

**ASCL Meeting of the Sponsor Members**

**Minutes -- 2021**

***Annual Meeting of the Society on October 22, 2021***

**MINUTES  
OF THE 2021 ANNUAL MEETING OF THE SPONSOR MEMBERS  
OF THE AMERICAN SOCIETY OF COMPARATIVE LAW, INC.**

**Held on Friday, October 22, 2021, at 10:00 a.m. Central Daylight Time,  
Through Zoom meeting hosted by Tulane University**

The annual meeting of the Sponsor Members of the American Society of Comparative Law, Inc., was called to order by President Máximo Langer at 10:00 a.m. Central Daylight Time

**1. Secretary's Roll Call**

A silent roll call was undertaken based upon signing into the meeting on Zoom. The following 56 Sponsor Members were present at the meeting and were represented (in person or by proxy) by the individuals listed below:

1. University of Akron: Vera Korzun
2. American University Washington College of Law: Padideh Ala'1
3. University of Baltimore School of Law: James Maxeiner, Mortimer Sellers
4. Università Bocconi: Oreste Pollicino
5. University of British Columbia Allard School of Law: Shige Matsui
6. University of California, Davis School of Law: Afra Afsharipour, Stacy-Ann Elvy (by proxy)
7. University of California, Los Angeles School of Law: Máximo Langer
8. Case Western Reserve University School of Law: Tim Webster
9. University of Chicago Law School: Thomas Ginsburg
10. China University of Political Science & Law: Xiang Gao
11. Columbia University Parker School of Law: George A. Bermann (by proxy)
12. University of Connecticut School of Law: Richard Kay
13. Durham University Law School: Se-Shauna Wheatle
14. University of Florida Fredric G. Levin College Law: Pedro Malavet (by proxy)
15. Florida State University: David Landau
16. Fordham University School of Law: Martin Gelter (by proxy)
17. George Mason University, Antonin Scalia Law School: Nuno Garoupa
18. George Washington University: Francesca Bignami
19. Golden Gate University, School of Law: Eric Christiansen, Rachel van Cleave (by proxy)
20. University of Hawaii, Richardson School of Law: Carole Petersen
21. Indiana University (Bloomington), School of Law: Hannah L. Buxbaum
22. University of Iowa College of Law: John C. Reitz, Adrien Wing
23. National University of Ireland, Galway: Ioanna Tourkochoriti (by proxy)
24. University of Kansas School of Law: Virginia Harper Ho

25. Loyola Law School, New Orleans: Bernard Keith Vetter
26. McGill University, Institute of Comparative Law: Helge Dedek
27. Memphis University of Humphreys School of Law: Boris Mamlyuk
28. México Instituto Tecnológico Autónomo de: Francisca Pou
29. University of Milan Law School: Antonia Baraggia
30. University of Minnesota Law School: Fred Morrison
31. University of Nevada (Las Vegas) William S. Boyd School of Law: Marketa Trimble
32. Northeastern University School of Law: Margaret Woo
33. Notre Dame Law School: Christian Buset (by proxy)
34. University of Oklahoma Law Center: Peter B. Kutner
35. University of the Pacific McGeorge School of Law: Franklin Gevurtz
36. University of Pennsylvania Law School: Jacques deLisle
37. Penn State University Penn State Law: Adam Muchmore
38. University of Pittsburgh School of Law: Vivian Grosswald Curran, Ronald A. Brand
39. Queens University Faculty of Law: Joshua Karton
40. Roger Williams University School of Law: Louise Teitz
41. Rutgers Law School: Richard Hyland
42. Saint Louis University School of Law: Yvette Joy Liebesman
43. Seton Hall University School of Law: Kristen Boon
44. National University of Singapore Faculty of Law: Gary Bell, Arif Jamal
45. Southern Methodist University School of Law: Anna Offit
46. Southwestern Law School: Jonathan M. Miller (by proxy)
47. Syracuse University College of Law: Antonio Gidi (by proxy)
48. University of Texas at Austin School of Law: Richard Albert
49. Texas A&M University School of Law: Irene Calboli
50. Trento Facoltà Università di di Giurisprudenza: Luisa Antonioli
51. Tulane University School of Law: Ron Scalise, Sally Richardson
52. Wayne State University Law School: Julia Ya Qin
53. West Virginia University Department of Public Administration: Paolo Davide Farah
54. Willamette University College of Law: James A.R. Nafziger, Symeon C. Symeonides
55. University of Wisconsin Law: Jason Yackee
56. University of Zagreb School of Law: Hano Ernst

## **2. Protocols Concerning Online Procedure**

Parliamentarian, Sally Richardson, explained procedures for participation and voting via the Zoom platform.

