





Comparative Law (Law 588-01)
Spring 2021 Course Policies

Instructors:

- Misty N. Peltz-Steele, Assistant Dean/Assistant Director of the Law Library
Office: Law Library 104, tel. 508-985-1132, email mpeltzsteele@umassd.edu
- Richard J. Peltz-Steele, Chancellor Professor
Office: Law School 227 (Zoom), tel. 508-985-1102, email rpeltzsteele@umassd.edu,
 SSRN  YouTube  @RJPeltzSteele  TheSavoryTort.com

Faculty Assistants:

- Annette Cain, tel. 508-985-1167, email acain@umassd.edu
- Jessica Rittenhouse, tel. 508-985-1138, email j.rittenhouse@umassd.edu

Introduction. This is a survey course for comparative law, which is a unique legal subject that will give you the opportunity to evaluate our legal tradition from a broader perspective. The subject raises an important question: “compared to what?” Much of law school and the practice of law is about parsing statutes or interpreting case law. This course is an opportunity to think about the role of law in society and do so through comparisons of cultures and their legal systems.

Course description. Exploration of legal methods and institutions comparing United States with other regions of the world. The course addresses major global legal traditions with emphasis on classical distinction between civil law and common law. Students are exposed to basic sources in key foreign jurisdictions, such as the EU, and foreign law questions that arise in domestic legal proceedings. Final paper.

Course objectives. By the end of this course, students should:

- (1) have a basic understanding of major world legal traditions, with particular emphasis on the classical distinction between civil law and common law;
- (2) have a basic understanding of principal methodological considerations in assessing the efficacy of comparative law research;
- (3) have familiarity with portals to access legal sources in key foreign jurisdictions, such as the European Union;
- (4) have a basic understanding of the mechanisms through which foreign law may be introduced and considered in American courts;
- (5) have exposure to a diverse sample of foreign legal traditions, families, and systems, such as the Islamic legal tradition;
- (6) have exposure to selected contemporary issues in comparative law, such as social and economic development;
- (7) have exposure to, and opportunity to reflect on, comparative or foreign law in the social context of popular media;
- (8) have completed and briefly presented a legal research project in comparative law, or, alternatively, demonstrated attainment of principal course objectives through a final examination.

Class meetings and office hours. Regular class meetings occur on Monday and Wednesday, 4:30-5:45 p.m., via MyCourses and Zoom, from January to April. Some instructional programming will be asynchronous. Virtual office visits are available by appointment; also, Dean Peltz-Steele is sometimes available by appointment at the Law Library. Instructors can be contacted through the Email Center on the MyCourses site. Office visits with Professor Peltz-Steele may be accessed by [Zoom link](#) on the MyCourses site. The MyCourses site also has enabled meeting rooms for students and instructors to use at any time.

Changes to scheduled classes and assignments and other changes to the Syllabus, including make-up classes, may be scheduled as needed. Scheduled engagements sometimes must be changed to accommodate the instructors' responsibilities in service and research. Furthermore, to enhance your educational experience, co- or extra-curricular programs may be designated as attendance-required or as eligible for classwork credit. Changes to the Syllabus will be announced and posted on MyCourses with as much advance notice as possible. The attendance policy will be relaxed for class meetings occurring off the regular Monday-Wednesday schedule. Non-regular meetings may be recorded and posted for the benefit of students who cannot attend, subject to the course policy governing recordings.

Reading/Listening/Viewing. The vast majority of assignments will be made available through MyCourses, whether posted or linked. The required reading also includes Paul M. Barrett, *Law of the Jungle: The \$19 Billion Legal Battle Over Oil in the Rain Forest and the Lawyer Who'd Stop at Nothing to Win* (Penguin 2014). The book is widely available commercially and in libraries, but let the instructors know if you cannot find a copy. A film of your choice, with indicated parameters, also will be required, and you must obtain screening access yourself—though, again, ask if you need help. Additional study aids are not required or expected. If, nevertheless, you want more reading to reinforce your study, recommended is Mary Ann Glendon, Paolo G. Carozza, & Colin B. Picker, *Comparative Legal Traditions in a Nutshell* (4th ed. 2015).

Attendance. *Law School academic rules provide that you are permitted absence, regardless of the reason, from no more than four class meetings.* We will try to use an app to collect attendance information; if you discover a mistake, contact Professor Peltz-Steele. Religious observance is excepted only in conformance with Law School policy, which requires advance notice to Professor Peltz-Steele. Excessively late joining or early departing from class may be treated as absence.

You are responsible for all information and material presented in regular class meetings, regardless of whether you are present. Absence from make-up class meetings is excused, but you are nonetheless responsible for all content, just as in a regular class meeting. Virtual attendance of asynchronous presentations will be recorded, whether by individual reporting or, when possible, automatic reporting. Co- or extra-curricular programs may be designated as attendance-required or as earning additional classwork credit. Programming other than regular class meetings will be recorded for later viewing whenever practicable, unless there is a pedagogical reason not to record.

