

Temple University School of Law, Japan Campus

Schedule & Course Descriptions: Spring Semester 2020

Semester Class and Exam Schedule: January 13 – April 28

Course Title	Credits	Instructor	Day/Time	Start Date	Rm
Administrative Law (Writing option for LLM)	3	Craig Green	Wednesdays, 18:45 - 21:30	Jan. 15	
Advising Multinational Companies on Global Legal Issues	3	Andrea Monroe	Tuesdays, 18:45- 21:30	Jan. 14	
Contracts	3	Kyle B. Reykalin	Thursdays, 18: 45 - 21:30	Jan. 16	
East-West Negotiation (Skills Requirement for JD)	3 Pass/Fail	Doug Hymas Bryan Koslow	Thursdays, 18: 45 - 21:30	Jan. 16	
International Civil Litigation	2	TBD	Tuesdays & Thursdays, 15:00-17:00 (7 weeks)	Jan. 14	
International Contract Drafting (Skills Requirement for JD, Writing option for LLM)	3	TBD	Wednesdays, 19:00 - 21:45	Jan. 15	
International Compliance Law	3	Alexander Dmitrenko	Mondays, 18:45 - 21:30	Jan. 13	
International Protection of Human Rights Writing Seminar	3	Johnathan McCaskill	Mondays, 15:00 -17:00	Jan. 13	
International Taxation	2	Paul Previtiera Dean Page	1/14, 15, 16, 18, 22, 23 & 25 (2 weeks, 7 classes) 10:00-14:00 (1/18 & 25), 9:00-12:00 (all other class times)	Jan. 14	
Introduction to Japanese Law	3	Setsuo Miyazawa	Wednesdays, 14:30 – 17:30	Jan. 15	
Introduction to the U.S. Legal Systems	2	Mason Hester	Mondays, 18:45 - 21:30	Jan. 13	
Professional Responsibility	3	Ric Fouad	Tuesdays, 18:45- 21:30	Jan. 14	
Guided Research	2 or 3	Tina Saunders			
Beginner Business Japanese	Non-credit	Akiko Yoshida Nozomi Takano	1/15, 17, 20, 22, 24, 27, &29 1/31, 2/3, 5, 7, 10, 12 &14	Jan. 15.	
US Bar Exam Study Course	Non-credit	Mason Hester	1/18,25, 2/1, 8, 15, 22, 29, 3/ 14, 28, 4/ 4,11, 5/16, 23,30 (14 classes), Saturdays, 10:00-13:00	Jan. 18	

Note: The schedule is subject to change.

Note: Conflict of Laws will not be offered in spring 2020.

ADMINISTRATIVE LAW (3 credits) – Writing option for LLM students

Craig Green, James E. Beasley Professor of Law



A study of the process of lawmaking and law application by the executive departments and agencies of government and their control by the legislature and the courts. The primary emphasis is on the frequently competing goals of effective government, administrative discretion and fairness to affected parties. A part of the course is designed to give students insights into the allocation of law and policy making among executive, legislative and judicial branches. Another part focuses on administrative procedure and the various constitutional, statutory and common law underpinnings of such procedures.

ADVISING THE MULTINATIONAL COMPANY ON GLOBAL LEGAL ISSUES (3 credits)

Andrea Monroe, Professor of Law



This interactive and participatory course is intended to provide a survey of the types of issues confronting lawyers, and particularly in-house lawyers, who advise multinational corporations on a worldwide basis. The areas to be discussed include topics that will cross corporate law (including M&As), tax law, labor and employment law, employee benefits, litigation and corporate compliance. Real life examples will be used to illustrate the complicated nature yet importance of this type of practice. Further, in addition to the more substantive legal topics to be covered, the course will also be interspersed with practice tips, jurisdictional practice highlights and ethical considerations for the multinational practitioner.

CONTRACTS (3 credits)

Kyle B. Reykalin, Associate, Hogan Lovells



This course is designed to introduce students to the fundamental concepts of U.S. contract law. Areas of principal focus include offer and acceptance, consideration, interpretation and construction, conditions, breach of contract and remedies thereto. Students will also study Article 2 of the Uniform Commercial Code.

