Winter 2015, Columbia Law School (Call for Papers to be issued in December 2015);
4. Fourth Annual YCC Global Conference, Spring 2015, Florida State University (Call for Papers to be issued in August 2014);
5. Workshop on Comparative Public Law, Spring 2015, University of Ottawa, Canada (Call for Papers to be issued in Fall 2014);
6. Workshop on Comparative Constitutional Law, Spring 2015, University of Milan, Italy (Call for Papers to be issued in Fall 2014).

11. Continuing and New Business

Stephen Sheppard made a recommendation for the Society to contact the International Academy of Comparative Law regarding organizational and academic issues that Society members had raised informally during the Vienna Congress. Patrick Glenn agreed to coordinate that communication.

12. Agenda Items with No Report

There were no reports from the Information Officer or the Prizes Committee and there were no announcements.

13. Adjournment

There being no further business, the meeting was adjourned at 8:38 p.m.

Respectfully submitted,
Franklin A. Gevurtz
Secretary, American Society of Comparative Law, Inc.