

# Minutes -- 2006

Annual Meeting of the Society on *July 20, 2006*

**MINUTES  
of the  
Annual Meeting of the Board of Directors  
of the American Society of Comparative Law, Inc.  
Held on Thursday, July 20, 2006, at 9:00 a.m.  
at the Educatorium  
Utrecht University**

The meeting of the Board of Directors of the American Society of Comparative Law, Inc. was called to order by the President, David S. Clark, 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 27 Directors were present, listed following the name of their institution:

1. American University, Washington College of Law: Teemu Ruskola
2. University of Baltimore School of Law: James Maxeiner
3. Brooklyn Law School: Arthur R. Pinto
4. Bucerius Law School: Karsten Schmidt
5. University of California at Berkeley School of Law: James R. Gordley
6. University of California Hastings College of the Law: Ugo Mattei
7. Chicago-Kent College of Law, IIT: David J. Gerber
8. Columbia University School of Law, Parker School: George Bermann
9. University of Connecticut School of Law: Richard Kay
10. University of Denver College of Law: Ved Nanda
11. University of Detroit Mercy School of Law: Elizabeth Trujillo
12. HEC School of Management: Karim Medjad
13. Indiana University at Bloomington Law School: Craig M. Bradley
14. University of Iowa College of Law: John Reitz
15. Louisiana State University Law Center: AlbertoL. Zippi

16. McGill University, Institute of Comparative Law: Patrick Glenn
17. University of Michigan Law School: Mathias Reimann
18. University of Missouri – Columbia School of Law: William B. Fisch
19. Oklahoma City University School of Law: Richard E. Coulson
20. Pennsylvania State University, Dickinson School of Law: Louis Del Duca
21. University of Puerto Rico School of Law: Luis Muniz–Argüelles
22. Roger Williams University School of Law: Louise E. Teitz
23. Swiss Institute of Comparative Law: Eleanor Cashin–Ritaine
24. University of Texas School of Law: Jens C. Dammani
25. Tulane University School of Law: A.N. Yiannopoulos
26. Western New England College School of Law: Peter W. Schroth
27. Willamette University College of Law: James Nafziger

The following 17 individuals were present and represented the Director from their institution:

1. Brigham Young University: Brett Scharffs
2. Duke University School of Law: Ralf Michaels
3. Fordham University School of Law: Roger J. Goebel
4. George Washington University, National Law Center: Gregory E. Maggs
5. Golden Gate University School of Law: Sompong Sucharitkul
6. University of Illinois College of Law: David D. Meyer/ Jacqueline E. Ross
7. Loyola University School of Law, New Orleans: David W. Gruning
8. McGeorge School of Law, University of the Pacific: Franklin A. Gevurtz
9. University of Missouri – Kansas City School of Law: Colin B. Picker
10. William Mitchell College of Law: Jayanth K. Krishnan
11. University of Oklahoma Law Center: Peter B. Kuther
12. St. Louis University School of Law: Henry M. Ordower
13. University of San Diego School of Law: Laurence P. Claus
14. Seton Hall University School of Law: Tracy Kaye
15. National University of Singapore Faculty of Law: Gary F. Bell
16. Washington University School of Law: John O. Haley
17. Wayne State University Law School: Paul R. Dubinsky

The following 16 Directors were represented by proxy:

1. Boston College Law School: Thomas C. Kohler
2. University of California at Davis: Diane Marie Amann
3. California Western School of Law: John E. Noyes
4. University of Colorado at Boulder School of Law: William T. Pizzi
5. Cornell Law School: Mitchel Lasser

6. George Mason University School of Law: Francesco Parisi
7. University of Hawaii, Richardson School of Law: Alison Conner
8. New York University School of Law: Andreas F. Lowenfeld
9. University of Oregon School of Law: Rennard Strickland
10. University of Pittsburgh School of Law: Ronald A. Brand
12. Seattle University School of Law: Mark A. Chenin
13. Stanford Law School: Amalia D. Kessler
14. Texas Wesleyan University School of Law: James Paul George
15. Valparaiso University School of Law: Michael Stranbel
16. University of Washington School of Law: Veronica Taylor

## **2. Approval of Minutes of the 2005 Meeting of the Board of Directors**

The Minutes of the 2005 Meeting of the Board of Directors of the Society were approved.