MyCourses. This course has a MyCourses website, which you should check routinely. Be sure, too, to keep up with your official UMass Dartmouth email account. Official course communications, by posting or email, may be managed through MyCourses rather than COIN. You

are responsible for all substantive course content and procedural direction (“Announcements”) posted on MyCourses by an instructor, unless the post is marked as recommended or not required. Of course, even recommended and “not required” content on MyCourses may improve class performance by deepening your understanding of the subject matter. MyCourses tracks usage of the website, and usage data may be used in classwork assessment.

You are invited to post on and expected to read the class “Discussion Board.” Your participation in the general “Discussion Forum” is encouraged and may be a component of your classwork assessment. Participation in other online discussion forums, such as the “Film Forum,” may be required as a component of classwork.

The MyCourses “Course Materials” area contains these Course Policies and the Syllabus, as well as assigned readings and audiovisual content. Other content areas in MyCourses host required, recommended, and non-required materials.

Classwork. Classwork is the most important way that you demonstrate attainment of the course objectives. Classwork includes preparation and participation. Because this is a seminar, your preparation of the reading and your participation in class are vital both to your experience and the experience of your classmates. Preparation for class entails reading assignments and periodic training modules, such as CALI exercises. For paper-writing students, classwork includes satisfaction of intermediate deadlines and the final paper presentation. Other assessments of classwork may be designated. Classwork is assessed routinely in the MyCourses Grade Center. Classwork assessment is holistic and relative.

Final paper and presentation. Students who do not select the exam option (below) must complete a final paper and presentation.

All final papers must conform to the standards of the Upper-Level Writing Requirement (ULWR, two-credit version), including substantive expectations of thorough treatment of primary and secondary sources, and technical proficiency in writing and citation. Deviation from ULWR requirements may be requested for academically sound reasons only if the paper is not completed in furtherance of the ULWR. For example, a student might wish to prepare a paper in the particular vein of legal history or in the disciplinary style of political science. A non-ULWR paper may be prepared in Spanish or English; an ULWR paper must be prepared in English. If the paper is to be completed in furtherance of the ULWR, the student must prepare the appropriate registration form for the instructors and the LEC.

The Syllabus provides for intermediate deadlines in the progression toward completion of the final paper, and satisfaction of those deadlines will count as classwork. Peer review of intermediate work product also is part of the paper preparation process in classwork. Toward the end of the semester, paper writers must make brief presentations of their papers to the class, employing an audiovisual element. Presentation counts as classwork but does not count toward the assessment of the final paper.

The final paper will be assessed for conformity with ULWR standards, unless and only insofar as excepted, and otherwise will be graded holistically on substantive merit (75%) and on

technical merit (25%). Failure to submit work product upon an intermediate paper deadline may penalize the final paper grade, besides classwork assessment. Preparation and completion of the final paper satisfies the latter course objective and also demonstrates attainment of other course objectives, such as familiarity with legal research tools and proficiency in comparative methodology.

Final exam option. A student may opt out of the final-paper-and-presentation requirement and elect to take a final exam instead. The election must be indicated by a deadline to be posted; a later election may be accepted only by permission of the instructors upon good cause.

Administered through MyCourses, if feasible, the final exam will be of three-hour design, but the student will be afforded eight hours to complete the exam. The exam will be open book without restriction, though students are strongly encouraged to focus their efforts on materials prepared in connection with this course. The exam will comprise three parts, each calling for an essay response. The first part of the exam will test knowledge and skill as related to substantive law (including procedural law). The second part of the exam will test knowledge and skill as related to comparative methodology. The third part of the exam will test knowledge and skill as related to the policy and theory of comparative law. The three parts will be weighted equally in the assessment, which will be holistic and relative. The response to each section will be limited in word count.

The eight-hour exam will be scheduled so as to avoid conflict with the scheduled exams of students who select the exam option. The final exam is assessed anonymously, to the extent reasonably possible, until assessments are complete. Students must take reasonable steps to refrain from identifying themselves on an anonymously graded exam until assessments are complete. Careless self-identification and otherwise failing to follow exam procedures will result in penalty to the assessment grade. Preparation and completion of the final exam satisfies the latter course objective and also demonstrates attainment of other course objectives, such as understanding of foreign legal norms and proficiency in comparative methodology.

Final assessment. Your grade will derive (1) 25% from classwork, and (2) 75% from the final paper or final exam. You must receive a passing grade on both components to receive a passing grade in the class. For the purpose of grading in compliance with the mandatory norms of the Student Handbook, paper and exam students will be assessed on the same scale when they perform the same work assignments, such as class participation, and on separate scales when their work assignments diverge. At the same time, grading in the class as a whole also must conform to the expectations of the Student Handbook.

