

ASCL Meeting of the Sponsor Members
Minutes -- 2023
Annual Meeting of the Society on October 28, 2023

MINUTES
OF THE 2023 ANNUAL MEETING OF THE SPONSOR MEMBERS
OF THE AMERICAN SOCIETY OF COMPARATIVE LAW, INC.

Held on Saturday, October 28, 2023, at 12:50 pm Eastern Standard Time, Florida International University College of Law

The annual meeting of the Sponsor Members of the American Society of Comparative Law, Inc., was called to order by Secretary Virginia Harper Ho at 12:50 am Eastern Standard Time, immediately following the adjournment of the meeting of the Society's Board of Directors.

1. Secretary's Roll Call

A silent roll call was undertaken by written signatures of individuals attending in person. The following 45 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 (by proxy)
2. Alabama University School of Law: Clare Ryan, Ron Krotoszynski, Jr.
3. American University Washington College of Law: Fernanda Nicola
4. University of Baltimore School of Law: Mortimer Sellers, Ioanna Tourkochoriti
5. Università Bocconi: Oreste Pollicino
6. University of California, Davis School of Law: Afra Afsharipour (by proxy)
7. University of California, Los Angeles School of Law: Máximo Langer
8. University of Chicago Law School: Thomas Ginsburg
9. City University of Hong Kong School of Law: Virginia Harper Ho, Daniel Pascoe
10. Cornell Law School: Yun-chien Chang
11. University of Connecticut School of Law: Richard S. Kay
12. Duke University School of Law: Shitong Qiao
13. Durham University Law School: Zhiyu Li
14. Emory University School of Law: Deepa Das Acevedo
15. Florida International University College of Law: Jorge Esquirol
16. Fordham University School of Law: Martin Gelter
17. George Mason University, Antonin Scalia Law School: Paolo Saguato, Nuno Garupo
18. Georgetown University Law Center: Yvonne Tew, Franz Werro, Mark Jia
19. George Washington University: Francesca Bignami, Donald C. Clarke
20. University of Illinois, College of Law: Jacqueline E. Ross
21. Indiana University (Bloomington), School of Law: Hannah L. Buxbaum
22. Instituto Tecnológico Autónomo de México, Julio Rios Figueroa
23. University of Iowa College of Law: John C. Reitz

24. National University of Ireland, Galway: Martin Hogg
25. Notre Dame Law School: Sadie Blanchard (by proxy)
26. McGill University, Institute of Comparative Law: Helge Dedek
27. University of Michigan School of Law: Mathias W. Reimann
28. University of Milan Law School: Antonia Baraggia
29. University of Minnesota Law School: Francisco Parisi
30. New York University School of Law: Kevin Davis, Benedict Kingsbury
31. Northeastern University School of Law: Margaret Woo
32. University of Pennsylvania Law School: Jacques deLisle
33. University of Pittsburgh School of Law: Vivian Grosswald Curran, Elena Baylis
34. Queens University Faculty of Law: Joshua Karton, Alvin Cheng
35. Roger Williams University School of Law: Louise Teitz
36. Rutgers Law School: Jorg Contesse
37. Seton Hall University School of Law: Margaret Lewis (by proxy)
38. National University of Singapore Faculty of Law: Gary Bell
39. Tulane University School of Law: Ron Scalise, Sally Richardson
40. University of Turin, Michele Graziadei
41. University of Virginia School of Law: David Law
42. West Virginia University Department of Public Administration: Paolo Davide Farah
43. Western New England University School of Law: Timothy Webster
44. Willamette University College of Law: James A. R. Nafziger (by proxy)
45. University of Zagreb, Faculty of Law: Hano Ernst

2. Approval of Minutes of the 2022 Meeting of the Sponsor Members

Upon motion, duly seconded, the minutes from the 2022 annual meeting of the Sponsor Members were approved.

3. President's Report

President Máximo Langer gave a brief report regarding the status of the appointment of the inaugural AJCL Editorial Fellow. The President also reminded Sponsor Members about the 2024 Works-in-Progress Workshop, to be held at Princeton University in January, 2024. He also noted the work of Ioanna Tourkochoriti on the ASCL blog and the potential for the AJCL Fellow to assist in that work.

4. Election of New Sponsor Members and Individual Members

The following application for sponsor membership was approved:

University of Virginia (Director: David Law; Editor: Kevin Cope)

Seven (7) individual memberships registered online since the 2022 annual meeting were also acknowledged.