### **3A. Ratification of the Executive Committee decision (May 2006) to create a Society Archive at Harvard Law School Library (David Clark)**

David Clark announced that the Harvard Law School Library has agreed to accept the American Society of Comparative Law's archive in a special manuscript Collection. The Library will maintain, arrange, catalogue and preserve the Collection and may transfer the material to a digital format in the future. He encouraged members to put email correspondence on CD's and to include any retrospective materials from previous organizations dating back to the 1930s. The motion to ratify the Executive Committee's decision was moved and approved.

### **3B. Report of the Nominating Committee and the Election of Officers and Executive Committee Members (Jim Nafzinger)**

Jim Nafzinger, Chair of the Nominating Committee, reported on the nominations. There were no additional nominations from the floor.

## **4. Election of Officers (Honorary President, President, Vice President, Secretary) and two Executive Committee members**

Jim Nafzinger, Chair of the Nominating Committee, proposed the following candidates for the offices indicated: David S. Clark for Honorary President; H. Patrick Glenn and Symeon C. Symeonides for President; Leila Nadya Sadat for Secretary; and Antonio Gidi, Luz Estella Nagle, Ved P. Nanda, and Teemu Ruskola for the two vacant slots on the Executive Committee. There were no additional nominations from the floor.

A vote was held by written ballot and Parliamentarian John Reitz announced the results as follows:

Honorary President: David S. Clark (2006–2008);  
President: Symeon C. Symeonides (2006–2008);  
Secretary: Leila Sadat (2006–2008); and  
Executive Committee: Ved P. Nanda and Teemu Ruskola (2006–2008).

On behalf of the Nominating Committee, Jim Nafziger proposed Allison W. Conner and John C. Reitz as candidates for the remainder of Symeon Symeonides's term as vice president (2005–2007). There were no additional nominations from the floor. A vote was held by written ballot and John C. Reitz was elected Vice President for 2006–2007.

## **5. Report of the Treasurer (Richard Kay)**

Richard Kay reported that there were three new expense items for the Society:

1. Helping with staff of the Journal (the amount is set against the reserve);
2. Subsidizing joint meeting expenses; and
3. Payment to the University of Connecticut School of Law for the Executive Assistant.

The reserves are almost identical to last year.

The report was adopted unanimously.

The Treasurer then presented seven recommendations:

1. Recommend that dues for Sponsor Members for 2007 remain at \$700.
2. Recommend that payment of a subsidy of \$5,000 to the American Journal of Comparative Law for the Volume 54 Supplement be ratified.
3. Recommend that the subsidy of \$25,000 to the American Journal of Comparative Law be paid upon publication of Volume 54, No.1.
4. Recommend that \$10,000 be paid to the University of Connecticut Law School as reimbursement for the services of the Executive Assistant and for other costs.
5. Recommend that \$550 be paid to the American Council of Learned Societies for 2007 dues.
6. Recommend that \$500 be paid to the International Association of Legal Science for 2007 dues.
7. Recommend that the maximum reimbursement for each Sponsor Member represented at the 2007 annual meeting be set at \$600.

The recommendations were approved.

## **6. Meeting Suspended and the Journal Board of Editors meeting convened**

**A. The Report of the Editors-in-Chief (George Bermann, Jim Gordley, Mathias Reimann).**

Mathias Reimann reported that Volume 53 is out, Volume 54 is in the mail, and the Supplement issue is out. The subscription files are now accurate. Twenty subscriptions out of 2,000 were lost after the subscription price was raised. The Journal broke even this year (\$100,000). Although next year's financial status is uncertain, the Journal should remain solvent. Two new book review editors are in place, Paul Dubinsky and Hannah Buxbaum.

