

FCIL Newsletter

FOREIGN, COMPARATIVE, AND INTERNATIONAL LAW SPECIAL INTEREST SECTION

A Closer Look at Teaching FCIL Research: An Introduction to the Series

Many law schools in the U.S. offer courses on FCIL research. Some are well-established classes taught by seasoned librarians; others are just finding their place in the curriculum. As legal education begins to explore online and blended courses, so too are these classes.

FCIL Newsletter asked several of your colleagues to contribute a piece on their class. They explore basic questions such as number of credit hours and whether or not to use a textbook as well as more complicated ones such as how these topics can translate into the online

teaching environment, working with co-teachers, and more. We hope those interested in starting their own FCIL class or in updating their existing one will find much valuable advice in the following pages.

PIL Research in Context: Teaching International Advocacy and Research

Lee Ryan

ORIGINS

For the past 3 years, I've been co-teaching the University of San Francisco's International Advocacy & Research course, which I believe is the first ever law school course to combine these two topics. The class was an unanticipated consequence of our 2010 Jessup Moot Court Competition team — a group of skilled and inquisitive researchers and extraordinarily able advocates¹ — and was the brainchild of then-Team Captain and now co-instructor Jessica Morreale Therkelsen. At the time, Jessica casually remarked that it would be great to go beyond the one-shot research presentation I'd

done, and to have a full law school course addressing international law advocacy and research skills in depth. Each time Jessica returned to coach subsequent Jessup teams, we'd mention how great a full advocacy/research class would be.

The opportunity came in 2012 when then-director Ron Wheeler asked if I'd like to launch an FCIL research class, and I countered with the idea Jessica and I had been idly kicking around. Jessica was still game, and so, as it turned out, was the school's Educational Programs (*i.e.* curriculum) committee.

COURSE DESIGN

The course that we designed is a 14-week, 2-unit, credit/

no-credit class that counts towards USF's professional skills requirement. All Jessup team members must take it, and it attracts other students interested in public international law and human rights. We teach it in the Fall, so that the Jessup team can incorporate what they learn into their work for the competition. Our initial enrollment was a very cozy 7 students. Last year we had 14, and this year we had 10 students.

Our goals for the class are reflected in these learning outcomes — At the end of the class, students will be able to:

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UPCOMING MEETINGS

ASIL Annual Meeting, "Adapting to a Rapidly Changing World," April 8-11, 2015 in Washington, DC.

CALL/ACBD Conference, "Turning the Tide/Renverser la Marée," May 3-6, 2015 in Moncton, NB, Canada.

AALL Annual Meeting, "The Power of Connection," July 18-21, 2015 in Philadelphia, PA.

IFLA World Library and Information Congress, Aug. 15-21, 2015 in Cape Town, South Africa.

IALL Annual Course, Sept. 20-24, 2015 in Berlin, Germany.

From the Chair

Teresa Miguel-Stearns

As we in the Northeast dig out from the latest force of nature, I think about warmer days ahead. July in Philadelphia is hot! I know! I was a young, poor, inspired public defender in my beloved Philadelphia many moons ago; and my Center City apartment above Kohn & Kohn Antiques didn't have air conditioning. Yes, July in Philadelphia is hot ... and so is our 2015 Annual Meeting programming! Thanks to many of our colleagues, particularly the program proposers, participants, and reviewers, we have an excellent array of FCIL programs for 2015.

EU WORKSHOP

Please plan to arrive in Philadelphia by Friday, July 17, so you can attend the FCIL-SIS sponsored **European Union Workshop** that Alison Shea, Gabriela Femenia, and the Executive Committee are organizing, and the University of Pennsylvania Law School is hosting (thanks to Gabriela) on Saturday, July 18, 9:30 a.m. – 4:45 p.m. Your FCIL-SIS will supplement the cost of the workshop, but there will still be a nominal registration fee. We are working closely with AALL to make that fee as low as possible. Alison has secured our Course Director, Ian Thompson, the leading expert on the EU, and has been working diligently with him to design the excellent program from which we will all benefit and learn. Ian Thompson is the Director of the European Documentation Centre at Cardiff University and Executive Editor of European Sources Online. This is truly a once-in-a-lifetime opportunity to learn from someone on the inside for over 35 years.

ANNUAL MEETING PROGRAMMING

During the Annual Meeting itself, there will be at least three FCIL-specific programs.

- “Cross-Border Disputes: Dissecting the International Investment Arbitration”, proposed by Saskia Melhorn, who is also a speaker along

with Natalie Lira. Reviewing a well-known case, attendees will learn and use resources available to conduct efficient and effective research.

- “Mighty MT: Enhancing the Value of Machine Translation (MT) Tools for FCIL Reference and Collection Services”, proposed by Don Ford, and involving a discussion of MT in dictionary/lexicon formats, as well as in web and software packages that deliver full-text translations. This program will examine MT's use in law libraries and law firms for both technical and references services.
- “Designing Subject Guides that Make the Effect You Want”, proposed by Jim Hart. The purpose of this program is to enable attendees to create effective subject guides that are original, well-designed, meet user expectations and needs, and promote the law library.