Fahad Alzumi (Professor, Kuwait University Law School)

Roberto Musone (PhD candidate)

Ligia Castaldi (Professor, Ave Maria School of Law)

Shahla Ali (Professor, University of Hong Kong)

Michelle Ramstad

Giulia Terranova (University of Milan)

Arkadiusz Wudarski (Professor, European University Viadrina, University of Szczecin)

5. 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.

6. New Business

Gary Bell, who serves as the Secretary-General of the International Academy of Comparative Law (IACL), announced that the IACL would celebrate its 100-year anniversary at its next meeting in Paris at the Sorbonne Law School (Paris 1 Panthéon Sorbonne) on November 15-16, 2024.

7. Adjournment

There being no further business, it was moved, seconded and approved that the Meeting of the Sponsor Members be adjourned at 1:00 pm Eastern Standard Time.

Respectfully submitted,

Virginia Harper Ho

Secretary, American Society of Comparative Law, Inc.

ASCL Annual Meeting of the Board of Directors
Minutes -- 2023
Annual Meeting of the Society on October 28, 2023

MINUTES
OF THE 2023 ANNUAL MEETING OF THE BOARD OF DIRECTORS
OF THE AMERICAN SOCIETY OF COMPARATIVE LAW, INC.

Held on Saturday, October 28, 2023, at 10:45 am Eastern Standard Time in Miami, Florida at Florida International University.

The annual meeting of the Board of Directors of the American Society of Comparative Law, Inc. was called to order at 10:45 am Eastern Standard Time by Secretary Virginia Harper Ho.

1. Secretary's Roll Call

A silent roll call was undertaken by written signatures of individuals attending in person. The following 31 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 (by proxy)
2. Alabama University School of Law: Clare Ryan
3. University of California, Davis School of Law: Afra Afsharipour (by proxy)
4. University of Chicago Law School: Thomas Ginsburg
5. City University of Hong Kong School of Law: Virginia Harper Ho
6. University of Connecticut School of Law: Richard S. Kay
7. Duke University School of Law: Shitong Qiao
8. Emory University School of Law: Deepa Das Acevedo
9. Fordham University School of Law: Martin Gelter
10. Georgetown University Law Center: Yvonne Tew, Franz Werro, Mark Jia
11. George Washington University: Francesca Bignami, Donald C. Clarke
12. University of Illinois, College of Law: Jacqueline E. Ross
13. Indiana University (Bloomington), School of Law: Hannah L. Buxbaum
14. Instituto Tecnológico Autónomo de México, Julio Rios Figueroa
15. National University of Ireland, Galway: Martin Hogg
16. Notre Dame Law School: Sadie Blanchard (by proxy)
17. McGill University, Institute of Comparative Law: Helge Dedek
18. University of Michigan School of Law: Mathias W. Reimann
19. University of Milan Law School: Antonia Baraggia
20. New York University School of Law: Kevin Davis, Benedict Kingsbury
21. Northeastern University School of Law: Margaret Woo
22. University of Pennsylvania Law School: Jacques deLisle
23. University of Pittsburgh School of Law: Vivian Grosswald Curran, Elena Baylis
24. Queens University Faculty of Law: Joshua Karton, Alvin Cheng
25. Roger Williams University School of Law: Louise Teitz

26. Seton Hall University School of Law: Margaret Lewis (by proxy)
27. National University of Singapore Faculty of Law: Gary Bell
28. University of Virginia School of Law: David Law
29. West Virginia University Department of Public Administration: Paolo Davide Farah
30. Western New England University School of Law: Timothy Webster
31. Willamette University College of Law: James A. R. Nafziger (by proxy)

In addition, the following 18 individuals were present (in person or by proxy) and represented the Director from their institution:

1. American University Washington College of Law: Fernanda Nicola
2. University of Baltimore School of Law: Mortimer Sellers, Ioanna Tourkochoriti
3. Università Bocconi: Oreste Pollicino
4. University of California, Los Angeles School of Law: Máximo Langer
5. Cornell Law School: Yun-chien Chang
6. Durham University Law School: Zhiyu Li
7. Florida International University College of Law: Jorge Esquirol
8. George Mason University, Antonin Scalia Law School: Paolo Sagunto
9. University of Illinois, College of Law: Jacqueline E. Ross
10. Indiana University (Bloomington), School of Law: Hannah L. Buxbaum
11. University of Iowa College of Law: John C. Reitz
12. McGill University, Institute of Comparative Law: Helge Dedek
13. University of Michigan School of Law: Mathias W. Reimann
14. University of Minnesota Law School: Francisco Parisi
15. Rutgers Law School: Jorg Contesse
16. Tulane University School of Law: Ron Scalise
17. University of Turin, Michele Graziadei
18. University of Zagreb, Faculty of Law: Hano Ernst

2. Protocols Concerning Meeting Procedure

Parliamentarian, Sally Richardson, explained procedures for participation and voting.