## **3. Approval of Minutes of the 2020 Meeting of the Sponsor Members**

The minutes from the 2020 annual meeting were approved.

#### **4. President's Report**

President Máximo Langer gave a brief report, including the launch of the new ASCL website and comparative law blog, updates about the American Journal of Comparative Law, amendments to the By-Laws of the Society, information about the 2022 Annual Meeting in Asunción, Paraguay, the proposed AJCL Fellow initiative, and plans for the Society for the upcoming year, including a mid-year Conference on Asian Legal Systems tentatively scheduled for Fall 2022.

#### **5. Election of New Sponsor Members and Individual Members**

The following applications for sponsor membership were approved:

City University of Hong Kong (Editor & Director: Professor Virginia Harper Ho)

University of Torino (Editor & Director: Professor Michele Graziadei)

Epoka University of Tirana, Albania

Five applications for individual membership were also approved:

Mohammad Fadel (Professor and Toronto Research Chair for the Law and Economics of Islamic Law at the University of Toronto Faculty of Law, Toronto)

Bernard Freamon (Adjunct Professor, New York University School of Law, Professor Emeritus, Seton Hall)

Adoree Kim (PhD Candidate in Government, Graduate Teaching Assistant, Cornell)

Malgorzata Lorencka (Assistant professor of political science, University of Silesia in Katowice Poland)

Intisar Rabb (Professor of Law, Director, Program in Islamic Law, Professor of History, Harvard University Faculty of Arts and Sciences, Harvard)

#### **6. Resolution to fix the number and names of directors**

It was moved, seconded and adopted to fix the number and names of directors as reflected in the current records of the Society.

#### **7. Adoption of Bylaws as Amended**

An ad hoc committee to review the Bylaws, appointed by the President, Máximo Langer, and chaired by the Secretary, Virginia Harper Ho, presented to the sponsor members Bylaws with proposed amendments to improve clarity, remove ambiguities, address gaps, and conform to current practices. The Sponsor members voted to adopt the Bylaws, with the proposed amendments, a copy of which is attached to these minutes, as the Bylaws of the Society.

#### **8. New Business**

There was no new business.

**9. Adjournment**

There being no further business, it was moved, seconded and approved that the Meeting of the Sponsor Members be adjourned at 10:34 a.m. CDT.

Respectfully submitted,

Virginia Harper Ho  
Secretary, American Society of Comparative Law, Inc.

**ASCL Annual Meeting of the Board of Directors**  
**Minutes -- 2021**  
***Annual Meeting of the Society on October 22, 2021***

**MINUTES**  
**OF THE 2021 ANNUAL MEETING OF THE BOARD OF DIRECTORS**  
**OF THE AMERICAN SOCIETY OF COMPARATIVE LAW, INC.**

**Held on Friday, October 22, 2021, at 10:34 a.m. Central Daylight Time,  
Through Zoom meeting hosted by Tulane University**

The annual meeting of the Board of Directors of the American Society of Comparative Law, Inc. was called to order at 10:34 a.m. CDT by President Máximo Langer , 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 (in person or by proxy) at the meeting, and are listed following the name of their institution:

1. University of Akron: Vera Korzun
2. University of Baltimore School of Law: James Maxeiner
3. University of California, Davis School of Law: Afra Afsharipour
4. Case Western Reserve University School of Law: Tim Webster
5. University of Chicago Law School: Thomas Ginsburg
6. China University of Political Science & Law: Xiang Gao
7. Columbia University Parker School of Law: George A. Bermann (by proxy)
8. University of Connecticut School of Law: Richard Kay
9. Durham University Law School: Se-Shauna Wheatle
10. University of Florida Fredric G. Levin College Law: Pedro Malavet (by proxy)
11. Fordham University School of Law: Martin Gelter (by proxy)
12. George Mason University, Antonin Scalia Law School: Nuno Garoupa
13. George Washington University: Francesca Bignami
14. University of Hawaii, Richardson School of Law: Carole Petersen
15. University of Iowa College of Law: John C. Reitz
16. National University of Ireland, Galway: Ioanna Tourkochoriti (by proxy)
17. University of Kansas School of Law: Virginia Harper Ho
18. Loyola Law School, New Orleans: Bernard Keith Vetter
19. Memphis University of Humphreys School of Law: Boris Mamlyuk
20. México Instituto Tecnológico Autónomo de: Francisca Pou
21. University of Milan Law School: Antonia Baraggia
22. University of Minnesota Law School: Fred Morrison
23. Northeastern University School of Law: Margaret Woo
24. University of Pennsylvania Law School: Jacques deLisle
25. University of Pittsburgh School of Law: Vivian Grosswald Curran
26. Queens University Faculty of Law: Joshua Karton