Again, many thanks to our program proposers and participants as well as Education Committee Co-Chairs, Dennis Sears and Lucie Olejnikova, who spent countless hours reviewing the new AMPC guidelines, editing program proposals, and assisting colleagues in the AMPC submission process.

BUSINESS MEETING – MONDAY, JULY 20, 7:15 A.M. (!)

This year, we will again have an early-morning Business Meeting where the Executive Committee and our Interest Groups and Committees will all report on accomplishments over the past year, and goals for the upcoming year. We will present awards and pass the gavel. We are extremely fortunate this year to have the financial support of William S. Hein & Co., Inc. for our continental breakfast. So no excuses – we will see everyone bright and early Monday morning for coffee and camaraderie!



Teresa Miguel-Stearns, FCIL Chair

AWARDS

Well before the Annual Meeting, however, there are a few other important matters to consider. One is award nominations. The FCIL-SIS has three very special awards that are presented to colleagues. The Executive Committee would like your input and help in identifying those amongst us – and there are many – who are deserving of these prestigious awards. The three awards are:

- The Daniel L. Wade FCIL-SIS Outstanding Service Award: honors an FCIL-SIS member who has made outstanding contributions to the Section in the areas of section activity and professional service.
- The Spirit of the FCIL-SIS Award: presented each year to members whose work furthers our mission, serves the entire FCIL-SIS, and inspires others to act.
- The Thomas H. Reynolds and Arturo A. Flores FCIL-SIS Publications Award: given to an FCIL-SIS member or members who have greatly contributed to the professional de-

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velopment of their AALL colleagues during any given year. The winning “publications” may be print, digital, or electronic initiatives.

Award nominations are due March 31 to any member of the Executive Committee: Teresa Miguel-Stearns, Lucie Olejnikova, Roy Sturgeon, or Don Ford.

ELECTIONS

Another matter is FCIL-SIS elections. This year, the FCIL-SIS will elect a Vice Chair/Chair-Elect, and a Secretary/Treasurer. Elections will take place online between Tuesday, April 14 and Tuesday, April 28, 2015. The Nominations Committee, consisting of Jim Hart (Chair), Michelle Hou, and Dan Donahue compiled an outstanding slate of candidates, and I am thrilled to be able to announce it here (thank you, Jim, for your help in preparing the announcement), in accordance with our bylaws:

The FCIL-SIS nominees for the 2015 election are Alison Shea for Vice-Chair/Chair Elect and Loren Turner for Secretary/Treasurer.

Alison currently serves as Reference Librarian/Foreign & International Specialist at Fordham University Law Library. She has been the Chair of the FCIL-SIS Teaching Foreign, Comparative, and International Legal Research Committee since 2011; Chair of the FCIL-SIS Website Committee since July 2013; a member of the same Committee from January 2012 to July 2013; and a member of the FCIL-SIS Membership Committee from 2007 to 2008. She has received all of the awards that FCIL gives: Spirit of the FCIL-SIS in 2012; the FCIL-SIS Reynolds and Flores Publication award in 2013; and the Daniel L. Wade Outstanding Service to the FCIL-SIS award last year. Her latest publication is *Sources of State Practice in International Law* (2d ed. 2014), which she edited with Ralph Gaebler.

Loren is Reference Librarian at the University of Florida Levin College of Law. She currently serves as Co-Chair of the FCIL Publicity Committee; served as co-administrator and developer of the new FCIL-SIS blog: DipLawMatic Dialogues; and is the editor of book reviews and Member-to-Member Introductions published on DipLawMatic Dialogues. Her most recent publication is “Librarians & MOOCs” in *Creating the 21st Century Academic Library* (forthcoming), which is co-authored with Jennifer Wondracek.

The Section can be proud that we have such energetic, conscientious, and articulate members among us who are willing to accept the responsibilities of leadership. Roy Sturgeon, the FCIL Secretary/Treasurer, will hold the election on AALLnet in April. Keep an eye out for further information from Roy.

STRATEGIC PLAN

Finally, I trust by now everyone has had an opportunity to review the strategic plan that was presented to and approved by the Executive Committee several months ago. The Executive Committee extends its thanks to all members of the SPC (Luis Acosta, Karina Condra, Jim Hart, Saskia Mehlhorn, Thomas Mills (Chair), Steve Thorpe, and Kelly Vinopal for their hard work and commitment to this process. All three of the strategic plan’s initiatives have been implemented and are taking shape:

1. A Task Force has been formed to explore the feasibility of an FCIL Summit in conjunction with the Annual Meeting 2016 in Chicago, led by Thomas Mills and with the support of Luis Acosta, Saskia Mehlhorn, Steven Thorpe, Kelly Vinopal, and Susan Gaultier.
2. Jim Hart and Alex Zhang are conducting an environmental survey while considering the utility of creating a portal to research foreign and international law that would be

hosted by the FCIL-SIS.

3. AALL has called recently for more webinars to reach our members, and the FCIL-SIS will try to answer that call. Steven Thorpe and Alison Shea, through the Education Committee, will explore opportunities to reach and train librarians throughout AALL on topics pertaining to foreign, comparative, and international law.