Zoom and recordings. During class, cameras generally should remain on, and you should remain attentive. You should not be distracted by email, texting, or social media. At the same time, in the online environment, it is permissible to turn off your camera or absent yourself from class for a brief interval if necessary to manage a distraction, such as a suitor at the door, a wild child, or the call of nature. Do not take us with you.

Audio or video recording of class content by a student participant is strictly prohibited, except by advance permission of an instructor, and except that you may copy or screenshot

demonstrative content, such as drawings or chat notes, offered by an instructor. An instructor may record all or any part of any class without advance notice, and make that recording available to the class, though, as a routine matter, regular class meetings will not be recorded in Zoom. All students are advised that you, the instructors, and the Law School, by participation in any electronic meeting of this class, regular or otherwise, have granted permission for the audio and video recording of your likeness and participation, and the later use thereof for any legitimate educational purpose.

When a recording of this class is made available to stream to students, that recording may not be re-recorded, downloaded, excerpted, or otherwise copied or republished without the express advance permission of an instructor. In no event may any recording or part thereof be used for any other than a legitimate educational purpose without the permission of all persons depicted therein whose identities are not obscured beyond reasonable recognition. The instructors will endeavor to ensure that recordings are not retained for longer than necessary for foreseeable legitimate educational purposes, or otherwise with permission.

All recordings made in connection with this class are the intellectual property of the instructors and not of the University. The underlying content in permitted screenshots or copies remains the intellectual property of the instructors, and not of the University or student; the underlying content is licensed to the student, [CC BY-NC-SA 4.0](#). At the same time, an instructor cannot be held responsible for any violation of these terms of recording if the violation is compelled by law or legal instrument, or if the violation is effected by the University or any third party without the instructor's direction or authorization.

The final exam may be subject to additional electronic security protocols required by the Law School.

Penalties for violation of this "Zoom and recordings" policy are at the instructors' discretion and may include negative classwork assessment, exclusion from class meetings, and reduction of a student's final grade in the course.

Conduct and assistance. Academic integrity policies of the Law School and University and customary academic conduct restrictions apply simultaneously and fully to this course. In any case of alleged misconduct on your part, you are answerable separately to the Law School conduct system and to the instructors. If the instructor determines that misconduct has occurred, you may be assessed any academic penalty the instructor deems appropriate, regardless of the outcome of any coordinate proceeding. Avoiding even the perception of a conduct violation should outweigh any competing value, so do not hesitate to consult an instructor or the academic associate dean of the Law School with any concern.

You may with classmates freely discuss and share any materials in connection with this course, unless instructed otherwise, up to the point of distribution of the final exam, for exam students. In fact, you are encouraged to share notes with other students and to discuss readings outside of class, insofar as our pandemic conditions permit.

If you have any questions about the application of these or other Law School or University policies, or questions about the course or assignments, it is your responsibility to contact an instructor for clarification at your earliest opportunity.

UMass Law academic and related policies. Please review the [UMass Law Omnibus Syllabus Language](#) on the Law School website. Policies articulated there are incorporated herein by reference. Note in particular: “The purpose of a university is to disseminate information, as well as to explore a universe of ideas, to encourage diverse perspectives and robust expression, and to foster the development of critical and analytical thinking skills. In many classes, including this one, students and faculty examine and analyze challenging and controversial topics.” Effective training for the practice of law means, at times, having to confront undesired and unwelcome subject matter without advance warning, and, at times, having to coexist with and tolerate persons or ideas, even when we find them disagreeable, hateful, or loathsome. Indeed, the occasional confrontation of that which we abhor may be among the very purposes of a law school seminar.

To the extent that any policy stated in these Course Policies, here or as amended, conflicts with a rule or policy of the Law School or University, the Course Policies are superseded by the latter. Course Policies and the Syllabus may be amended upon verbal announcement in a scheduled class meeting, by announcement on MyCourses, or by announcement via COIN.

Comparative Law (Law 588-01) (M.N. & R.J. Peltz-Steele)
Spring 2021 Syllabus

Please note:

- Links in this document are underlined but not in color in the document's native style settings.
- Paper assignments (📄) do not apply to students who select the final exam option (📝). Analysis assignments (📍) and film assignments (🎬) apply to all students.
- More information about holidays and recognitions can be found in MyCourses\Course Materials\Calendar Culture and is not required content.

PART I: CIVIL LAW AND COMMON LAW TRADITIONS

Fri., 1 Jan. New Year's Day; Decade of Ocean Science for Sustainable Development begins.

1-1. Mon., 4 Jan., 4:30-5:45 p.m. First day of classes.

Introduction to comparative law.

Read:

- Mathias Reimann, *The End of Comparative Law as an Autonomous Subject*, 11 TUL. EUR. & CIV. L.F. 49 (1996).