27. Roger Williams University School of Law: Louise Teitz
28. Rutgers Law School: Richard Hyland
29. Saint Louis University School of Law: Yvette Joy Liebesman
30. National University of Singapore Faculty of Law: Gary Bell
31. Southern Methodist University School of Law: Anna Offit
32. Syracuse University College of Law: Antonio Gidi (by proxy)
33. University of Texas at Austin School of Law: Richard Albert
34. West Virginia University Department of Public Administration: Paolo Davide Farah
35. Willamette University College of Law: James A.R. Nafziger
36. University of Wisconsin Law: Jason Yackee

In addition, the following 20 individuals were present (in person or by proxy) and represented the Director from their institution:

1. American University Washington College of Law: Padideh Ala'i
2. Università Bocconi: Oreste Pollicino
3. University of British Columbia Allard School of Law: Shige Matsui
4. University of California, Los Angeles School of Law: Máximo Langer
5. Florida State University: David Landau
6. Golden Gate University, School of Law: Eric Christiansen, Rachel van Cleave (by proxy)
7. Indiana University (Bloomington), School of Law: Hannah L. Buxbaum
8. McGill University, Institute of Comparative Law: Helge Dedek
9. University of Nevada (Las Vegas) William S. Boyd School of Law: Marketa Trimble
10. Notre Dame Law School: Christian Buset (by proxy)
11. University of Oklahoma Law Center: Peter B. Kutner
12. University of the Pacific McGeorge School of Law: Franklin Gevurtz
13. Penn State University Penn State Law: Adam Muchmore
14. Seton Hall University School of Law: Kristen Boon
15. Southwestern Law School: Jonathan M. Miller (by proxy)
16. Texas A&M University School of Law: Irene Calboli
17. Trento Facoltà Università di Giurisprudenza: Luisa Antonioli
18. Tulane University School of Law: Ron Scalise, Sally Richardson
19. Wayne State University Law School: Julia Ya Qin
20. University of Zagreb School of Law: Hano Ernst

## **2. Approval of Minutes of the 2020 Meeting of the Board of Directors**

The Minutes of the 2020 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 (Richard Kay)**

Richard Kay, on behalf 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:

Vice President: Hannah L. Buxbaum (2021-2023)

Treasurer: Ron Scalise (2021-2023)

Parliamentarian: Sally Richardson (2021-2023)

Executive Committee: Nuno Garoupa (2021-2023) and Yvonne Tew (2021-2023)

### **4. Report of the Treasurer (Ronald Scalise)**

The Treasurer presented his annual report on the finances of the Society. He reviewed the final budget for 2020-2021 and the proposed budget for 2021-2022.

The Treasurer reported that the Society's financial condition is strong. Income from the OUP contract was higher than anticipated, and expenses were lower than budgeted because of reduced programming in 2021 due to Covid and because the annual meeting was again moved on-line. Expenses are expected to be higher in 2022 due to the reimbursements associated with the annual meeting being held in Paraguay and due to the likely return of more in-person events.

Moreover, because the 2021 annual meeting was expected to be in person at the time dues invoices were sent, sponsor members were mistakenly billed at the regular \$700 rate rather than the reduced \$350 rate. As a result, a \$350 credit in 2022 will be issued for sponsor members who fully paid 2021 dues.

The Treasurer presented two proposals:

#### ***i. Resolution regarding Credit Toward Sponsor Member Dues for 2022***

WHEREAS, Article II of the Bylaws of the American Society of Comparative Law (the "Society") provide the conditions for membership of the Society; and

WHEREAS, Section 2.2 of Article II of the Bylaws of the Society fixes annual dues for sponsor members of the Society at \$700.00 or "such other amount as the Board of Directors may at any annual meeting set as dues for the following calendar year"; and

WHEREAS, on October 19, 2019, at an annual meeting of the Society in Columbia, Missouri, the annual sponsor member dues for 2020 were set at \$700.00; and

WHEREAS, after the 2019 annual meeting of the Society, the world-wide outbreak of Covid-19 caused unexpected and significant risks to health, safety, and security of

individuals across the globe and necessitated aggressive measures for limiting person-to-person interaction to reduce the risk of viral transmission; and