If you would like to participate in any of these three initiatives, please contact me or any of the members. We are always looking for colleagues who want to be involved!

LOOKING AHEAD

We have a lot to look forward to in the coming months and years. We have great leaders in place for the immediate future. We have dedicated, seasoned members from whom we learn every day. We have young and talented colleagues who will take us beyond the foreseeable future. These are challenging and exciting times in many respects, and I am certain our SIS is well-positioned to take on these challenges and continually move forward. Before you know it, we’ll be enjoying a cheesesteak in the hot and humid Philly summer. In the meantime, let’s keep thinking warm thoughts to get us through the polar vortex hovering over us here in the north.

Schaffer Grant Stories

Do you have a story about how you or your library have directly benefited from working with a Schaffer Grant winner?

Please send your notes to either [Lucie Olejnikova](#) or [Teresa Miguel-Stearns](#) for the next issue.

African Law IG Print Holdings Project

Alison Shea

In November 2014 the African Law Interest Group introduced a new initiative to capture the diverse print holdings of African primary source material across all U.S. law libraries. Many of us have small collections when it comes to African primary sources, but we are hoping that FCIL members might take a look at their collections to see what each library holds and the range of coverage for sources that you do hold. Our hope is to establish a repository of holdings for this jurisdiction to assist researchers across the world locate these valuable, but often times difficult to locate, primary sources, much like the successful [FLAG project](#) in the United Kingdom.

To this end we have developed a spread-

sheet, which you can view and collaborate on [via Google Docs](#), that lists all African countries and a selection of their Official Gazettes, Codifications, Session Laws, and Court Reports. The titles listed on the spreadsheet were taken in large part from Foreign Law Guide reports, as well as various research guides on the Internet, but in no way represent the complete list of titles for any given jurisdiction. We are hopeful that if, for example, you notice a set of case reporters for a relevant jurisdiction but do not see the title listed on the spreadsheet, you will add in that title in the appropriate location and note your holdings accordingly.

There is a column for each school, as well as the Library of Congress, to help make it easier for you to note the print

holdings at your institution; if you do have a certain source, please indicate the specific date or volume range for the source in your institution's field.

We are hoping to have a populated spreadsheet to analyze at this year's AALL meeting, and thus we would be grateful if you have a chance to add in your holdings over the next few months. Even if you don't think your school has any holdings, why not take a look in your KQ-KT section to see if you might have a few random primary source volumes here and there? This also could be a great project for interns who have an interest in FCIL librarianship!

If you have any questions, please do not hesitate to contact either [myself](#) or [Victor Essien](#), chair of the African Law IG. Many thanks in advance for your contribution to this project!

A	FF	FG	FH
	Southwestern Law School	Stanford University Law School	Stetson University College of Law
Botswana			
Official Gazette			
Botswana Government gazette			
Compilations or Official Codifications			
Laws of Botswana		1974 vols. 1-8 &	
Sessions Laws			
Statute law of Botswana			
Court Reporters			
Law Reports [of Botswana]		1968-1983, 1989,	

Google Docs makes it easy to scroll over to your school's column and add any holdings you have. You can either leave blank the titles for which you have no holdings or enter a simple place holder such as "No Holdings".

FCIL Newsletter

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We welcome submissions. Contact us for more information.

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How the FCIL Schaffer Grant for Foreign Law Librarians Positively Impacts U.S. How Our Recipients Impact the World

Lucie Olejnikova & Teresa Miguel-Stearns

The FCIL-SIS Schaffer Grant for Foreign Law Librarians provides financial assistance to ensure the presence and participation of a foreign law librarian at the AALL Annual Meeting each year. Since its inception, this grant has brought to us experts from around the world, including Afghanistan, Argentina, Australia, China, Egypt, Georgia, Ghana, India, the Kyrgyz Republic, Netherlands, Nigeria, Norway, and the Philippines. Over the past fifteen years, we have been honored to welcome thirteen foreign law librarians who have shared their respective expertise and who have delivered incredible presentations to the AALL attendees each year.

This grant impacts not only us but also the global community. Many of our grant recipients became authors for *GlobaLex*, the world-renowned international, foreign, and comparative law research portal. As *GlobaLex* celebrates its 10th anniversary¹, we should take a moment to celebrate that four of our grantees are among the distinguished authors of *GlobaLex* who, through their research guides, are sharing their expertise with the world.

Our very first recipient, Ms. Sania Battalova of the Kyrgyz Republic, authored the *Guide to the Legal System and Legal Research in the Kyrgyz Republic* in 2001, which she maintained until 2006. This article offers insights into the country's state structure, and the roles of the president, parliament, and government. It describes Kyrgyz's legal, judicial, and administrative processes, and it offers research commentary on various subjects including banking, labor, intellectual property, and tax law, as well as law of property and land reform.

Our 2004 recipient, Ms. Milagros Santos-Ong of the Philippines, is the author of the *original 2005* and the *updated 2012* article on Philippine Legal Research. This article outlines the political and governmental structure of the Philippines and it explains the Philippine legal system. It offers approaches to legal research of Philippine primary resources and addresses the rules of legal citation.