1-2. Wed., 6 Jan., 4:30-5:45 p.m. Epiphany.

Introduction to comparative law.

Read:

- JOHN HENRY MERRYMAN, DAVID S. CLARK, & JOHN OWEN HALEY, *COMPARATIVE LAW: HISTORICAL DEVELOPMENT OF THE CIVIL LAW TRADITION IN EUROPE, LATIN AMERICA, AND EAST ASIA* 1-27 (ch. 1 Note on Comparative Law and part A, PDF pp. 1-40) (2010) (MyCourses\...\Readings).

Thurs., 7 Jan. Orthodox Christmas Day.

2-1. Mon., 11 Jan., 4:30-5:45 p.m.

Civil law.

Read:

- MARY ANN GLENDON, PAOLO CAROZZA, & COLIN PICKER, *COMPARATIVE LEGAL TRADITIONS IN A NUTSHELL* 67-174 (chs. 2-6) (West Academic Study Aid Library via UMass Law Library; free West sign-in required).

2-2. Wed., 13 Jan., 4:30-5:45 p.m.

Civil law.

Read:

- Cary R. Alburn, *Corpus Juris Civilis: A Historical Romance*, 45 A.B.A. J. 562 (1959) (MyCourses\...\Readings).
- *Williams v. Employers Liability Assurance Corp.*, 296 F.2d 569 (5th Cir. 1961).

Asynchronous: Required for both exam (📝) and paper (📄) students. Complete CALI exercise by Thursday at 6:00 p.m.:

- [Introduction to Foreign Legal Research](#) (free CALI sign-in required).

Thurs., 14 Jan. World Logic Day.

Mon., 18 Jan. Martin Luther King, Jr. Day. No classes.

Asynchronous: Required only for paper (📖) students. Complete asynchronous video assignment on upper-level legal research, details on MyCourses, by Tuesday at 9:00 p.m.

3-2. Wed., 20 Jan., 4:30-5:45 p.m. Inauguration Day.

Convergence and divergence in civil law and common law.

Read:

- JOHN HENRY MERRYMAN, DAVID S. CLARK, & JOHN OWEN HALEY, *COMPARATIVE LAW: HISTORICAL DEVELOPMENT OF THE CIVIL LAW TRADITION IN EUROPE, LATIN AMERICA, AND EAST ASIA* 30-51 (ch. 1(B)(3)-(5), PDF pp. 1-30) (2010) (MyCourses\...\Readings).

Asynchronous: Required for both exam (📝) and paper (📖) students. Complete CALI exercise by Thursday at 6:00 p.m.:

- [Private International Law Research](#) (free CALI sign-in required).

Sun., 24 Jan. International Education Day; World Day for African and Afrodescendant Culture.

4-1. Mon., 25 Jan., 4:30-5:45 p.m.

Convergence and divergence in civil law and common law.

Read:

- OSCAR G. CHASE, ET AL., EDS., *CIVIL LITIGATION IN COMPARATIVE CONTEXT* (2007) 155-63 (regarding stare decisis, excerpting Zweigert & Kötz, and Cappelletti, PDF pp. 1-9) (MyCourses\...\Readings).
- *Schirmer v. Mt. Auburn Obstetrics & Gynecologic Assoc.*, 108 Ohio St. 3d 494, 844 N.E.2d 1160 (2006) (edited) (MyCourses\...\Readings).
- *Perruche* (2000) Case No. 9913701 (Cour de Cassation Assemblée Plenièrè, 17 Novembre 2000) (France) (MyCourses\...\Readings).
- Gerhard Dannemann, *Study of Similarities or Differences?*, in *THE OXFORD HANDBOOK OF COMPARATIVE LAW* 383-96 (Mathias Reimann & Reinhard Zimmermann eds., 1st ed. pbk. 2008) (ch. 11, pts. I-II, PDF pp. 1-14) (MyCourses\...\Readings).

Asynchronous: Required for both exam (📝) and paper (📖) students. Complete asynchronous video assignment on introduction to foreign legal research, details on MyCourses, by Tuesday at 9:00 p.m.

PART II: COMPARATIVE METHODOLOGY

4-2. Wed., 27 Jan., 4:30-5:45 p.m. International Holocaust Remembrance Day.

Methods and objectives.

Read:

- Gerhard Dannemann, *Study of Similarities or Differences?*, in *THE OXFORD HANDBOOK OF COMPARATIVE LAW* 396-419 (Mathias Reimann & Reinhard Zimmermann eds., 1st ed. pbk. 2008) (ch. 11, pts. III-IV, PDF pp. 14-37) (MyCourses\...\Readings).

