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**REPORT ON
TEMPLE UNIVERSITY**

SEMESTER ABROAD PROGRAM

TOKYO, JAPAN

February 27, 2004

BY:

DEAN KENT D. SYVERUD

VANDERBILT UNIVERSITY LAW SCHOOL

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March 1, 2004

Report of American Bar Association Accreditation Site Visit
Foreign Study -- Semester Abroad Program
Temple University Beasley School of Law -- Spring Semester in Japan for J.D.
Students

By

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I. Introduction

On February 27, 2004, I spent a day visiting the Temple University Beasley School of Law spring semester J.D. student program in Tokyo, Japan. This program is one of four Temple University Japan law programs in Tokyo (the others are an L.L.M. for International Lawyers; a L.L.M. in Transnational Law for students with degrees from common law countries; and a certificate program for Japanese students and lawyers in American Legal Studies or International Legal Studies). All four programs are located in the Temple University Japan building in Tokyo, which also houses a wide array of undergraduate, professional, and graduate programs for more than 1000 students.

Great assistance and generous cooperation with the site visit were received from Adelaide Ferguson, Assistant Dean for International Programs; Matthew J. Wilson, Associate Professor of Law and Director, Temple Law School Program in Japan; and Ayami Kuneida, Program Coordinator. An extensive questionnaire and background materials were submitted by the School in advance of the visit. During the day, I toured the facilities, interviewed Director Matthew Wilson, and met with students, faculty, adjunct faculty, the library director and the chief information officer. I also attended three classes, reviewed teaching evaluations and syllabi, and investigated student services, including in placement, housing, and other matters. I interviewed Adelaide Ferguson by telephone upon my return to the United States.

The report below discusses, in turn, curriculum and educational program, faculty and staff, students, finances, and facilities including library and technology. I observed a coherently designed and well-administered program that provides a rigorous and unique education.

II. Curriculum and Educational Program

Temple University, located in Philadelphia, founded Temple University Japan ("TUJ") in 1982 to offer an American education of high quality in an international setting, including for Japanese students. It is the first foreign university located in Japan, and now offers a variety of American bachelors, masters, and doctoral degree programs, including in law, education, and business. The students from the various programs mingle in the same building, use some of the same classrooms, and benefit from various TUJ centrally provided services, including visa service, registration, marketing, etc. The law program started ten years ago, and includes the only ABA approved semester abroad program in Asia. The educational program and curriculum emphasize international, comparative, and Asian law. The program also facilitates Japanese language instruction and provides various cultural and educational excursions. [Another major component of the program, internships in Japan, are discussed in the section on students below].

Educational Program

The spring semester program offers a full semester's credit toward the J.D. degree for Temple Law students and students from other ABA accredited law schools. More than 200 students have graduated from the program, including the current Director, Matthew Wilson. Courses are taught by Temple Law Faculty, including Professor Wilson and Philadelphia faculty who are in residence for the semester; 13 tenured and tenure-track faculty at Temple have taught in the program. In addition, just over half of the course offerings are taught by adjunct faculty, who are both Japanese and American lawyers in prominent positions in Japan in companies, government agencies, and private firms. Courses to be offered in Japan are submitted to the curriculum committee in Philadelphia in the same way as J.D. courses at the home campus, and are approved by the faculty, as are adjunct faculty appointments. The faculty and dean have consistently pursued a mission to make Temple prominent in international legal education and in teaching international and comparative law; this strategy has been pursued not only in Japan, but also through Temple programs in Rome, Israel, Beijing, and other locations.

The classes enroll not only J.D. students, but also students in the L.L.M. programs offered by the law school at TUJ. J.D. students can earn up to 15 credits during a spring semester at TUJ. At least one of the courses offered each spring is a basic American law course aimed at ensuring J.D. students progress toward graduation. In 2004 that course is Conflict of Laws. Faculty teaching in the program are reviewed for quality each year; a team from Temple visited TUJ in fall, 2003, to offer a program on teaching methods and expectations for adjunct faculty teaching in the program. Students are graded in the same way, and on the same standards, as students in Philadelphia. The program director, Associate Professor Wilson, frequently visits Philadelphia and confers with the Temple Law Dean Robert Reinstein (who has also taught in the program) and faculty on academic issues. Dean Reinstein and Assistant Dean Ferguson visit Tokyo at least once per year; Professor Wilson attends faculty meetings when in Philadelphia (three meetings so far in 2003-2004) and receives minutes of those meetings he misses.

Current Class Offerings

During spring semester, 2004, 13 classes are being offered in the program. One, Current Issues in Japanese Law, is taught in Japanese; all others are taught in English. All students who do not take Current Issues in Japanese Law are normally required to take Introduction to Japanese Law, taught by Professor Wilson. This course provides an overview of Japanese Law and legal institutions from a comparative perspective.