Our 2005 recipient, Ms. Irma Aladashvili of Georgia, authored the *original 2005* and the *updated 2010* Guide to Georgian Legal Research. In her article, Ms. Aladashvili offers detailed insight into the regional structure of Georgia, its history, and the circumstances of the November 2003 Rose Revolution. She describes the functions of the president, parliament, government, and judiciary, and the relationships among the different governmental branches. She concludes by addressing the regionalism and local self-governance, electoral process, and hierarchy of legal norms of Georgia. She also provides a list of the official gazettes and a list of web resources.

Lastly, our 2011 recipient, Ms. Gloria Orrego Hoyos of Argentina, authored the *updated 2014 version of Research Guide to the Argentine Legal System*, and she also authored the 2013 article *The Amparo Context in Latin American Jurisdiction: An Approach to an Empowering Action*. In her Argentine legal system article, Ms. Orrego Hoyos describes the Argentine executive, legislative, and judicial powers of the government, and she outlines the different types of jurisdictions, the value of jurisprudence, and trial by jury. She further addresses specific topics including domestic violence, the Argentine tax system, environmental legal framework,

international treaties, digital signature, law bills, national codes, legal publishers, provincial judicial power, and human rights resources. In her *Amparo* article, Ms. Orrego Hoyos describes the inception of the writ of *Amparo* and its importance in protecting fundamental freedoms. She includes the comparison of regulatory requirements of *Amparo* action in Latin American countries including Argentina, Colombia, Venezuela, Dominican Republic, Uruguay, Peru, Paraguay, Brazil, Bolivia, Chile, Ecuador, Costa Rica, El Salvador, Nicaragua, Panama, Mexico, Guatemala, and Honduras.

GlobaLex has become a widely-recognized and heavily-used worldwide database of international, foreign, and comparative law research articles. It serves a variety of users across the globe and we can be proud to know that the work of many of our recipients is included in such a prestigious resource.

¹ Mirela Roznovschi, *The 10th Anniversary of GlobaLex: A Portal Dedicated to Foreign, Comparative and International Law Research*, 14 Legal Info. Management Mgmt. 300 (Dec. 2014).

FCIL-SIS Blog

Have you taken a look at DipLawMatic Dialogues lately? It's the FCIL-SIS's blog. Check it out at <http://fcilsis.wordpress.com/>.

If you have comments or suggestions on the content, or if you're interested in being a contributor to the blog, contact the Publicity Committee at aall.fcil.blog@gmail.com.

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PIL Research in Context, continued from page 1

- use a range of general and specialized tools for international law research;
- find a range of authorities that will enhance their understanding of the substantive issues and enable them to craft effective arguments;
- analyze complex problems that present issues in public international law;
- tailor a legal argument to a decision-maker on behalf of a client.

We faced brutal choices in curricular design because we were trying to cover research as well as written and oral advocacy in a mere 14 weeks. Our focus on public international law narrowed our choices — so, no foreign law (except in the context of the state practice element of customary international law), and no supranational legal systems such as the European Union! But we struggle every year to best allocate class time among research, written advocacy, and oral advocacy — plus some general background on international law. We have no prerequisite other than the first-year legal research and writing course.

We orient each semester around a common and fairly complex hypothetical dispute on which we base the final written advocacy document and oral argument. In our first two years, we drafted the fact pattern for the dispute during the term, so we weren't able to draw on it for the earliest research exercises and advocacy work. This year, we managed to get the fact pattern done over the summer. Being able to use it throughout the semester made all of our in-class and out-of-class activities more relevant and engaging.

Even though we give no letter grades, we assign points to and “grade” on the basis of: one short memo; one longer brief;

short in-class oral arguments; a research document that records strategies and sources used for the memo and brief; in-class participation; and (this year) four research exercises. So research skills are directly assessed via the research document and the exercises. However, extent and quality of research (as deduced from sources cited) is also part of the “grade” for the final written brief — so we double-dip on the research grades!

In our first two iterations, we didn't have a textbook. Instead, we supplied selected excerpts on basic topics from introductory texts on international law. This year, we selected Buergethal & Murphy's *Public International Law in a Nutshell* as the course text, mostly to be sure that students with no international law background would have a quick way to get up to speed, and we took almost all of our required readings from the Nutshell.

THE RESEARCH COMPONENT

Our syllabus left me about 6 class sessions for research topics — some of those sessions also include contributions from Jessica about substance and advocacy. For example, she might address what treaties are, how to read them, and how to use treaties effectively as an advocate.

Given the time constraints, I struggled to set priorities for my research component. In the end I decided to cover:

- getting started with research;
- the key role of secondary sources (such as the Parry & Grant dictionary, the Max Planck Encyclopedia of Public International Law, core introductory texts like Brownlie and Shaw, monographs, and articles);
- Treaties;
- decisions of tribunals;

- customary law²; and
- IGO documents — in particular UN documents relating to law and human rights.

Overall, I follow a process approach rather than a bibliographic approach. In presentations I emphasize the goals of advocates at various stages of the process, and how the sources we're working with help them meet the goals. For example, in my treaty unit I go into: knowing whether a treaty applies; finding the text; determining its status and applicability to your party; and learning more about the treaty and how it has been read and interpreted by courts and scholars. I emphasize secondary sources as an excellent way to discover which treaties might apply and how those treaties have been or might be interpreted. In presentations, I say very little about traditional treaty-finding tools. Instead, I post to TWEN a much more detailed outline that includes citations to the best online research guides and research texts. [I'm looking at you, Marci & Mary!]