Analyze your team's assigned article:

- Assignments on MyCourses (variable, using the Method Analysis Form).
- 📌 **Assignment deadline:** Submit your completed Method Analysis Form in MyCourses\Assignments, for classwork assessment, before class begins at 4:30 p.m.
- 📌 **Exam option:** Deadline to elect exam option; submit exam option request on MyCourses survey by 6:00 p.m. No action is required to stay with the paper option.

Thurs., 28 Jan. Tu BiShvat.

5-1. Mon., 1 Feb., 4:30-5:45 p.m. National Freedom Day (13th Amendment); African American History Month begins.

Western legal systems.

Read:

- James Q. Whitman, *The Two Western Cultures of Privacy: Dignity v. Liberty*, 113 YALE L.J. 1151 (2003–2004).

📌 **Assignment deadline:** Send paper topic proposal to your assigned review team, listed on MyCourses, by 6:00 p.m.

Tues., 2 Feb. Groundhog Day.

5-2. Wed., 3 Feb., 4:30-5:45 p.m.

Topic discussions.

Analyze your assigned peer topics. Meet in Blackboard Collaboration Room according to your team assignment, posted on MyCourses.

- *Green Team:* Meeting in the AFRICA LOUNGE
- *Purple Team:* Meeting in the AMERICAS LOUNGE
- *Red Team:* Meeting in the ASIA LOUNGE
- *Orange Team:* Meeting in the EUROPE LOUNGE
- *Blue Team:* Meeting in the OCEANIA LOUNGE

📌 **Assignment deadline:** Submit paper topic proposal to MyCourses\Assignments by Thursday at 9:00 a.m.

PART III: FOREIGN LAW IN AMERICA

Sun., 7 Feb. Super Bowl.

6-1. Mon., 8 Feb., 4:30-5:45 p.m.

Recognition of foreign legal issues in U.S. law: pleading and judicial notice.

Read:

- HAROLD HONGJU KOH, TRANSNATIONAL LITIGATION IN UNITED STATES COURTS 127-52 (pt. III, ch. 7: Jurisdiction to Adjudicate) (1st ed. 2008) (West Academic Study Aid Library via UMass Law Library; free West sign-in required).
- GEORGE A. RUTHERGLEN, TRANSNATIONAL CIVIL LITIGATION 37-59 (ch. II: Choice of Law and the Extraterritorial Application of American Law) (1st ed. 2016) (West Academic Study Aid Library via UMass Law Library; free West sign-in required).
- Craig I. Celniker, et al., *New Hague Convention Seeks to Facilitate Global Enforcement of Judgments*, Morrison Foerster, July 10, 2019.

Read your team's assigned case:

- **Red Team:** *G & G Prod. v. Rusic*, 902 F.3d 940 (9th Cir. 2018) (edited) (MyCourses\...\Readings).
- **Green Team:** *Jang v. Tr. St. Johnsbury Academy*, 331 F. Supp. 3d 312 (D. Vt. 2018) (edited) (MyCourses\...\Readings).
- **Blue Team:** *Palencia v. Perez*, 921 F.3d 1333 (11th Cir. Apr. 30, 2019) (edited) (MyCourses\...\Readings).

6-2. Wed., 10 Feb., 4:30-5:45 p.m.

Proving foreign law: expert witnesses and other evidence.

Read the common content and your team's assigned cases:

- JOHN HENRY MERRYMAN, DAVID S. CLARK, & JOHN OWEN HALEY, *COMPARATIVE LAW: HISTORICAL DEVELOPMENT OF THE CIVIL LAW TRADITION IN EUROPE, LATIN AMERICA, AND EAST ASIA* 132-73 (ch. 2(B)) (2010) (MyCourses\...\Readings), cases assigned to teams only as specified:
 - **Red Team:** *Mastercard International* (at page 134).
 - **Green Team:** *Eastern Airlines* (at page 144).
 - **Blue Team:** *One Lucite Ball* (at page 159).
 - **All Teams:** *Universe Sales* (at page 168).

Thurs., 11 Feb. International Day of Women and Girls in Science.

Fri., 12 Feb. Lunar New Year: Year of the Ox.

Sat., 13 Feb. World Radio Day.

Sun., 14 Feb. Valentine's Day.

Mon., 15 Feb. Presidents' Day. No classes.

7-1. Tues., 16 Feb., 4:30-5:45 p.m. Monday class schedule. Mardi Gras.

Foreign law in American courts.

Read:

- *Animal Sci. Prod. v. Hebei Welcome Pharm.*, 585 U.S. _____, 138 S. Ct. 1865 (2018).
- Theresa Davis, *Court Ruling Aids Pueblo Water Rights*, ALBUQUERQUE J., Sept. 30, 2020 (MyCourses\...\Readings).
- *United States v. Abouselman*, 976 F.3d 1146 (10th Cir. 2020) (highlighted text only, as posted in MyCourses\...\Readings).
- Stephen Breyer, *America's Courts Can't Ignore the World*, THE ATLANTIC, Oct. 2018.
- Adam Liptak, *Conservatives, Often Wary of Foreign Law, Embrace It in Census Case*, N.Y. TIMES, Apr. 29, 2019.