All other courses are electives. They include Conflict of Laws, taught by tenured Professor Laura Little, and International Criminal Law, taught by Professor Richard Barrett, an assistant United States Attorney and adjunct faculty member in Philadelphia who is in residence in Tokyo for the spring semester. Other spring semester 2004 courses are:

International Trade Law East-West
Negotiation International Contract Drafting
International Commercial Arbitration
Law of Cyberspace
Comparative Immigration Law
International Taxation International
Human Rights Comparative
Bankruptcy

Course offerings in previous years have also been drawn from a list of more than 20 additional subjects, in a wide range of public and private law fields. Class sizes range from 60 to 5. A typical student takes 3 or 4 classes in addition to Current Issues in Japanese Law. The East-West Negotiations class is a skills offering with a comparative content, and is graded pass/fail based on simulated negotiation and drafting exercises. The simulations include exercises in which students negotiate with a team of Japanese lawyers from companies and government agencies who help out with the course.

Classes in the program are offered primarily in the late afternoon and evening, some extending to 9 p.m., so as to facilitate student placement in part-time internships with employers in Tokyo during the mornings.

Non-Credit Japanese Language Instruction

The law program does not offer Japanese language instruction for credit, but does facilitate Japanese language instruction for those students who wish to study the language during their time in Tokyo. Students range in their knowledge of Japanese from extraordinary fluency to none at all. For a fee of \$350, students can enroll in a 6 week, two hour a week Japanese language class which gives beginning or intermediate instruction, depending on the individual student's skills. Some Temple faculty have also taken advantage of this opportunity. Students interviewed during the site visit valued this instruction, and a substantial minority appear to have chosen to use it.

Cultural and Educational Excursions

The program organizes a wide array of excursions for students and faculty during the semester. In 2004, these include a visit to the Japanese Supreme Court including a meeting with a Supreme Court Justice; a visit to the Japanese Diet with briefings from legislative experts; a lecture and discussion of the American Supreme Court and court system by Temple Professor Laura Little; a lecture by a Wall Street Journal reporter on the Japanese political and financial system; and a tour and visit to Fuchu Prison, a high security prison near Tokyo. Students also have visited or will visit, as a group, the Sapporo Snow festival, music performances, a national park at Hakone, shrines and sites at Kamakura; and various entertainment and sports venues in Tokyo. Students reported they were very pleased with the educational and cultural programs arranged outside the classroom.

III. Faculty and Staff

The spring semester J.D. program is staffed by a Program Director, Temple Faculty, Adjunct faculty, and one full-time staff member and one part-time staff member who also support other Temple Law Program in Japan degree programs.

Program Director

Matthew Wilson joined the Program in Japan in 2003 as Director, and was appointed Associate Professor of Law in a term, non-tenure track position at the same time. He succeeds Professor Lawrence Repeta, who has left TUJ for a fellowship to work at the National Security Archive in Washington. Professor Repeta had come to TUJ from Morgan Stanley's Tokyo Office.

Professor Wilson has had a remarkably positive effect on the program in one year's time. He is uniquely suited to his job. A Temple Law and Temple spring semester in Japan alumnus, he is fluent in Japanese, has lived in Japan for many years, and also has practiced law as a litigator at a large firm in the United States, worked as general counsel for an American telecommunications firm, and represented Japanese clients in litigation and corporate work in both Japan and the United States. He is a tireless worker at the administration and marketing of the program, having traveled extensively to law schools in the United States and communicated directly by phone or internet with virtually every student recruited to the program. He also has recruited new faculty from among the bar in Tokyo. He is reported by students to be available for help on matters of living in Japan at virtually all hours. He clearly commands great respect from his students, staff, and faculty. Professor Wilson teaches the Current Issues in Japanese Law class as well as a fall semester class in legal research and writing. His talent and experience in marketing are apparent in the surge in enrollment in Temple law programs in Japan this year. Professor Wilson is interested in continuing to expand and improve law programs in Tokyo, and eventually to pursue a tenure-track academic position.

Faculty Visiting From Temple University Beasley School of Law

There is always at least one tenured or tenure-track faculty member in residence and teaching during the spring semester. As a result, many faculty members in Philadelphia understand the program and participate in matters relating to its strategic direction. In 2004, Professor Laura Little and Philadelphia adjunct professor Richard Barrett are present and teaching in the program. I met with both of them, and attended the class taught by Professor Barrett, international criminal law.

Laura Little is an expert in civil litigation and federal courts who clerked for Chief Justice William Rehnquist upon her graduation from Temple's law school in 1985. A gifted teacher and prolific scholar, this is her first time teaching in Japan, although she has also taught in Temple's program in Rome. She reported in an interview that the faculty are kept well informed about the program by the administration in Philadelphia, and that she is pleased with the quality and maturity of the students she has taught. She has organized extra sessions and lectures for students on American courts and other issues. Students were extremely positive about her teaching and involvement.

