

# Last Class Schedule

**January 16, 2009**

Laurie Levenson & Michael Greco  
Breakfast (8:30 am – 10:00 am)  
Federal Court Conference Room  
co-hosted by the Federal Bar Association

**January 20, 2009**

Donald Horowitz  
*Asia Law Talks - An Inside Job: How Indonesia Produced a Democratic Constitution*  
Lunch (12:40 pm – 1:45 pm)  
Room 254  
Hosted by PALS

David Caron  
*International Dispute Resolution*  
Lunch (12:00 pm – 1:00 pm)  
Supreme Court Conference room  
Hosted by State Judiciary, Center for Alternative Dispute Resolution

**January 21, 2009**

Frank Michelman  
Brown Bag Lunch  
CR5 (12:00 pm – 1:45 pm)  
with the Harvard Club

WILLIAM S. RICHARDSON SCHOOL OF LAW  
**J-TERM 2009**



**January 12-23, 2009**  
HONOLULU, HI



**Challenges & Issues in Private Int'l Dispute Resolution**  
Professor David Caron

January 12-16  
3:20 pm – 5:20 pm

The course will consider more prominent issues that arise in international commercial arbitrations including: (1) the structure of private international arbitration systems, (2) issues prior to the proceedings such as enforceability of arbitration agreements and arbitrability, (3) the conduct of the arbitral proceedings including multiparty arbitration and interim measures of protection, and (4) post-proceeding issues such as challenging arbitral awards and the recognition and enforcement of arbitral awards. A mock arbitration video will be used to illustrate certain issues and prompt discussion.



**Attorney-Client Privilege: Endangered Species?**  
Michael Greco, Esq.

January 12-16  
5:30 pm – 7:30 pm

For more than two centuries, the attorney-client privilege has been a cornerstone of the US justice system. The privilege, which belongs to the people and not to lawyers, enables clients to communicate with their lawyer in absolute privacy and confidence, and in turn enables the lawyer to know all there is to know in order to protect the rights of the client. The federal government, particularly the US Department of Justice, during the past several years has attempted to curtail the privilege and the role of lawyers. This seminar will examine the privilege, the US Supreme Court decisions that have protected it, the Justice Department's efforts to erode it, and current efforts to safeguard it.



**Seminar in Comparative Constitutional Design**  
Professor Donald Horowitz

January 12-16  
9:00 am – 11:00 am

This seminar focuses on the configurations of political institutions that might be apt for democratizing countries, especially those divided by ethnic or religious affiliations. In recent decades, constitution-making has

become a much more international and comparative exercise than it was previously, with the result that democratizing or redemocratizing countries are more open to a wide range of institutions than they were previously. The seminar deals with many of the most common issues confronted by constitutional designers. It considers four overarching issues: (1) What are the sources of constitutional change, and what governs the choice of designers when they borrow institutions from abroad? (2) Are such institutions able to have a benign effect on ethnic and religious conflict? (3) What determines whether apt designs can in fact be adopted and by what mode they will be adopted? (4) Is there a single best process for constitution making?



**Hot Topics in Criminal Law**  
Professor Laurie Levenson

January 12-16  
1:15 pm – 3:15 pm

This course will explore selected current issues in criminal law, including:

1. Decriminalization and the role of the criminal justice system (such as euthanasia, drugs, sexual behavior, etc.)
2. White Collar and Internet crime
3. Gun control and gang violence
4. High-profile cases and the role of the media in criminal cases
5. Sentencing, prison reform, & death penalty.



**Bill of Rights & Private Comparative Perspective**  
Professor Frank Michelman

January 12-16  
11:05 am – 1:05 pm

In many countries, constitutions guarantee certain interests of individuals and groups against infringement by the state. What effect, if any, do or should these guarantees have in the resolution of legal controversies among individuals and groups -- say, in common-law contract, tort, or property cases -- where the state is not a party? This course will look at answers given in Europe and South Africa, in comparison with those arrived at in the United States under our "state action" doctrine.

**NOTE: SEE BACK PANEL OF BROCHURE FOR LAST CLASS INFORMATION**

# J-Term Faculty & Lecturer Profiles

## David D. Caron

Visiting Wallace S. Fujiyama Professor

David Caron is an expert in international law. He currently teaches public international law, resolution of private international disputes, ocean law and policy, and an advanced international law writing workshop.