PART IV: FOREIGN LAW AND PROCEDURE

7-2. Wed., 17 Feb., 4:30-5:45 p.m. Ash Wednesday.

Latin American legal systems.

Read:

- ÁNGEL R. OQUENDO, *LATIN AMERICAN LAW* 77-96, 132-41, 101-12 (3d ed. 2016) (MyCourses\...\Readings).

- Laura Reiley, *Latin America's War on Obesity Could Be a Model for U.S.*, WASH. POST, July 16, 2019 (MyCourses\...\Readings).
- Andrés Calderón, *Content Moderation in Social Media in Latin America: A Promise to Consumers*, PROTEGO PRESS, Oct. 2020.
- *Personal Data Protections in Latin America*, BNAMERICAS, Dec. 21, 2020.

📖 **Assignment deadline:** Submit paper outline to MyCourses\Assignments by Thursday at 9:00 a.m.

Sun., 21 Feb. International Mother Language Day.

8-1. Mon., 22 Feb., 4:30-5:45 p.m.

Pretrial Litigation.

Read:

- OSCAR G. CHASE, ET AL., EDS., CIVIL LITIGATION IN COMPARATIVE CONTEXT 222-40 (2007) (regarding discovery in Germany and Japan, and developments) (MyCourses\...\Readings).
- Jorge Mestre, Presentation on 28 U.S.C. § 1782, Latin Am. & Carib. Comm., Int'l L. Sec., Am. Bar Ass'n, Feb. 4, 2021 (MyCourses\...\Readings).

8-2. Wed., 24 Feb., 4:30-5:45 p.m.

Trial litigation.

Read:

- OSCAR G. CHASE, ET AL., EDS., CIVIL LITIGATION IN COMPARATIVE CONTEXT 241-75 (2007) (ch. 5, regarding trial process in the civil law tradition) (MyCourses\...\Readings).
- Hein Kötz, *Civil Justice Systems in Europe and the United States*, 1 DUKE L. CTR. INT'L & COMP. L. OCCASIONAL PAPERS 1 (2009) (MyCourses\...\Readings).
- *The Jury Is Out*, THE ECONOMIST, Feb. 14, 2009, at 65 (MyCourses\...\Readings).
- Corey Adwar, *Here's Why Nobody in South Africa Gets a Jury Trial Including Oscar Pistorius*, BUS. INSIDER, Sept. 11, 2014 (MyCourses\...\Readings).
- Julia Selman Ayetey, *The Verdict Is Out: Ghana's Jury System Needs Urgent Reform*, THE CONVERSATION, Oct. 11, 2016 (MyCourses\...\Readings).

Thurs., 25 Feb. Purim begins.

9-1. Mon., 1 Mar., 3:15-5:45 p.m. Double class meeting.

St. David's Day; Women's History Month begins.

📖 **Book discussion:**

- PAUL M. BARRETT, *LAW OF THE JUNGLE: THE \$19 BILLION LEGAL BATTLE OVER OIL IN THE RAIN FOREST AND THE LAWYER WHO'D STOP AT NOTHING TO WIN* (2014).

Read also:

- Rex Weyler, *How Did a Lawyer Who Took on Big Oil and Won End Up Under House Arrest?*, MOTHER JONES, Aug. 10, 2020 (MyCourses\...\Readings).
- Michael I. Krauss, *Steven Donziger Is Disbarred*, FORBES, Aug. 13, 2020 (MyCourses\...\Readings).
- Michael I. Krauss, *Dutch Tribunal Upholds Chevron's Award Against Ecuador*, FORBES, Sept. 22, 2020 (MyCourses\...\Readings).

- Richard J. Peltz-Steele, *Big Oil Deploys Slick Strategy to Stay Ahead of Liability*, SAVORY TORT, Feb. 23, 2021.

Tues., 2 Mar. Read Across America Day.

9-2. Wed., 3 Mar., 4:30-5:45 p.m.

European Union legal system.