WHEREAS, as a result of the Covid-19 pandemic, then-President Richard Kay notified the members of the Society on May 18, 2020, that the Executive Committee of the Society, on recommendation of the Annual Program Committee, decided that the 2020 annual meeting of the Society previously scheduled to occur at Boston University on October 15-17, 2020, would now be held online via the Zoom meeting platform on October 15-16, 2020; and

WHEREAS, as a result of the change from an in-person to a virtual annual meeting, the expenses of the Society for 2020 were significantly reduced; and

WHEREAS, the financial effects of the Covid-19 pandemic resulted in significant financial hardships to colleges, universities, and other academic institutions that comprise the sponsor members of the Society, such that a significant number of sponsor members were unable to pay annual sponsor member dues during the 2020 calendar year; and

WHEREAS, as a result of the above, on October 16, 2021, the Society waived annual sponsor member dues for the calendar year 2020 for those sponsor members who had been unable to pay dues during 2020 due to financial exigency caused by the Covid-19 pandemic and issued a credit in the amount of \$350.00 toward 2021 dues for those sponsor members who had fully paid sponsor member dues for the calendar year 2020; and

WHEREAS, on October 16, 2021, by Resolution of the Board of Directors, the Society set annual sponsor dues for calendar year 2022 in the amount of either \$700.00 in the event that an in-person annual meeting of the Society is held in 2021 or \$350.00 in the event that the 2021 annual meeting is not held in person; and

WHEREAS, the Treasurer of the Society, Ronald J. Scalise Jr., upon information and belief that 2021 annual meeting would be held in person began collecting dues on May 28, 2021, pursuant to the October 16, 2020 Resolution of the Board of Directors in the amount of \$700.00 for sponsor members who had been unable to pay dues in 2020 and the amount of \$350.00 for sponsor members who had fully paid dues in 2020; and

WHEREAS, the unexpected development and proliferation of the delta variant of the Covid-19 virus during the summer of 2021 has renewed the need for aggressive measures to limit person-to-person interaction, to reduce the risk of viral transmission, and to avoid risks to health, safety, and security of individuals across the globe; and



WHEREAS, on August 24, 2021, President Máximo Langer, due to the increased spread of the delta variant of the Covid-19 virus and on the recommendation and advice of the Executive Committee of the Society and the Annual Program Committee, notified members of the Society that the 2021 annual meeting of the Society previously scheduled to occur at the University of Wisconsin on October 21-23, 2021, would now be held online via the Zoom meeting platform on October 21-22, 2021;

WHEREAS, as a result of the change from an in-person to an online annual meeting and pursuant to the October 16, 2020 Resolution of the Board of Directors, sponsor member dues should have been assessed at \$350.00 for 2021 rather than \$700.00;

NOW, THEREFORE, BE IT RESOLVED, that the Society issues a credit in the amount of \$350.00 toward 2022 dues for those sponsor members who either (a) paid \$700.00 in dues for 2021 and were unable to pay dues in 2020 or (b) paid \$350.00 in dues for 2021 and fully paid dues in 2020.

Approved on this 22nd day of October 2021

The resolution was adopted.

***ii. Recommendations Regarding Next Year's Budget***

For the next year, the Treasurer recommended that:

1. The proposed 2022 ASCL budget be approved and that;
2. Dues for Sponsor Members for 2022 remain at \$700. In the event of a virtual annual meeting in 2022, dues to be reduced to \$350.
3. \$10,000 be paid to a sponsor member for the services of the Executive Assistant and for other costs;
4. \$3,000 to be paid to defer costs of the 2022 annual banquet;
5. Dues be paid to the American Council of Learned Societies in the amount of \$1000;
6. Dues be paid to the International Association of Legal Science in the amount of €1000;
7. Dues to be paid to the IACL/AIDC in the amount of €250;
8. Up to \$1,000 to be paid in reimbursement for travel to the ACLS and the IALS by ASCL officers;

9. The maximum reimbursement for each Sponsor member represented at the 2022 Annual Meeting in Asunción, Paraguay be set at \$1400;
10. Up to \$3,000 be paid to recipients of prizes for scholarship authorized by the Society;
11. Up to \$2000 be paid in travel reimbursement to the recipient of the Society's Lifetime Achievement award;
12. Up to \$3000 be paid for expenses associated with the 2022 Comparative Law Works-in-Progress Workshop;
13. Up to \$7000 be paid for reimbursement of expenses for participants in and other costs of conferences and events to be sponsored by the Younger Comparatists' Committee;
14. Up to \$1500 be paid for website maintenance;
15. Up to \$1000 for technology support and enhancement; and
16. Up to \$2000 be paid for accounting services.