I do the same for the units on decisions, custom, and IGO documents; the emphasis is always on beginning with the basic secondary sources and fully exploiting scholarly monographs and articles before tackling the “raw” decisions, sources of custom, or documents.

In the first two go-arounds, my research sessions combined in-class presentations and in-class exercises. This year, I experimented with a more blended approach.

For each research class, I recorded three short (each 7 minutes or less) PowerPoint video lectures introducing basic concepts and methodologies, plus a few key research sources. I followed the vid-

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PII Research in Context, cont. from 6

eo presentations with easy quizzes, mostly as a way to ensure that students actually watched the videos. Then, before the in-person class, I gave students the research assignment for that class. I kept these assignments very straightforward; each focused on discrete search tasks where there was an identifiable good answer. To make the research assignments more meaningful to the students, I tried to relate all questions to the hypothetical dispute the students would have to write about.

My goal with the research assignments was simply to make sure that students actually *touched and used* key online and print tools, and to have them become familiar with the tools' most important features. The students had plenty of opportunity later to use those tools in a less directed way for more challenging and sophisticated research when it came to writing their advocacy documents for the class.

In the in-person classes, I devoted the research time to answering questions and sometimes showing one or two more complex techniques. Then, I had the students work on a more challenging research task — also related to the hypothetical dispute. These tasks often involved comparing sources and discussing both their features as research tools and

their relevance to the issues posed by the dispute.

CHALLENGES AND REWARDS

After three iterations, several challenges and rewards stand out.

The major challenges are:

- Fitting it all in! I am an unashamed research geek, and there is always something *more* that I think the students *have* to know. Plus, it seems we never have enough time to cover all we like to on written and oral advocacy either.
- Coming up with new and interesting fact patterns each year. We get plenty of inspiration from international law blogs and news sources. However, we need to craft a hypothetical that is manageable for novices, yet allows students to use the basic reference sources, treaties, decisions, UN documents, and various forms of scholarship. This narrows our options, and it means that I spend a chunk of the summer “road-testing” hypotheticals.
- Learning a new area of international law every Fall. It's been ... quite a while since I've take an international law class, so I feel like I'm starting from scratch with each topic. Jessica and I tend to like — and the students are engaged by — fact

patterns that involve use of force or human rights. But each year the hypothetical dispute has delved into unique issues within those broad areas.

- Redoing assignments, exercises, and presentations to fit with that term's fact pattern. There's no getting away with rehashing the same content!

The biggest rewards have come from:

- Working with Jessica, a creative teacher who's involved daily in international law. She brings a vast substantive knowledge of the law and many great ideas for innovative and active ways to teach writing and advocacy skills.
- Learning a new area of international law every Fall! In addition to being a research geek, I fear I'm turning into a substantive international law geek as well. What's more, I seem to be developing a borderline-nerdy interest in theories about customary international law!
- Most of all, seeing the effects downstream. Since we've been teaching the classes, our Jessup team members have become increasingly sophisticated researchers. I know this because I pass their “course reserve” shelves daily, and can see how their selections reflect the principles we cover in class. I've been able to tell at a glance that the teams are delving broadly and deeply into our collection to cull materials that help them understand the *compromis* and shape their best arguments.
- Points and grades are one thing, but nothing demonstrates real learning like seeing students actually deploy what you try to teach.

EU Workshop at Annual Meeting

Mark your calendars for Saturday, July 18, 2015. FCIL-SIS is sponsoring a *European Union Workshop* from 9:30 a.m. to 4:45 p.m. at the University of Pennsylvania Law School. It will feature Ian Thompson as the Course Director.

For more information, see the *From the Chair* column on page 2 of this issue.

¹The team placed in the **top 50** in the international rounds, and Robin Bennett was among the **top 10 oralists** in international rounds.

²A big tip of the hat to Marci Hoffman and Mary Rumsey for letting me adapt presentations and exercises for this complex topic!

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Foreign & International Legal Research at Yale Law School

Ryan Harrington

At Yale, we have regularly offered a 1-credit course on Foreign and International Legal Research in the Spring semester. We typically meet once a week during the first half of the semester, which results in seven sessions of two-hour class meetings.

A few years ago we came up with the idea of syncing our class with an international law class offered at the law school. This resulted in us modifying our syllabus to match the other, so when the professor discussed treaties, we discussed treaty research. The following week, when she discussed customary international law, we discussed researching CIL. The courses even matched on the calendar—the doctrinal class met Mondays and Wednesdays, and we offered our research class on Fridays. Importantly, the professor agreed to cross-list the class with the registrar, and she included the research course information in her course description and syllabus.