Richard Barrett teaches the International Criminal Law course I observed. The class session, on money laundering, was dynamic, interesting, rigorous, and insightful. The students were prepared, engaged, and challenged by the session. The teaching method involved short lectures, role-playing, and questions of students, including some volunteered. The class would compare favorably with the average class session at a top ten-law school in the United States.

Adjunct Faculty

I met four adjunct faculty members during the day and attended the class sessions of three of them. Quality of instruction ranged from adequate (in international trade) to outstanding (in east-west negotiations). Adjunct faculty are trained by faculty from Philadelphia and Director Wilson each semester; a panel of Temple faculty will meet with adjunct faculty again in March 2004. Teaching methods are predominantly lecture and modified Socratic method, with examinations at the end of the semester. Adjuncts are available to students before and after class and by electronic mail. There is an unusually significant degree of interaction, in part because many students work in internships and seek advice from adjunct faculty related to employment. Classes are focused on actual international practice in Japan as much as on theory. Meetings with students and a review of course evaluations elicited few if any complaints about the quality of instruction, and much praise. Most students interviewed found the instruction compared favorably with that available at their home law schools.

The adjunct faculty also include several giants of the bar in Japan. One, Richard Eastman, head of Holland & Knight's Tokyo Office, is the longest-serving foreign member of the Japanese bar. He is a renowned international expert in arbitration, and he reported satisfaction with the quality of his students and the unique attributes of the semester program at Temple.

Program Staff

The staff of Temple Law Program in Japan includes a Program Coordinator, Ms. Ayami Kuneida, who is relied upon by both faculty and students for help with everything from travel arrangements to housing help to advice on Japanese law, society, and culture. In addition to organizing educational and cultural outings and the logistics of the program, Ms. Kuneida provides assistance to faculty and Director Wilson in their daily work. They are assisted by a part-time staff member, Akiko Abe, who coordinates the matching of students with part-time internships with Japanese employers during their semester -- a time-consuming and demanding job that students highly value. The large majority of students obtain such an internship, and most of those interning receive some compensation for their work. As enrollment in the semester program continues to grow, Director Wilson expects to add an additional staff member for student support.

IV. Students

J.D. students come to the spring semester law program from many schools in the United States. More come from Temple than anywhere, but Temple students are not in the majority. I interviewed 5 students, from Temple, Stanford, Loyola Los Angeles, and Rutgers-Camden.

Student Qualifications

The school requires only that the student "have completed a year in good standing at an ABA accredited law school with a good academic record." The school states that an interest in Japan, Asia, or international law is desirable, and indeed all enrolled students seemed to manifest such an interest. Of the applicants in good standing at accredited law schools who are not admitted, the reason for rejection appears to be a marginal academic record.

I observed and interacted with a majority of this year's students inside and outside class. They performed well, and appeared on one day's observation to be engaged, intelligent, and both more assertive and more mature professionally than their peers in American J.D. Programs. The faculty report that students able to face adjustment to Tokyo and its challenges tend to be assertive self-starters, as contrasted to students who pursue, for example, a summer program in Europe. The students I interviewed were particularly impressive, and could compete effectively with students in any law school program with which I am familiar. No students were in academic difficulties in this year's program, although little grading has yet occurred.

Student Services

The school provides extensive personal assistance to students on matters related both to the academic program and to living and working in Japan. Students were satisfied with the level and quality of information and orientation to Japan and the program both before and during enrollment. There is a comprehensive student handbook covering all aspects of the program, including living in Japan (provided with the questionnaire materials). Students

reported no difficulty getting academic or career advice or counseling from staff and faculty, and no difficulty enrolling in desired courses.

Housing has proven the most difficult aspect of the program for students. Housing is expensive, cramped, and at times distant in Tokyo. Several students reported living more than one hour from the school in order to find affordable housing. The staff of the school, including the director, pursue housing leads on behalf of individual students, particularly those who cannot speak Japanese. All students were satisfied by their housing arrangements, though few were overjoyed by them. Because public transportation is excellent, even those living far from campus regarded their arrangements as adequate.

Students were particularly pleased by heroic staff efforts to secure internships for students during their spring semester in residence. The Program works to secure both non-paying and paying legal-related opportunities for students during their stay in Tokyo, and the vast majority of students succeed in doing so. Placements have included American and Japanese law firms and corporations, public interest organizations, and universities. The program does not guarantee placement.

Student Satisfaction with the Program

Student evaluations of the courses and the program were extremely positive. Students evaluate in writing each course and the program as a whole each year. Their comments over the past two years identify no systematic gaps or weaknesses in the program or faculty.