The Treasurer's recommendations were adopted.

#### **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 (Helge Dedek and Franz Werro)**

The Directors meeting was suspended and the meeting of the Board of Editors of the American Journal of Comparative Law was convened. Helge Dedek, Co-Editor-in-Chief, reported on the Journal, having distributed an extensive written annual report for the Journal in advance of the meeting. He presented the highlights of the financial results and scholarly impact of the Journal during the last year, including OUP's publisher's report on usage data. He discussed the impact of the pandemic on submissions, the peer-review process, and the production process.

#### **6. Report of the President on Oxford University Press's Proposal for New Contract to Publish the American Journal of Comparative Law**

President Langer discussed the negotiation process with OUP that was undertaken to extend the OUP contract for one year to conclude at the end of 2022, as well as the process that was undertaken during 2021 to identify other possible external publishers for the Journal. President Langer then reviewed key matters from the written report that was distributed to the Board of Editors of the Journal in advance of the meeting, including in particular, the initial interest of Duke University Press in submitting a proposal but its

ultimate decision not to do so, several concerns that have been raised with OUP, and the key elements of the proposed extension. The Board of Editors discussed the proposal.

The proposal was approved.

### **8. Meeting of the Board of Editors of the American Journal of Comparative Law Adjourned--Directors' Meeting Reconvened**

The meeting of the Board of Editors was adjourned and President Langer reconvened the Board of Directors meeting.

### **9. Report on the ASCL Studies on Comparative Law book series published by Cambridge University Press (Mortimer Sellers)**

Mortimer Sellers reported on the books recently published and in press in the ASCL Studies on Comparative Law book series published by the Cambridge University and invited proposals for more books in the series. He noted that this year's Annual Meeting featured a panel on Ioanna Tourkochoriti's book, *Freedom of Speech: The Revolutionary Roots of American and French Legal Thought*, and the intention to similarly feature forthcoming or recent book series publications at future Annual Meetings.

### **10. Report of the Prizes Committee (Julia Qin)**

Julia Qin reported on behalf of the Prizes Committee that the Prize Committee reached unanimous decisions on the following three Prizes. The Prize recipients accepted their awards virtually.

#### 1. Yntema Prize.

The Committee selected two authors as the co-winners of this Prize:

James Fowkes, for his article: "Normal Rights, Just New: Understanding the Judicial Enforcement of Socioeconomic Rights"; and

Han Liu, for his article: "Regime Centered and Court-Centered Understandings: The Reception of American Constitutional Law in Contemporary China"

#### 2. Senior Scholar Prize (in honor of Howard Abrams):

Alessandro Morelli & Oreste Pollicino, for their co-authored article in Vol. 68 No. 3: "Metaphors, Judicial Frames, and Fundamental Rights in Cyberspace"

### 3. Service Prize

David Clark

### **11. Report of the Annual Meeting Program Committee (Máximo Francesca Bignami).**

Francesca Bignami gave a report on behalf of the Program Committee. She expressed the Program Committee's thanks to the University of Washington and their efforts in the transition this year to an on-line meeting as a result of the pandemic and highlighted the Program Committee's Hot Topics panel. President Langer gave a reminder regarding next year's meeting, which will take place in conjunction with the International Congress of Comparative Law in Paraguay. The U.S. national reporters to the International Congress are making progress under the leadership of Frank Gevurtz. The 2023 annual meeting will be held at Florida International University, with a program focused on comparative comparative law.

### **12. Report of the Younger Comparatists Committee (Antonia Baraggia and/or Vera Korzun)**

Antonia Baraggia, Co-Chair of the Younger Comparatists Committee (YCC), gave a report on the YCC. The current co-chairs are Antonia Baraggia (2019-2021) and Vera Korzun (2020-2022). She announced the 2021 YCC Annual Conference, which will feature a plenary panel on Afghanistan, and is being held in conjunction with the Annual Meeting of the Society on the day following this meeting (Oct. 22, 2021). She also reported on the two YCC book lounges that were held in 2021.

### **13. Continuing and New Business**

No new business was raised.

### **15. Adjournment**

There being no further business, the meeting was adjourned at 12:20 p.m. CDT.

Respectfully submitted,

Virginia Harper Ho  
Secretary, American Society of Comparative Law, Inc.