There were many advantages to this approach. Most obviously, having a faculty member endorse the course. By discussing the course in her class and referencing it in her syllabus, she publicized it for us, which is important at a school with so many course offerings. I believe we looked good to her as well, by being supportive, responsive, and flexible with our research classes. Personally, I appreciated the structure and focus of the pairing, which was useful for a research class with such sprawling possibilities. Finally, it alleviated some of the challenges I had previously faced in deciding how much time should be spent educating students on law and history versus research. It can be difficult to discuss researching CIL with students who have not received instruction on its importance as a source of international law. Similarly, we had previously lectured on the formation and organization of the United Nations, when we could have spent more time on demonstrations or exercises. By

syncing the research course with a doctrinal course, we could rely on the professor to provide students with the foundation of international law. Of course, we did not require students to take both classes simultaneously and a few students were not enrolled in both. I normally asked those students to review the other course's readings before coming to the research class.

These advantages notwithstanding, there were some drawbacks to not having complete control over our own syllabus. I would have spent more time up front on the treaty research segment, for example. Had I done that, the rest of the semester would not have matched the doctrinal schedule. My solution was to break the treaty research into several components: we spent the first session on public international law; a few sessions later we delved deeply into the U.S. international agreement-making process (incorporation, implementing legislation, congressional and sole executive agreements); and at the end of the semester we focused on locating bilateral investment treaties in the context of arbitration. This worked surprisingly well, although it deviated from what we had done previously.

Reworking the syllabus was useful for me to see how various elements of international legal research can be made to fit together in a new way. In fact, I subsequently taught the course during a semester when no international law class was offered, and I took the opportunity to invite some guest lecturers, which meant modifying the syllabus yet again. Nonetheless, I found a way to keep "International Law in the United States" separate from the piece on public international treaty research because it works well at this institution.

Introduction to Transnational Law (21454) 4 units. This course will provide an introduction to and overview of the emerging field of transnational law. The course will cover both traditional public international law and "private" law that crosses national boundaries. It will teach students the minimum that every lawyer should know about the international dimensions of law in the modern world. It is intended to provide a foundation on which those who are interested in further study of the particular topics covered in the course can build. The course will examine the sources of international law (including treaty law and customary international law); international courts and tribunals; how the United States makes and enforces international agreements; theories about compliance with international law; as well as the law governing human rights, international tax, the use of armed force, international commercial arbitration, trade, the environment, international crimes, and the "war on terror." The complementary course Specialized Legal Research in Foreign and International Law is offered in conjunction with this course for one additional credit. See course number 21487-01 (enrollment in both courses is encouraged but not required). Self-scheduled examination. O. Hathaway and S.J. Shapiro

An example of cross-listing research and international law courses at Yale

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International Legal Research at the University of Georgia

Anne Burnett

The University of Georgia School of Law has offered a course on International Legal Research since the mid-1990s. Professor Gabriel Wilner, who served as faculty advisor to the *Georgia Journal of International and Comparative Law* at the time, proposed the course as a means of instructing the student editors in researching and citing foreign and international legal materials. Professor Wilner asked me to join as a co-teacher in 1998, and we co-taught the course until 2009. I have continued to teach the course since Professor Wilner's passing in 2010.

STRUCTURE

International Legal Research is a 1-credit graded course, compressed into seven weeks at the beginning of the Fall semester, in an effort to give the international journal editors a jumpstart on their research, both for researching their own notes and for cite-checking accepted articles. The class is not limited to members of the international law journal staff, however, and I attempt to include content that would be useful for international or transnational practitioners as well.

Class sessions have always been two hours once per week; however, I am interested in experimenting with meeting twice a week for one hour. Two hours is a long time for one instructor to hold the students' attention; on the other hand, one hour might not be sufficient for the more in-depth exercises I am increasingly adding to class sessions.

TEXT

I have been reluctant to require students to purchase a text for a 1-credit course. Instead, I have created the "text" for this class each year as a series of detailed PowerPoint presentations filled with

screen captures and demo searches and posted to a TWEN page, along with selected required reading from outside sources. This approach works in a course setup as lecture and demo (my traditional "dog and pony show"); however, as I move toward incorporating more interactive exercises during the class sessions, I have sought a text from which to assign pre-class reading that will better prepare the students to participate in these exercises. This Fall I will require a text for the first time: Hoffman and Berring's *International Legal Research in a Nutshell*, which all of our students can access for free via our Westlaw Study Aids subscription.

ASSESSMENTS

Assessments in this class have been mostly of the treasure hunt variety, where the students find and cite certain documents. In an effort to improve their analytical skills while retrieving relevant materials, I am moving toward assignments involving fact patterns which will require the students to make a research plan and determine what types of material they seek. Given that many of the students who take this course have no background in international law or foreign legal systems, or with the resources relevant to these areas of law, I anticipate that I will continue to include some treasure hunt type questions. Also, because this course is designed to assist students engaged in scholarly legal writing, I do assess *Bluebook* citations.

Over the years I have tried a variety of models for the number of assessments as well as their timing. In some years, I have assigned weekly graded assessments with a lengthier and more heavily-weighted final assessment. When the number of students in the course is set

at around 20, that model works well; however, with the enrollment in the course at 40+ many semesters (and once at 93 students!), the logistics of grading have necessitated fewer assessments. This past year I assigned three shorter assignments and one lengthier final that the students had five days to complete. A major drawback of this open-ended timeframe has been that every student spends as much time as necessary to complete the assessment. This Fall, I will use TWEN's timer to assess efficiency, meaning the students will have a limited number of hours to complete the assessment once they begin it.