Before joining the Boalt faculty in 1987, Caron practiced with the San Francisco firm of Pillsbury Madison & Sutro. From 1985 to 1986, he was a senior research fellow at the Max Planck Institute for Comparative Public and International Law. A Fulbright scholar and former navigator and salvage diver in the U.S. Coast Guard, Caron graduated from Boalt in 1983. He then served as a legal assistant to Judges Richard Mosk and Charles Brower at the Iran-United States Claims Tribunal in The Hague.

Caron has served as director of studies (1987), director of research (1995) and as a lecturer (2006) at the Hague Academy of International Law. He was a member of the board of editors of the *American Journal of International Law* from 1990 to 2005 and received the 1991 Deak Prize of the American Society of International Law for outstanding scholarship by a younger academic. He has served as chair of the International Law Section of the Association of American Law Schools; a member of the precedent panel of the U.N. Compensation Commission for claims arising out of the Gulf War; counsel for Ethiopia before the Eritrea-Ethiopia Claims Commission; and president of the International Centre for Settlement of Investment Disputes Tribunal in the matter of *Agua del Tunai v. The Republic of Bolivia*. In 2000, he received the Stefan A. Riesenfeld Award of the University of California for outstanding achievement and contribution to the field of international law.

## Michael S. Greco

Visiting Wallace S. Fujiyama Professor

Michael S. Greco is a partner in the Boston office of K&L Gates LLP and past president (2005-06) of the American Bar Association. A trial lawyer, arbitrator and mediator, he has more than thirty-five years of litigation and arbitration experience throughout the United States and internationally in complex business and other disputes, and in counseling individuals and business entities regarding crisis management.

Greco has lectured and published articles on arbitration, international and domestic, litigation and other subjects. He is a member of the Massachusetts Bar and is admitted to practice before the Massachusetts Supreme Judicial Court and all Massachusetts lower courts, the Supreme Court of the United States, the US Tax Court, the US Court of Appeals for the Armed Forces, the US Court of Appeals for the First Circuit, and the US District Court for the District of Massachusetts.

A member of the American Law Institute, he is a graduate of Princeton University and Boston College Law School where he served as editor-in-chief of the *Boston College Law Review* and class president. After law school he clerked for the Hon. Leonard P. Moore on the U.S. Court of Appeals for the Second Circuit; was a Fellow at the Institute of Comparative Law, University of Florence, Italy; a partner in the former Boston law firm of Hill & Barlow (1972-2002); and partner at K&L Gates LLP (2003-present). Greco is listed in *Best Lawyers in America*, *Who's Who in American Law* and *Who's Who in America*. Additional biographical information appears on the K&L Gates website, [www.klgates.com](http://www.klgates.com).

## Donald L. Horowitz

Visiting Wallace S. Fujiyama Professor

Donald L. Horowitz is the James B. Duke Professor of Law and Political Science at Duke University. Professor Horowitz is the author of six books: *The Courts and Social Policy* (1977), which won the Louis Brownlow Award of the National Academy of Public Administration; *The Jurocracy* (1977), a book about government lawyers; *Coup Theories and Officers' Motives: Sri Lanka in Comparative Perspective* (1980); *Ethnic Groups in Conflict* (1985, 2000); *A Democratic South Africa? Constitutional Engineering in a Divided Society* (1991), which won the Ralph Bunche Prize of the American Political Science Association; and *The Deadly Ethnic Riot* (2001).

Professor Horowitz has been a Visiting Professor at the University of Chicago Law School and at the Central European University; and a Visiting Fellow at Wolfson College, Cambridge, at the Law Faculty of the University of Canterbury in New Zealand; and at Universiti Kebangsaan in Malaysia. In 2001, he was Centennial Professor at the London School of Economics; and in 2001-02, he was a Carnegie Scholar. In 2009, he will be awarded the Distinguished Scholar Award of the Ethnicity, Nationalism, and Migration Section of the International Studies Association.

Professor Horowitz is currently writing a book about constitutional design, particularly for divided societies, a subject on which he has advised in a number of countries. His book on the making of Indonesia's constitutional democracy is nearing completion. Elected to the American Academy of Arts and Sciences in 1993, he is currently President of the American Society for Political and Legal

Philosophy and is a member of the Secretary of State's bipartisan Advisory Committee on Democracy Promotion.

