Comparative Law: Chile

By Rebecca Blabolil

During the week of March 6, 2011, eleven Loyola law school students, led by Professors Anne-Marie Rhodes and Thomas Haney and Dean Jean Gaspardo, travelled to Santiago, Chile as a part of Loyola’s comparative law seminar. The program, in operation since 2003, is a two way exchange between Loyola and the Universidad Alberto Hurtado, a Jesuit law school in Santiago. The program is intended to expose students from both universities to the legal systems of their host countries and to allow for the students to do in-depth research in a chosen area of law. This year’s students, who included 3L’s Katie Manifold, Daniel Smith, Elizabeth Ullman, Brenda Flores, Zarah Sagha, and William Murphy and 2L’s Joseph Gay, Paolo Santonocito, Rebecca Blabolil, Andrew Burkavage, and Lauren Breithaupt, was the first group to make the trip after the February 2010 8.8 Earthquake caused the University to cancel its trip last year.

During the students’ formal orientation at Hurtado, they learned about the significant changes in the Chilean criminal justice system from one of the fathers of the penal reform, Hurtado Professor Rafael Blanco. Previously, a defendant could be charged with an offense and endure a long trail of only written proceedings, governed by a judge who acted as investigator, judge, and jury. After the reforms, the Chilean system was more reflective of the American style of prosecution – with every defendant being afforded the right to an attorney, the presumption of innocence, open public and oral proceedings and - while there is no right to a jury trial - there is now a right to an impartial judge. The next day, Hurtado Professor Macarena Rodriguez accompanied the students to the criminal court house to witness the penal reforms in action. After being received by a trial judge and touring the court house jail, the students sat in the galleys of three court rooms hearing the arraignments of alleged criminals for an array of violations – from murder to theft.

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Later in the week, the students were given a very special tour of the Appellate and Supreme Court of Chile by one of the Appellate Judges, the Honorable Manuel Valderrama. The Loyola group also had the opportunity to visit Chile’s largest law firm, the Carey Law Firm, leaders in business, technology, and intellectual property law as well as legal advisors to Chile’s most famous citizens, the 33 Chilean miners who were rescued last October.

Throughout the week, each student had the opportunity to interview leaders in business, politics, criminal justice, law and legal education to further their individual research projects. The seminar focuses on business law, child and family law, and criminal law, and this year’s topics include divorce law (this being the first year that divorce is legally sanctioned in Chile); human rights abuses and post-Pinochet collaboration justice; copyright law, pharmaceuticals; succession law; tax law; lobbying and transparency; wine exports and free trade agreements; penal reforms; and prostitution.

During the celebrated visit to the Santa Rita winery to commemorate the closing of the program, the students and their Loyola guides discussed the importance of exchanges programs like the ones offered by Loyola. Through their experience, students are able to better understand the global context in which the law operates, garner a better appreciation for another culture, and have needed exposure to the international system of courts and justice.

Comparative Law Course Visit to Tanzania

By Angela Inzano

For some law students, Spring Break means sand, sun, and margaritas, a break from the worries of classes, journals, and moot court. However, for 23 students, enrolled in the Comparative Law Seminar: Tanzania course, Spring Break meant suits, interviews, and service projects.

The Comparative Law Seminar is a semester long course, taught by Professor Diane Geraghty, in which students first learn about the legal system of another country, choose group research projects, and then travel abroad to do field research before returning to complete a law review style final paper based on their experience. The course provides a unique and exceptional opportunity for students to learn about the laws of another country while simultaneously gaining perspective on the laws of our own country.

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In past years, the course has focused on countries such as South Africa, Vietnam, and Thailand. This year, the students travelled to Dar Es Salaam, Tanzania in order to learn more about topics such as corporal punishment and female dropout rates in schools, child labor in both domestic and mining settings, domestic violence, marriage and divorce laws, land use, and vigilant justice. Some students chose to travel to other areas, such as Arusha and Zanzibar, in order to supplement their research further. Students met with NGO’s, Ministry officials, teachers, students and ordinary Tanzanian citizens in order to gain a better perspective on Tanzanian laws.

In addition to interviewing and researching, students organized two days of service while in Tanzania. The students visited both Gonzaga Primary School and Loyola High School, playing games with the students, answering their questions, and helping them with their English reading skills. Students who visited these schools were touched by the warm welcome they received and it is an experience that none are likely to forget any time soon. In addition, students gathered arts and craft materials, as well as a number of harmonicas, for the Dogodogo Drop Center, which currently works in arts and theater with children living with HIV and AIDS. These materials were presented to Sister Jean Pruitt, the Director of the Dogodogo Center, during a reception thanking those individuals who had so generously given their time throughout the week to the law students in the course.

While interviews and service made up the bulk of the trip, some students found time for a little fun as well! Students explored the breathtakingly beautiful country of Tanzania through safaris, travelled to Zanzibar for a little beach time, and even ventured to other African countries, such as Kenya. While the 23 law students in the course may only have been in Tanzania for a week, the memories they made in that short time will last forever. The lessons learned will supplement their research, and legal careers generally, in a way that is simply impossible to duplicate.
Loyola's Law Mediation Team Places Third at the International Academy of Dispute Resolution Competition

Loyola's law school mediation team placed third among 34 teams from four continents at the International Academy of Dispute Resolution competition held in London in March. The competition was held in conjunction with mediation advocacy training sessions at BPP Law School in London.