I thoroughly enjoy teaching this course and appreciate the relationships it engenders with many of our students. After so many years, however, I risk falling into a rut and so am always looking for different ways to instill this broad variety of research skills within 14 short hours. I look to this newsletter and to this SIS' programs and roundtables at the AALL Annual Meeting, along with many informal meetings with my FCIL colleagues, for ongoing inspiration!

Submissions

FCIL Newsletter is looking for submissions for our next issue.

Articles: conference reports, library tours, member news, etc. Open call for authors.

Questions? Contact Deborah Schander (dschander@gsu.edu).

Series: A Closer Look at Teaching FCIL Research

An Online FCIL Course at the University of Hawaii

Victoria Szymczak

Technology is a cacophony of change. The march of progress alters resources for our students, what we teach, and how to use it. But I love it.

I began teaching International and Foreign Law Research in a brick and mortar classroom with the awesome Jean Davis, queen of problem-based learning methods. Back in the day, we relied upon a 4-inch thick paperback beige book to check the status of multilateral treaties deposited with the U.N. It stood next to the *Treaties in Force* title that was always a day late and a dollar short. There was a Department of State phone number written on the cover of the TIF volume that we called to check for treaty updates. The super-secret Department of State phone number was the highlight of the lesson plan for our students! Even back then, the single access point through these reference books was harsh and made it difficult to achieve a fully functional problem-based class on treaty research.

Over time, our key resources moved into digital environments and provided multiple access points and better updating services for researchers. This made organizing small group projects in class less cumbersome and, dare I say, more fun. Arranging my students into teams and having them compare research results using these different resources became one of my favorite exercises. Even though *Treaties In Force* remains a flat PDF file, I can have a team of 3 or 4 students all reviewing it together to find out if we have ratified a bilateral treaty with France or if we have any RUDs in place for a multilateral agreement. And of course, all of this can be couched in a problem set.

Fast forward to 2014. That beige book has long been discarded, video clips are the norm in class, and the ABA has loosened its rein on distance-learning in law schools. I decide to experiment. In Spring 2014, I offered an online 2-credit International and Foreign Law Research class at my school. It was originally slated to be a 3-credit class, but I realized the amount of work involved to transform it into an online environment was an unanticipated time-suck. I would never be able to complete everything on time. For those who are considering a move into an online lecture format, I recommend that you allot triple the amount of time that you would usually spend on preparing your course.

The basic weekly regimen for this online course consisted of an online lecture, related CALI lessons, a problem-solving research assignment, and a required blog posting about their research assignment. I should also mention that for some research problems, I assigned students to work in pairs. By the end of the semester, the students would have to deliver an oral presentation and an annotated research guide (in Libguide format or otherwise). The oral presentations were completed over the course of three weeks and, aside from our initial meeting to review the syllabus and course, these were the only three days that the class met.

Out of all of these grading components, the students reported that the online lectures were the most helpful. The least helpful element for them was the blog postings. They were not sure how to write about their research or how to respond to others' comments. For assignments that required them to work in groups, they found it hard to coordinate schedules and commentary. The

results frequently culminated in bland uninformative entries on the course discussion board. During the week, I usually had a few students drop by during office hours to go over the research problem with them and answer questions. These sessions were about issues that I would normally have been able to address in class when we met. Again, my online experiment seemed like a lesson in inefficient time-use.

My students had mixed feelings about the CALI lessons. They felt that the CALI lessons did not always complement the lecture, though this was not always the goal. I incorporated these lessons to reinforce research techniques, but also to introduce them to concepts that I did not have time to review during the lectures. It also provided me with a way to include quantitative feedback in my assessment of their performance.

Under ABA Standards 306 and 310(b), we need to regularly monitor student efforts and evaluate their performance. If I repeat this course as a distance-learning course, I will reconsider the assessment portion. My initial thoughts would be to include fewer CALI lessons and incorporate my own review questions into the online lectures. I will also create a template for their research reviews in order to boost their confidence in writing about their efforts.

The feature of the course that was best received was the online lectures. Producing the weekly videos was extremely time consuming. They were a combination of screencasts, slides, videos, and images. Although I have delivered this course for more than a decade, committing it to a recording was intimidating. I was very

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careful about what I said and how I said it. Not being in the room with my students to provide me with immediate feedback and having the lecture “out there” made me vet every sentence for clarity.

I never appeared on camera in my online lectures. I am not camera shy, but it was just one more thing to figure out how to do and who could do it. I would undoubtedly need to do several takes and did not want to tie up our IT support who are busy enough. This would then be followed with an editing session to insert my video into the full lecture. For those of you considering online lectures, you will need to think about these production issues.