2. Approval of Minutes of the 2022 Meeting of the Board of Directors

Upon motion, duly seconded, the Minutes of the 2022 Meeting of the Board of Directors of the Society were approved.

3. Report of the nominating committee (Richard Kay) and proposed revision of the By-Laws

Richard Kay, Chair of the Nominating Committee presented the proposal, previously considered and approved by the Executive Committee and circulated to the Board of Directors, to revise the Bylaws for the purpose of aligning the terms of the vice-president and president to be coterminous while retaining the staggered terms for other executive officers.

The Chair invited questions from the floor. The possible need to adjust the election of the president and vice-president to avoid it falling in a quadrennial year was raised for the future consideration of the Nominating Committee.

The proposal was approved unanimously by voice vote.

3. Report of the Nominating Committee and the Election of Officers and Executive Committee Members

Richard Kay, Chair of the Nominating Committee, presented the report of the Nominating Committee and the 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:

Treasurer: Ron Scalise (2023-2025)

Executive Committee: Joshua Karton (2023-2025); Margaret Woo (2023-2025)

4. Report of the Treasurer

Treasurer Ronald Scalise presented his annual report of the Treasurer on the finances of the Society, as previously approved by the Finance Committee of the Society and circulated to the Board of Directors.

The Treasurer's report indicates that the Society's financial condition is strong. Dues collection was strong as well as revenue from OUP. The return to an in-person Annual Meeting will increase expenses in 2023, as compared to 2022. A small deficit is anticipated for 2023 based on conservative assumptions and is projected to continue in 2024 due to anticipated increased expenses for the Society's own membership dues as well as website maintenance and other operating costs. The asset value of the Society's investments declined in 2022 and in 2023, both in line with overall market conditions.

In response to suggestions made at the 2022 Annual Meeting, the Treasurer also presented a balance sheet and budget of the Society, as well as information on actual and projected investment income. The Treasurer noted that the Finance Committee will continue to regularly review all of the investments of the Society.

The Treasurer also presented the statement of income and expenses for 2022 and for 2023 as of October 21, 2023, as well as the proposed budget for 2024, both as previously approved by the Finance Committee of the Society and circulated to the Board of Directors.

The Treasurer invited discussion from the floor.

The following Treasurer's recommendations were presented by prior circulation to the Board of Directors:

1. The proposed 2024 ASCL budget be approved;
2. Dues for Sponsor Members for 2024 be increased to \$800. In the event of a virtual annual meeting in 2024, dues to be reduced to \$450.
3. \$10,000 be paid for the services of the Executive Assistant and for other costs;
4. \$5,000 to be paid for the services of an Editorial Assistant;
5. \$5,000 to be paid to defer costs of the 2023 annual banquet;
6. Up to \$3000 to support a thematic comparative law conference;
7. Dues be paid to the American Council of Learned Societies in the amount of \$1000;
8. Dues be paid to the International Association of Legal Science in the amount of €1000;
9. Dues to be paid to the IACL/AIDC in the amount of €250;
10. Up to \$1,000 to be paid in reimbursement for travel to the ACLS and the IALS by ASCL officers;
11. The maximum reimbursement for each Sponsor member represented at the 2023 Annual Meeting be set at \$600;
12. Up to \$3,000 be paid to recipients of prizes for scholarship authorized by the Society;
13. Up to \$2000 be paid in travel reimbursement to the recipient of the Society's Lifetime Achievement award;
14. Up to \$3000 be paid for expenses associated with the 2023 Comparative Law Works-in-Progress Workshop;
15. 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;
16. Up to \$2500 be paid for website maintenance;
17. Up to \$2000 for technology support and enhancement;

18. Up to \$2000 be paid for accounting services, and

19. Up to \$1000 to be paid for miscellaneous office and transaction fees.

The Treasurer's recommendations were adopted.

5. Dues Discussion

Treasurer Ron Scalise presented a proposal to increase Sponsor Member dues from \$700 to \$800, in the form approved by the Finance Committee and the Executive Committee. The Treasurer noted that an increase in reimbursement of costs for those attending the annual meeting was not proposed. The Treasurer further noted that dues had not been raised in over 15 years and that the proposed increase would not close the annual budget gap of the Society anticipated in 2024. The Treasurer then invited discussion from the floor.