Read:

- RALPH H. FOLSOM, PRINCIPLES OF EUROPEAN UNION LAW ch. 1 & §§ 2.0-2.4, § 2.8 (diagram only) (2017) (West Academic Study Aid Library via UMass Law Library; free West sign-in required).
- Judgment Abstract, *Recorded Artists Performers Ltd. v. Attorney General*, Case C-265/19 (Ct. J. EU Sept. 18, 2020) (MyCourses\...\Readings).
- Carsten Wendler, *et al.*, *CJEU to Rule on Seminal Case for LGBTQ+ Rights*, FRESHFIELDS BRUCKHAUS DERINGER, Feb. 8, 2021.
- Deystvie, Advocacy Video, Feb. 2021 (MyCourses\...\Readings).
- *Bulgaria Court Says “Istanbul Convention” Violates Constitution*, BALKAN INSIGHT, July 27, 2018.
- Matfey Shaheen, *Bulgarian Court Recognizes Gay “Marriage” of Foreign Citizens But Not Bulgarians*, ORTHODOX CHRISTIANITY, Aug. 1, 2019.
- Milana Nikolova, *Bulgaria Once Led the Way on LGBTQ+ Rights in Emerging Europe. Not Any More*, EMERGING EUR., Sept. 14, 2020.
- *Difference Over the Meaning of “European Values,”* in PEW RESEARCH CENTER, EASTERN AND WESTERN EUROPEANS DIFFER ON IMPORTANCE OF RELIGION, VIEWS OF MINORITIES, AND KEY SOCIAL ISSUES 10 (2018).

Thurs., 4 Mar. World Engineering Day for Sustainable Development.

Mon.-Sat., 8-13 Mar.: Spring break. No classes.

Mon., 8 Mar. International Women’s Day.

Wed., 10 Mar. Isra and Mi’raj (Ascension of the Prophet) begins.

PART V: CONTEMPORARY ISSUES

Sun., 14 Mar. Daylight Savings Time begins at 2:00 a.m. International Day of Mathematics.

10-1. Mon., 15 Mar. No class meeting.

10-2. Wed., 17 Mar. No class meeting. St. Patrick’s Day; Evacuation Day (Mass.).

Asynchronous: Required for both exam (✍) and paper (📖) students. Complete CALI exercise by Thursday, March 18, at 6:00 p.m.:

- [Supranational Organizations: The European Union](#) (free CALI sign-in required).

Asynchronous: Required only for paper (📄) students. Complete asynchronous class on academic legal writing, posted in MyCourses, by Thursday, March 18, at 6:00 p.m. Register completion in Submit Your Assignment.

Fri., 19 Mar. St. Joseph's Day.

Sat., 20 Mar. Spring equinox at 5:37 a.m. International Francophonie Day.

Sun., 21 Mar. World Poetry Day; International Day for the Elimination of Racial Discrimination; International Day of Nowruz.

📄 **Assignment deadline:** Submit paper draft to MyCourses\Assignments by Sunday, March 21, at 9:00 p.m.

PART V: CONTEMPORARY ISSUES

11-1. Mon., 22 Mar., 4:30-5:45 p.m. World Water Day.

Civil law tradition with Wojciech Jarosiński.

Please have a look at [attorney Jarosiński's biography](#).

Read:

- Materials prepared by attorney Jarosiński on intersection of U.S. and Polish law (excerpting Decision of Jan. 26, 2012, dkt. no. I ACz 2059/11 (Warsaw App. Ct.) (translated), and selected articles of Polish Civil Code) (My Courses\...\Readings).

11-2. Wed., 24 Mar., 4:30-5:45 p.m.

China and covid-19 with Professor Chenglin Liu, St. Mary's University School of Law.

Please have a look at [Professor Liu's biography](#).

Read:

- Chenglin Liu, *Regulating SARS in China: Law as an Antidote?*, 4 WASH. U. GLOBAL STUD. L. REV. 81 (2005).

Asynchronous: Required for both exam (📄) and paper (📄) students. Complete final CALI exercise by Friday at 6:00 p.m.:

- [Researching Foreign Customary Law](#) (free CALI sign-in required).

📄 **Assignment deadline:** No later than Friday at 6:00 p.m., post in the film discussion forum what film you plan to use for the film reflection video assignment.

Sat., 27 Mar. Passover begins.

Sun., 28 Mar. Mid-Sha'ban begins; Palm Sunday.

12-1. Mon., 29 Mar., 4:30-5:45 p.m. National Vietnam War Veterans Day.

Islamic legal tradition with Professor Danya Reda, UMass Law School.

Please have a look at [Professor Reda's biography](#).

Read:

- HAIDER ALA HAMOUDI, ISLAMIC LAW IN A NUTSHELL 1-18, 23-32 36-40 (ch. 1, omitting parts B.2 and C.3) (2020) ([West Academic Study Aid Library](#)).
- [What Is Islamic Law?](#), OTTOMAN HISTORY PODCAST, Dec. 4, 2020.

12-2. Wed., 31 Mar., 4:30-5:45 p.m.

Law on the African continent with Professor Sindiso Mnisi, UMass Boston.

Please have a look at [Professor Mnisi Weeks's biography](#).

Read:

- Sindiso Mnisi Weeks, Working Paper, Constitutionally Transforming South Africa by Amalgamating Customary and Common Law (do not circulate) (MyCourses\...\Readings).