This subject is tested on many U.S. Bar Examinations. Not open to J.D. students

EAST-WEST NEGOTIATION (3 credits)

Douglas Hymas, Managing Director, Country Executive, BNY Mellon

Bryan Koslow, Managing Director, Professionals Japan, Ltd.



This **pass/fail** course introduces students to the practical, legal, and cultural issues encountered when drafting and negotiating international agreements in the Asian context. The course particularly emphasizes negotiations involving American and Japanese parties through the examination of actual international commercial transactions. Students have an opportunity to participate in the preparation of mock agreements and negotiations.

This course satisfies the skills graduation requirement.

INTERNATIONAL CIVIL LITIGATION (2 credits)

Instructor TBD

With the globalization of business transactions, cross-border civil litigation has become common. Given that legal systems, laws, social values and culture differ from country to country, international civil litigation poses a much more complicated reality that requires both knowledge and expertise beyond the traditional domain of domestic litigation. The course will examine the international law that governs “foreign” relations between individuals or business entities, and will discuss the theory and practice of international civil dispute settlement. The issues it will cover include determining the proper forum, finding the applicable law, judicial assistance (e.g. service of process, discovery and foreign judgment enforcement), and litigation involving a foreign state. It will also discuss such important practical matters as how to draft a dispute settlement clause, how to meaningfully choose a forum and the applicable law to more effectively protect the client’s interest, and how to address potential obstacles facing lawyers engaging in international practice.

7-week course schedule beginning on January 14.

INTERNATIONAL CONTRACT DRAFTING (3 credits) – Writing option for LLM students

Instructor TBD

This course bridges the gap between contract theory and contract practice and offers practical insights into international contracts such as licenses, distributorships and joint ventures. It will principally focus on developing skills in drafting these types of contracts, although students may also have to undertake ancillary preparation exercises.

This course satisfies the advanced writing requirement for LL.M. students, and the skills graduation requirement for J.D. students. This course has limited enrollment.

INTERNATIONAL COMPLIANCE LAW (3 credits)

Alexander Dmitrenko, Head of Asia Sanctions, Freshfields Bruckhaus Deringer



Increased globalization of commerce has substantially increased the risk of fines, sanctions and costly litigation resulting from the way and manner business is conducted around the world. Governments and various Unions have responded to globalization in varying degrees by enforcing existing laws, enacting new laws and regulatory requirements addressing competition, market manipulation, trade and corruption. Aside from costly fines levied against the Corporation, various legal regimes have begun to impose direct liability on directors, managers and third parties who have failed to implement and oversee reasonable compliance programs. These factors require a vigorous and ever changing compliance programs for corporations. A thorough understanding of compliance issues helps lawyers to craft creative and effective legal solutions for their clients. An excellent compliance program cannot only prevent problems, but discover issues at an early stage and can be used to receive credit where a corporation runs afoul of a law.

INTERNATIONAL PROTECTION OF HUMAN RIGHTS (3 credits writing seminar)

Jonathan McCaskill, Adjunct Professor of Law; and Legal Consultant



This course will examine how law and legal institutions shape economic, political and social development in both theory and practice. We will look at some key texts and debates to understand the theoretical foundations of the field. We will also look at development practice from a lawyer's perspective, drawing on examples from both developed and developing countries. These case studies will help us critically examine questions such as: Do urban slum residents have the same access to justice as their wealthier neighbors? Which corporate structures should a developing economy adopt? Do intellectual property rights form a barrier to improving public health? What is the rule of law and why are economists promoting it? The aim of the course is not to find definitive answers to development questions. Rather, students will be encouraged to think broadly and deeply about development and how law relates to it.

INTERNATIONAL TAXATION (2 credits)

Dean Page, Accounting Asia

Paul Previtera, Attorney admitted in Washington State and Australia, Senior Manager Tax Practice, KPMG



This course covers fundamental concepts in U.S. taxation of international transactions, both inbound (U.S. taxation of income received by foreign individuals or entities) and outbound (U.S. taxation of the foreign operations of United States taxpayers). The course will address questions of residence, jurisdiction to tax, source of income, the foreign tax credit, tax treaties, transfer pricing, and the operations of the controlled subsidiaries of United

States corporations.