VI. Library, Technology, and Facilities

All parts of the spring semester program are offered at the Temple University Japan building, which occupies the first six floors of a high-rise office building in the Minami Azabu neighborhood of Tokyo. The neighborhood is centrally located, pleasant, and convenient to mass transit. The law school program, including offices, lounges, library, and study rooms, is almost entirely located on the third and fourth floors.

The Building

The building contains several modern classrooms, two of which are used heavily by the law program, a library, five large computer labs, a bookstore, an audio/visual center, a language lab, faculty offices, and a student lounge. The building is well furnished, comfortable, and functional. Two of the classrooms in the building can be joined into a single large space, seating more than 60 students, for large classes or lectures. While the amount of space for law programs is quite adequate (especially by central Tokyo standards, where space is at a premium and both housing and office space are expensive and difficult to find), the building also seems close to capacity, particularly during the late afternoon and evening hours when it is used most heavily. Hallways are crowded and facilities are heavily used.

TUJ plans to erect a new much larger building, with the support of the neighborhood government, in the near future. I saw artist's renderings of the new building, but did not review plans or timetables, as the existing building is more than adequate on any current standard for

the program's purposes. Classrooms are well lit, with comfortable desks, large working spaces, internet and electric connections at each seat (and wireless access as well), and excellent audiovisual equipment. They would be the envy of many law schools in the United States. Acoustics were excellent.

Offices were small, as is common in Tokyo, and professors and staff often shared offices, as they do at the Tokyo University Faculty of Politics and Law, the preeminent law school in Japan. The administrative staff is housed in a suite that is functional and convenient.

The Library

The TUJ library serves all programs at the University. Law collections and services are not segregated from other portions of the library. The Library is directed by Tom Boardman, a professional librarian of more than 10 years experience in Tokyo. He is service oriented and astute in meeting the unique information needs of students in a semester abroad program, where most do not do extensive research and writing projects, but some require access to materials in a bewildering array of subjects that matches the breadth of a curriculum that changes each year with the visiting faculty. The library contains 48,000 books and 2,000 periodical titles, and is among the most extensive collections in English in Tokyo. The law holdings comprise a small fraction of these books and titles, but include a working library on law generally and especially on comparative law and law in Asia. There is a comprehensive collection of books, periodicals, and materials in English on law in Japan. There is Lexis and Westlaw access for all students, and interlibrary loan (including from Temple libraries in the United States) is easily available through the services of a full-time interlibrary loan specialist. Director Boardman supervises four professional librarians and staff, some of who are fluent in Japanese. The library is heavily used. Many study carrels and tables are available, although law students seemed to use the library primarily as a place to study assigned class materials from books assigned and purchased for each course. There is a decent law reference and reserve collection, containing major treatises, nutshells, and assigned texts. The library is open during the day and when classes are in session late into the evening.

Like other aspects of the facility, the library is unusually extensive and quite impressive for a study abroad program. To the extent any American university has created an equivalent of an American college library abroad -- including in the services and educational mission -- the TUJ library is it. The staff was helpful and dedicated.

Technology Services

Japan as a society is far more advanced in distance learning than the United States, and on average Japanese students are more demanding and sophisticated in use of technology. This is manifested by the TUJ building, which has an entire floor of computer labs, computer classrooms, and offices for technology staff. The staff and spaces are used by all TUJ programs. Paul Raudkepp, Chief Information Officer, reports a heavy use of the laboratories by law students, including in negotiation and drafting and legal research. The labs are staffed during the day and when classes are in session. Students reported great satisfaction with the technology services, except (as everywhere in legal education) with the need on

occasion to pay for some printing. The computers were all of recent vintage, and included one laboratory of Apple McIntosh machines.

Much of the interaction of Japanese and American students, and students from different degree programs, occurs in the Library and computer facilities.

Other Facilities

The student lounge and vending machine area is quite small given the TUJ student body size. The building is located in a neighborhood of many commercial establishments, including restaurants, cafes, convenience stores, and bars. Students reported that socializing outside of class occurs in these locations more than in the lounge space. During and between classes, many law students congregate at the administrative offices of the program, in part because of the open door policy of Professor Wilson and the service orientation of the staff and director. There are several study rooms reserved for law students in various parts of the building. They contain tables, chairs, and wireless access. They were comfortable and popular with students.

VII. Conclusion

The Temple University Japan spring semester program for J.D. students in Tokyo is characterized by a coherent program design and rich course offerings, a dedicated faculty and staff, a talented director, mature and engaged students from Temple and many other law schools, a sound financial footing with a substantial surplus, access to a full library with a professional staff, and adequate facilities, including classrooms, study rooms, computer labs, and technology support. The program seems uniquely well adapted for the student who has career goals to work in or with Japan and Asia and who desires to make substantial progress toward the J.D. degree while studying in Tokyo.

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