📌 **Assignment deadline:** Submit film reflection video assignment, in any common video format, to MyCourses\Assignments, by Thursday at 10:00 a.m.

Thurs., 1 Apr. School make-up day.

Fri., 2 Apr. Good Friday.

Sun., 4 Apr. Easter Sunday.

13-1. Mon., 5 Apr., 4:30-5:45 p.m.

“Anti-Comparative Law” and law and development.

Read:

- John Henry Merryman, *Comparative Law and Social Change: On the Origins, Style, Decline & Revival of the Law and Development Movement*, 25:3 AM. J. COMP. L. 457, 457-67, 478-83 (1977) (MyCourses\...\Readings).
- Jedidiah Kroncke, *Law and Development as Anti-Comparative Law*, 45 VAND. J. TRANSNAT'L L. *passim* (excerpted) (2012) (MyCourses\...\Readings).
- Charles Kenny, *Developing Countries: More Than Economic Rivals and Terror Threats*, THE ATLANTIC, Jan. 17, 2014 (MyCourses\...\Readings or [link](#)).
- Jessica Carew Kraft, *Establishing the Rule of Law in a Country Where Justice Hardly Exists*, THE ATLANTIC, Apr. 22, 2015 (MyCourses\...\Readings or [link](#)).
- Josh Craddock, *The New Cultural Imperialism*, NAT'L REV., Apr. 28, 2015 (MyCourses\...\Readings or [link](#)).

Tues., 6 Apr.: National Library Workers' Day; National Tartan Day; International Day of Sport for Development and Peace.

13-2. Wed., 7 Apr., 4:30-5:45 p.m.

Judicial independence and populist politics in Poland with Professor Leah Wortham, Columbus School of Law, Catholic University of America.

Please have a look at [Professor Wortham's biography](#).

Read:

- Fryderyk Zoll & Leah Wortham, *Weaponizing Judicial Discipline: Poland*, DISCIPLINING JUDGES: CONTEMPORARY CHALLENGES AND CONTROVERSIES ch. 12 (Richard Devlin & Sheila Wildeman, eds., Jan. 21, 2021) (draft, June 7, 2020) (MyCourses\...\Readings).

Asynchronous: Required for both exam (📄) and paper (📖) students. View compiled film reflection assignments, posted on MyCourses, by Friday at 6:00 p.m.

📌 **Assignment deadline:** Post at least a first comment on the film reflection video assignment, to the film discussion forum on MyCourses, by Friday at 6:00 p.m.

Thurs., 8 Apr. Yom HaShoah (Holocaust Remembrance Day).

Fri., 9 Apr. School make-up day.

14-1. Mon., 12 Apr., 4:30-5:45 p.m. Ramadan begins.

Paper presentations.

 **Assignment deadline: Team Monday: Paper presentations in class.**

Tues., 13 Apr.: Thomas Jefferson's birthday.

14-2. Wed., 14 Apr., 4:30-5:45 p.m.

Paper presentations.

 **Assignment deadline: Team Wednesday: Paper presentations in class.**

Thurs., 15 Apr. Tax day; World Art Day.

Sat., 17 Apr. School make-up day.

Mon., 19 Apr. Patriots' Day (Mass.). No classes.

15-2. Wed., 21 Apr., 4:30-5:45 p.m. Monday class schedule. No class meeting.

Administrative Professionals' Day.


Thurs., 22 Apr. Earth Day; Take Our Daughters and Sons to Work Day.

Fri., 23 Apr. World Book and Copyright Day.

Sat., 24 Apr. Last day of classes.

Mon., 26 Apr. Reading period begins.

Wed., 28 Apr. Reading period ends.

 **Assignment deadline: Submit your final paper to MyCourses\Assignments by Wednesday, April 28, at 9:00 p.m.**

Thurs., 29 Apr. Final exam period begins. Lag BaOmer begins.

Fri., 30 Apr. International Jazz Day; Kentucky Derby begins.

Sat., 1 May. Law Day; May Day.

Sun., 2 May. Orthodox Easter.

Mon., 3 May. World Press Freedom Day.

Tues., 4 May. Rhode Island Independence Day.

Wed., 5 May. Cinco de Mayo; African World Heritage Day; World Portuguese Language Day.

 **Exam option: Exam available, 9:00 a.m., due 5:00 p.m., on Wednesday, May 5.**

Thurs., 6 May. National Day of Prayer; National Nurses Day.

Sat., 8 May. Final exam period ends. Laylat al Qadr begins; Victory in Europe Day.

Sun., 9 May. Mother's Day.

Mon., 10 May. Exam make-up day.

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Wed., 12 May. Eid al-Fitr begins.

Thurs., 13 May. Ascension Day.

Sat., 15 May. Last day of law faculty contract year. Armed Forces Day; Preakness.

Mon., 17 May. Commencement.