For more information about this story, please read the press release.

Loyola International Law Review Write-On Process

The Loyola International Law Review would like to invite all full-time and part-time students returning for at least 2 semesters of academic work to participate in the annual Write-On Competition for associate editor positions. Associate editors will receive 1 credit per semester.

ILR Information Sessions:
- Thursday, April 7 - 5:30pm in Room 1001
- Wednesday, April 13 - 5:30 in Room 1464
- Thursday, April 14 - 12pm in Room 1001

Watch Law School Announcements for more info about the ILR Write-On Process or Join the TWEN Page and receive information as it becomes available.

For more information, contact Matthew Levitt (mlevitt1@luc.edu) or Danielle Denkmann (ddenkma@luc.edu)
International Certificate Courses for Fall 2011

- **Comparative Law 2591—(2)**
  This course introduces students to the purposes, methodologies and substance of comparative law as a legal discipline. The course will give students a grounding in the nature and the elements of the practice of law in different legal systems; develop in students an appreciation of the social, political, historical, economic and cultural factors that are reflected in various legal systems; and prepare students for the study of more specialized courses in the comparative law area. (Haney)

- **Immigration Law 3430—(3)**
  This course includes an examination of historical perspective; execution of the laws; the 1952 Act and its amendments; a review of the immigration system including judicial review and the naturalization and citizenship process; rights, privileges and obligations of aliens in the U.S.; ethics of legal practice in this area; the future of immigration law and policy. (McCormick, Vinikoor)

- **Int'l Business Transactions 1985—(3)**
  An introduction to the legal aspects of international business. The course emphasizes the legal problems associated with international trade in goods and foreign direct investment, and covers regulation at the private, national, and international levels, and also may include an extended treatment of international litigation problems and/or the role of the multinational enterprise in world business. (Moses)

- **International Commercial Arbitration and the CISG 3347—(3)**
  The course uses as a focus the Willem C. Vis International Moot Arbitration Competition. The Vis Moot is based on a problem governed by the CISG. In the spring, an oral competition is held in two different venues, Vienna and Hong Kong. Recently, Loyola has been able to send a different team of students to each of the venues. The course includes about three weeks of study of the CISG, and three weeks of study of international commercial arbitration, including basic laws and rules, how to draft an arbitration clause, how to choose an arbitrator, and how to participate in an arbitration as an advocate and as an arbitrator. (Moses)

- **International Health Law 6260—(2/3)**
  This course introduces students to the structure and operation of the health systems of other countries. There are detailed discussions on how the law affects health care providers and consumers. (Blum)

- **International Law & Practice 2596—(3)**
  This course introduces the structure of the international legal system, examining the sources of international law, the role of international organizations, methods of dispute resolution and the international limits on national power. The course examines topics of substantive law, typically including the use of force and international human rights. Finally, the course examines how international law affects, and can be used in, domestic practice. (Haney)

- **Int'l Products Liability 6261—(2)**
  This course will focus on international tort issues, including products liability, medical malpractice, and the role of torts in terrorism. (Khan)

- **Introduction to the English Legal Profession 1990—(1)**
  This is a ten-week lecture series which explores a variety of issues pertaining to the English legal profession. It is a mandatory preparatory course for those students who have been selected to participate in the annual London Comparative Advocacy Program. As an elective course for other students, a final paper is required. Topics include the history of the common law, the development of the English legal profession, English civil and criminal procedure, the role of the European Union in English law, the modern legal profession and the history of London. (Faught)

  Permission Required

- **International Law Review**
  ILR is a semi-annual journal that focuses on topical issues in both international and comparative law. Loyola law students edit, manage, and publish the journal, including the yearly symposium issue in which established scholars and practitioners contribute articles focusing on a contemporary issue in international law. Information about the ILR write-on process is available on page 4.
Opportunities for Students Interested in International Law

Volunteer Opportunity with the Immigrant Child Advocacy Project at University of Chicago

ICAP will be holding a two-day training on April 15 and 16, 2011 for volunteers interested in serving as Child Advocates for unaccompanied immigrant children in the custody of immigration authorities here in Chicago. Currently, they have a need for volunteers who speak Spanish, Mandarin, Hindi, Punjabi and Somali. Interested volunteers must be 21 years old, undergo background and health screenings, and attend both days of the training. Interested volunteers must register for the training by Monday, April 11, 2011.

Please check out their website to learn more about their work, www.immigrantchildadvocacy.org.

The Thirteenth Annual Andrew P. Vance Memorial Writing Competition

The Customs and International Trade Bar Association (CITBA) and Brooklyn Law School (BLS) are sponsoring this Writing Competition to encourage law students who are interested in careers in customs and international trade law. Winning papers will be considered for publication in the Brooklyn Journal of International Law. More information on the writing competition can be found here.

If you ever have ideas for articles, or other information on International Law programs, please don’t hesitate to contact the editor, Michael McClain at mmccla3@luc.edu or Professor Thomas Haney, Chair of the International Law Committee, at thaney@luc.edu. Thanks for reading!