Reimann recommended that a letter be sent to the Deans and Directors of sponsor schools to verify that they want to continue receiving free copies of the journals. The recommendation was approved.

Reimann announced that the Journal is exploring raising revenue from advertising and distribution from publishers. David Clark has been approached by Oxford University Press to take over the production process. This proposal and others will be explored in the coming year.

#### **B. The Report of the Editors for the 2006 Supplement issue to Volume 54 (national reports for the Utrecht Congress, John Reitz)**

John Reitz thanked all contributors for meeting deadlines and page limits. David Clark thanked John Reitz on behalf of the membership. Only 10 issues of the Supplement were sold at the Utrecht meeting this year.

#### **7. Directors' Meeting Reconvened: Report of the Prizes Committee (Patrick Glenn)**

Patrick Glenn announced that:

The Hessel Yntema Prize was awarded to Aditi Bagchi for her article *The Political Economy of Merger Regulation*, 53 Am. J. Comp. L. 1 (2005).

The first Dan Henderson Prize was awarded to Carlos Wing-Hung Lo and Ed Snape for their article *Lawyers in the Peoples Republic of China: A Study of Commitment and Professionalism*, 53 Am J. Comp. L. 433 (2005).

#### **8. Report of the Annual Meeting Program Committee (Bill Fisch)**

Bill Fisch announced that the 2007 annual meeting will be held at Cornell Law School on Friday–Saturday, November 9–10, 2007. The topic will be Law and Culture.

There are no proposals for the 2008 meeting as yet. The entire membership will be contacted by email. There being no proposals as yet in the hands of the committee for hosting the 2008 annual meeting, the selection process for 2008 will be extended at least until the end of this coming September. If proposals for 2008 are received by then, the committee will make its recommendation(s) to the Executive Committee, which will in turn determine the appropriate procedure for making the Society's decision on those recommendations.

David Clark noted that proposals for 2009 are needed by October 2007.

#### **9. Report of the Joint Meetings Committee (John Haley)**

Louis Del Duca reported on the success of the Second Italian–American Congress of Comparative Law, co–sponsored by the Society.

John Haley reported on the Comparative Law Workshop hosted by Jackie Ross (Illinois) and Mathias Reimann (Michigan) in April 2006 at Michigan Law School for Younger Scholars to discuss seven works in progress. Another workshop is planned for February 2007. Information is being maintained on the website.

#### **10. Other Reports: Younger Comparatists Committee (Colin Picker)**

Colin Picker, Chair of the Younger Comparatists Committee, asked that members contact the committee with ideas.

#### **11. New Business**

Ralf Michaels recommended that the Executive Committee formulate a memorial for Arthur von Mehren, recipient of an ASCL Lifetime Achievement Award, who recently passed away. The resolution was unanimously approved.

#### **The International Academy of Comparative Law (George Berman)**

George Berman announced that the next World Congress of Comparative Law will be held in 2010. It is expected that will be a

change in leadership in the International Academy of Comparative Law. Berman suggested that it is time for the U.S. to be the host country for the next World Congress and that the Academy would work with the Society to accomplish this. Discussion ensued regarding local venue, format, topic, and financing of such a meeting. A motion for the Society to provide support to the Academy for the World Congress of Comparative Law to be held somewhere in the U.S. in 2010 was approved.

## **12. Announcements**

Symeon Symeonides presented a plaque to David Clark in recognition of his many years of service and contributions to the Society as Treasurer (1989-1995), Vice President (1999-2002), and President (2002-2006). Symeonides also presented a plaque to Richard M. Buxbaum in recognition of his service as Editor in Chief of the *American Journal of Comparative Law* (1986-2003) and as Honorary President of the Society (2004-2006).

## **13. Adjournment**

There being no further business, the meeting was adjourned.  
Respectfully submitted,

Blanche Capilos  
Executive Assistant  
American Society of Comparative Law, Inc.