Following discussion, a motion was made from the floor by Rick Kay, seconded by Tim Sellers, to further increase the dues to \$900 while keeping the reimbursement amount at the present \$600 level. A recommendation was also made to create a survey of the Directors with regard to institutional policies and views regarding dues reimbursement and the dues level.

A voice vote was held and the motion was approved. Vice-President Hannah Buxbaum urged Society Members to prompt their deans regarding timely dues payment.

6. 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

The Directors meeting was suspended and the meeting of the Board of Editors of the *American Journal of Comparative Law* was convened. Both Co-editors-in-chief, Franz Werro and Helge Dedek, were present in the meeting; Helge Dedek presented their report on the Journal, having distributed the extensive written annual report for the Journal in advance of the meeting, including a Publisher Report and Annual Accounts Statement for the Journal from Oxford University Press.

He noted the publication of the 2022 special issue featuring the U.S. national reports to the Twentieth General Congress of the International Academy of Comparative Law (IACL) Congress. He also noted the publication of work by 7 authors eligible for the Yntema Prize. He then presented the highlights of the financial results and scholarly impact of the Journal during the last year, noting the strong diversity and high quality of the scholarship, and the rising impact factor of the Journal in recent years to its current level of 1.5. OUP's profit and loss account, which has been reviewed by the Joint Audit Committee of the Society (chaired by the Treasurer) was presented. While subscription management and advertising has been satisfactory, the Society should continue to explore alternatives to the OUP contract in view of the continued production challenges that have not subsided.

President Máximo Langer indicated his intention to form a publication task force to make recommendations regarding long-term publishing arrangements for the Journal. He also expressed thanks to Franz Werro and Helge Dedek for their service as the Editors-in-Chief of the Journal over the past 10 years.

Discussion of American Journal of Comparative Law Editor-in-Chief Proposals

The Board of Editors opened consideration of the two proposals for Editor-in-Chief of the Journal that had previously been circulated in writing to the Editors. The first proposal was submitted by Jacques deLisle (University of Pennsylvania) and Vivian Curran (University of Pittsburgh). The second proposal was submitted by Mortimer Sellers (University of Baltimore), Fernanda Nicola (American University) and Nuno Garoupa (George Mason University).

The Parliamentarian noted that in accordance with Section 1.3(a) of the Bylaws of the Society, the Executive Committee is the nominating committee for the Editor(s)-in-Chief of the Journal.

Secretary Virginia Harper Ho introduced the process to be followed for presentation of questions to the proposal sponsors, open discussion, and voting on the proposals.

President Máximo Langer presented a statement of the Executive Committee indicating its nomination of both proposals as previously circulated, summarizing the Executive Committee's views of the merits of both proposals, and identifying questions the Executive Committee wish to raise to each of the groups sponsoring a proposal. The Executive Committee made no recommendation to the Board of Editors regarding which proposal it should accept.

Secretary Virginia Harper Ho then invited questions from the floor, to be directed to one or both groups of sponsors. Questions from the floor primarily concerned the potential role of students under the first proposal. For the second proposal, questions primarily concerned the requested financial support, a component that was amended orally during discussion by Mortimer Sellers. Other questions regarding the second proposal concerned the proposed management model of three Editors-in-Chief at three host institutions.

Following the question presentation period, current Editors-in-Chief Franz Werro and Helge Dedek offered clarification on several points regarding the current operational practices of the Journal and certain aspects of the agreement with OUP bearing on the questions raised.

All proposal sponsors were invited to leave the room, after which an open discussion on the proposals was held.

Following discussion, voting by secret ballot was conducted on the Editor-in-Chief nominations from the Executive Committee. The first proposal by Jacques deLisle (University of Pennsylvania) and Vivian Curran (University of Pittsburgh) was approved by a majority of the votes of the Editors present.

There being no further discussion, the meeting of the Board of Editors was adjourned and the President reconvened the Board of Directors meeting.

7. Report on the ASCL Studies on Comparative Law book series published by Cambridge University Press

Series Editor Mortimer Sellers reported on the five books recently published and in press in the ASCL Studies on Comparative Law book series published by Cambridge University Press and invited proposals for more books in the series.