Intensive 2-week course schedule beginning on January 14.

INTRODUCTION TO THE AMERICAN LEGAL SYSTEMS (2 credits)

Mason Hester, Attorney



This Course is intended to provide the student from a non-common law background with an introduction to the basic concepts, structures and institutions of the American Legal System. Topics to be covered include: historical origins of the common law system; common law method; the structure of the United States government, Federal and State; the Constitution; judicial review, structure, organization and operations of courts in the United States, civil litigation, case analysis and precedent: the legislative branch: statutes and legislative history; and the executive branch: administrative law.

INTRODUCTION TO JAPANESE LAW (3 credits)

Setsuo Miyazawa, Professor Emeritus, Kobe University, Senior Professor of Law, UC Hastings College of Law, and Adjunct Professor, Temple University, Japan Campus.



This course introduces students to Japanese law and the major principles of civil law systems. Students will examine the history, structure, and content of the Japanese legal system, the role of domestic and international law in Japan, the Japanese Constitution, and the major areas of Japanese law. To better equip students for transnational work involving Japanese entities, the course will focus on how Japanese laws, regulations, and culture affect corporations, business transactions, and individual rights in Japan. It will also consider the role of Japanese law in promoting transnational investment, current issues in the practice of law in Japan, and several current social issues on which law has an impact. **Students with a law degree from a Japanese university cannot enroll in this class.**

J.D. study-abroad students are strongly encouraged to enroll in this course.

PROFESSIONAL RESPONSIBILITY (3 credits)

Ric Fouad, Attorney & Child Welfare Advocate



This core course — also known as the “Law of Lawyering” — focuses on the practical and ethical questions that attorneys constantly face. These range from signing up new clients and evaluating complex conflicts of interest scenarios to unrepresented party interaction and attorney advertising. Utilizing select case law excerpts, the Model Code of Professional Responsibility, American Bar Association Committee on Ethics opinions, the California Rules of Professional Conduct, relevant sections of the California Business and Professions Code, select state and local bar ethics opinions, and topical news articles, the class takes a real world approach to Professional Responsibility. It will also help prepare students for the M.P.R.E., as Professional Responsibility is tested on Bar Exams throughout the U.S. The societal role of attorneys in shaping our judicial system is also a focus, particularly issues of racism and wealthism in skewing the scales of justice.

This subject is tested on many U.S. Bar Examinations.

GUIDED RESEARCH (2 or 3 credits)

Tina Saunders, Director and Associate Professor of Instruction in Law, Temple Law School, Japan Campus



This independent research offers students an opportunity to (1) **satisfy the graduation advanced writing and research requirement**; (2) develop research, writing and analytical abilities through producing a single substantive research paper; and (3) work with a faculty member in an area of the teacher's interest or expertise. Students have a Faculty member agree to supervise them and must submit a signed Approval form to the Registrar to request participation.

This course has limited enrollment.

BEGINNER JAPANESE (non-credit)

Akiko Yoshida, Japanese Language Instructor

Nozomi Takano, Japanese Language Instructor



This course is intended to give students with little to no Japanese language ability, basic speaking and listening proficiency to be able to live comfortably in Tokyo for the semester. This course also will focus on Japanese speaking and writing in business, including practice making self-introductions and job interviewing.

U.S. BAR EXAM STUDY COURSE (non-credit)

Mason Hester, Attorney



This course is a comprehensive lecture series on techniques and strategies to take a U.S. state bar exam. This class will help prepare you for the bar exam, the multistate/multiple-choice section (“the MBE”), state essays, and the multistate performance test (“MPT”) questions. The course will use many different resources, including doctrinal lectures, classroom discussions, substantive outlines, many practice questions, and individual coaching. In this class, as with the bar exam, what matters most is results, and our goal is to make sure that each of you can use these various inputs to produce successful outcomes.

Open to 3L JD students and LL.M. students. This course has limited enrollment.

*Learn more about faculty at <http://www.tuj.ac.jp/law/faculty/index.html>