## Laurie L. Levenson

Visiting Wallace S. Fujiyama Professor

Laurie L. Levenson is Professor of Law, William M. Rains Fellow, and Director for the Center for Ethical Advocacy at Loyola Law School. She teaches ethics, criminal law, criminal procedure, trial advocacy and evidence. Professor Levenson served as Loyola's Associate Dean for Academic Affairs from 1996-1999. Prior to joining the Loyola Law School faculty in 1989, Professor Levenson served for eight years as an Assistant United States Attorney in Los Angeles. She was Chief of Training and Chief of the Criminal Appellate Sections of the U.S. Attorney's Office. In 1988, she received the Attorney General's Director's Award for Superior Performance.

Professor Levenson received her J.D. from UCLA School of Law and her A.B. from Stanford University. She was Chief Article Editor of the UCLA Law Review and clerked for the Honorable Judge James Hunter, III, of the U.S. Court of Appeals for the Third Circuit after graduation.

Professor Levenson is the author of numerous books and articles, including *California Criminal Procedure* (West 2007) and *California Criminal Law* (West 2007). She has provided legal commentary on several high profile cases, and worked as an expert legal consultant for CBS News, ABC, NBC, CNN and NPR. Professor Levenson lectures regularly throughout the country and internationally for the Federal Judicial Center, National Judicial College, international bar associations, bar review courses, community groups and legal societies.

## Frank I. Michelman

Frank Boas Visiting Professor

Frank I. Michelman is the Robert Walmsley University Professor at Harvard University, where he has taught since 1963. He is the author of *Brennan and Democracy* (1999), and has published widely in the fields of constitutional law and theory, property law and theory, local government law, and jurisprudence.

Professor Michelman is a past President of the American Society for Political and Legal Philosophy, and a fellow of the American Academy of Arts and Sciences. In 2005, he was awarded the American Philosophical Society's Phillips Prize in Jurisprudence. He is a member of the Board of Directors of the United States Association of Constitutional Law and of the National Advisory Board of the American Constitution Society. Over the past several years, he has maintained an active interest in matters of constitutionalism in South Africa.

## J-TERM 2009 SCHEDULE

	January 12	January 13	January 14	January 15	January 16
8:30 - 10:00					Federal Court Conference Room co-hosted by Federal Bar Breakfast w/ Levenson & Greco
9:00 - 11:00	Comparative Constitutional Design <i>Donald Horowitz</i>	Comparative Constitutional Design <i>Donald Horowitz</i>	Comparative Constitutional Design <i>Donald Horowitz</i>	Comparative Constitutional Design <i>Donald Horowitz</i>	Comparative Constitutional Design <i>Donald Horowitz</i>
11:05 - 1:05	Bill of Rights & Private Comparative Perspective <i>Frank Michelman</i>	Bill of Rights & Private Comparative Perspective <i>Frank Michelman</i>	Bill of Rights & Private Comparative Perspective <i>Frank Michelman</i>	Bill of Rights & Private Comparative Perspective <i>Frank Michelman</i>	Bill of Rights & Private Comparative Perspective <i>Frank Michelman</i>
1:15 - 3:15	Hot Topics in Criminal Law <i>Laurie Levenson</i>	Hot Topics in Criminal Law <i>Laurie Levenson</i>	Hot Topics in Criminal Law <i>Laurie Levenson</i>	Hot Topics in Criminal Law <i>Laurie Levenson</i>	Hot Topics in Criminal Law <i>Laurie Levenson</i> <b>**last class Breakfast also</b>
3:20 - 5:20	Challenges & Issues in Private Intl Dispute Resolution <i>David Caron</i>	Challenges & Issues in Private Intl Dispute Resolution <i>David Caron</i>	Challenges & Issues in Private Intl Dispute Resolution <i>David Caron</i>	Challenges & Issues in Private Intl Dispute Resolution <i>David Caron</i>	Challenges & Issues in Private Intl Dispute Resolution <i>David Caron</i>
5:30 - 7:30	Attorney-Client Privilege <i>Michael Greco</i>	Attorney-Client Privilege <i>Michael Greco</i>	Attorney-Client Privilege <i>Michael Greco</i>	Attorney-Client Privilege <i>Michael Greco</i>	Attorney-Client Privilege <i>Michael Greco</i> <b>**last class Breakfast also</b>

## LUNCH HOUR SPECIALS

	January 19	January 20	January 20	January 21	
	HOLIDAY MARTIN LUTHER KING JR. DAY	Donald Horowitz PALS lunch (12:40p-1:45p) Rm. 254	David Caron Lunch (12p-1p) Supreme Court	Frank Michelman Brown Bag Lunch w/ Harvard Club (12p-1p) CR5	