8. Report of the Prizes Committee

Chair Margaret Woo presented the report of the Prizes Committee. The Prizes Committee reported that it had reached unanimous decisions on the following three Prizes.

1. Yntema Prize.

The 2023 Hessel Yntema Prize was awarded to Tamar Grosswald Ozery, for the article, “The Politicization of Corporate Governance: An Alternative.”

2. The ASCL Lifetime Achievement Award.

The 2023 Lifetime Achievement Award was given to John Langbein, Professor Emeritus of Law and Legal History at Yale Law School. The Prizes Committee applauds Professor Langbein for his significant achievements as a scholar of legal history, fiduciary law, and modern comparative law.

All of the Prize recipients accepted their awards in absentia.

9. Report of the Annual Meeting Program Committee; discussion of McGill Faculty of Law’s proposal for 2025 ASCL Annual Meeting

Francesca Bignami, Chair of the Annual Meeting Program Committee presented the committee’s report and thanked all conference participants for their proposals and contributions to the 2023 Annual Meeting.

The Program Committee received a proposal from McGill University to host the annual meeting of the Society in 2025. The Program Committee approved and circulated to the Sponsor Members in advance of the meeting. The proposed theme of the 2025 meeting will be “The Paris Congress at 125: Decolonizing the Tradition of Comparative Law.”

President Máximo Langer expressed his thanks to the Program Committee and invited questions regarding the proposal. He emphasized that this year was the first year to have in-person the YCC Conference together with the Annual Meeting, which will be the continued model for 2025. Helge Dedek represented McGill University and its Dean.

A motion to vote on the proposal was made by the President and the Proposal was passed. The 2024 annual meeting will be held at Texas A&M, with a program focused on “Innovation and Sustainability: Comparative Law for a Better World.”

10. Report of the Younger Comparatists Committee

Michael Da Silva, Co-Chair of the Younger Comparatists Committee (YCC), gave a report on the YCC. The current co-chairs are Sara Ross (2021-2023) and Michael Da Silva (2022-2024). The in-coming Co-Chair of the YCC is Clare Ryan (2023-2025). The 2023 YCC Annual Conference is being held in conjunction with the annual meetings of the Society in 2023 and 2024, and the 2023 YCC Annual Conference was scheduled to commence immediately following the business meeting of the Society. Strong submissions were received and the conference was anticipated to be well-attended. The Co-Chair also expressed thanks for the support of the Society.

The YCC also put forward three calls for the annual prizes– the Colin B. Picker Graduate Prize, the Phanor J. Eder Prize in Comparative Law, and the Richard M. Buxbaum Prize for Teaching in Comparative Law. The following prizes were awarded by the Prizes Committee for scholarship by younger comparativists:

1. The Colin B. Picker Prize.

The Colin B. Picker Prize was awarded to Rama Hyeweon Kim, SJD Candidate at Harvard Law School, for the article, “Historicizing Same-Sex Marriage Debate in the Legal Periphery: The Korean Case”.

Honorable Mention was awarded to:

Sam Bookman (SJD Candidate, Harvard Law School) and Mattias Peel, for the article, “Climate Litigation & Climate Justice: The Distributional Implications of Rights-Based Climate Actions”.

2. Phanor J. Eder Prize:

The Phanor J. Eder Prize was awarded to Yahel Gerlic, LLM Candidate ‘24, University of Tel Aviv Faculty of Law, for the article “A New Dawn for Corporate Accountability in the Context of Transitional Justice: The Lafarge Case”.

Honorable Mention was awarded to:

Emily Kocher, JD Candidate ‘24, University of North Carolina School of law, for the article “If Germans Played American Football: Understanding the U.S. Case of *Kennedy v. Bremerton School District* through the Lens of German Jurisprudence”.

The Richard M. Buxbaum Prize for teaching excellence was awarded to Dr. Meng (Mandy) Fang, Assistant Professor, City University of Hong Kong School of Law. The YCC encourages all members of the Society to nominate younger colleagues for the Buxbaum Prize and to encourage submissions for the scholarship prizes.

The YCC continues to sponsor a regular book talk series featuring recently published books by younger comparative scholars for which contributions are invited.

11. Continuing and New Business

No new business was raised.

The President announced that the Society's Works-in-Progress Workshop will be held at Princeton University and co-sponsored by the University of Pennsylvania on January 18-20, 2024. The President expressed further thanks to the members of the Executive Committee and other Society committees for their leadership.

12. Adjournment

There being no further business, the meeting was adjourned at 12:50 pm EDT.

Respectfully submitted,

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