The technology for delivery was not hard to use. After a review of software, I chose to use Camtasia by Tech Smith. You can purchase an academic license for about \$200. Tech Smith does offer volume discounts. My University has a site license for Captivate, but I found the learning curve too steep. Camtasia is easy to use but has enough bells and whistles to create good quality videos. Since I am more comfortable in a PC world, I did not explore similar products from Apple. Will I do this class online again? Probably not. I miss my students. And I miss seeing the light bulbs go on when they “get it”. Do I think I wasted my time? Absolutely not. I will repurpose those awesome videos into a flipped classroom experience. I will listen to that cacophony of technology and choose only to hear the sounds that make me and my students happy.

So You Want to Teach FCIL Research ...

Wanita Scroggs

For those of you considering teaching FCIL research, “you need help” and there is support for you. As you are reading this article, you’re probably well aware of what a helpful group your fellow FCIL librarians are! Well, those of us who have wandered (or been thrust) into teaching FCIL research are also willing to share whatever knowledge and experience we have. If I personally can’t be a positive role model for you, maybe I can serve as a dire warning! All kidding aside, I can recommend teaching without reservation. The very best reason to teach is that you will learn so much ... and so constantly. The more freedom you give to your students, the more they will amaze you with the information they discover, and you will struggle to keep up with them. It really is a wonderful ride.

A little about me: I teach Advanced Legal Research – FCIL every Fall (and U.S. domestic Advanced Legal Research in the Spring). My course is a 2-credit, 100% online asynchronous class. We use Blackboard for the course webpage, and a software called Accordent to record the video of me lecturing (talking head) and whatever I’m showing on my computer screen. As an aside, software like Camtasia would work equally well for recording, and you could do that from anywhere ... no fancy studio required. I do have a tendency to talk with my hands, so I point out to the students that if they don’t want to watch the “air show” they can zoom to just the screen showing the computer monitor and they don’t have to look at me while I talk.

I began teaching this class several years ago. I was asked to present the course to the curriculum committee who

quickly approved it. I’d like to think it was because of the fabulous content that so wonderfully supports our LL.M. in International Law, as well as our J.D. students working toward a concentration in International Law. I have a sneaking suspicion, though, that because online classes were a new thing at our institution, the administration was looking for guinea pigs who were willing to teach online. Either way, I’m happy. Because my class takes place completely online, I try to consider that some of my students may be physically out of the area, in study abroad programs or working out of town jobs. With that in mind, I don’t concentrate on traditional print sources. I mention them to my students all along, but I concentrate on online legal research sources, and free ones where available. It is my personal opinion that the international legal community seems to be much more serious about making legal materials available for free, and so FCIL research is easier to do online for free than U.S. domestic research. I will give a shout-out, however, to those wonderful folks in the U.S. and around the globe who are part of the Free Access to Law Movement. You are my heroes!

At any rate, because I concentrate on online sources, and I want my course to be a skill developing, process-centered experience, I choose not to use a textbook. Having said that, there are a couple of books I would consider, should I decide to use a textbook: Lyo Louis-Jacques, et al., *International Law Legal Research* would be a great one, as would Marci Hoffman and Robert Berring’s *International Legal Research in a Nutshell*. Keep in mind that, if they must buy textbooks, students appreciate low-cost, practical, “I’m so going to keep this” type of books.

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Series: A Closer Look at Teaching FCIL Research

So You Want to Teach FCIL Research ..., cont. from page 11

If you have been asked to teach, that's great, we'll talk about what is involved. If you want to teach an FCIL research course, but need to sell it to your curriculum committee, there are strategies. First, you may want to read the course descriptions of other classes at your school that pertain to FCIL. Think of how to craft your own course description so that it directly supports other parts of the (already approved) curriculum. If there aren't that many FCIL classes, concentrate on the substantive courses that are offered and what a small world we live

CALL/ACBD 2015

The annual conference of the Canadian Association of Law Libraries, or conference annuelle de l'association canadienne des bibliothèques de droit, will be held in Moncton, New Brunswick, Canada from May 3 to 6, 2015. The official conference description is:

"TURNING THE TIDE / RENVERSER LA MARÉE is the theme for the CALL/ACBD 2015 Conference. The extended economic downturn has had wide-ranging effects on law libraries and the practice of law librarianship. We will explore ways in which libraries are confronting the new economic realities and are successfully turning the tide. We will examine ways in which we can improve all our various environments, from the micro work-office level to the macro industry level. We will see how law and law libraries can be transformative in nature and will look to the future to develop solutions ahead of the waves. Let's meet and surf the opportunities by TURNING THE TIDE at the CALL/ACBD 2015 Conference!" More information is available on the conference website at:

<http://callacbdconference.com/>.

in. Just about any subject in the law can also be found to cross national boundaries ... family law, criminal law, business law, intellectual property, sports, entertainment, environmental, health law ... you name it! Reach out to local law firms and get their input. If they practice, or have been surprised by, international law in their firm, ask what they wish they had known. If these firms employ alumni from your school, even better. In your pitch to the curriculum committee, talk about how knowledge of FCIL, and a comfort level with doing FCIL research, is a marketable skill for your graduates.

Once you have been asked to teach, or have had your FCIL research course approved by the curriculum committee, you'll need a syllabus, and maybe a draft was required in your package to the curriculum committee. My suggestion is to reach out to your administration. Don't be shy; they'll be glad to offer input. One of the very best pieces of advice that I received when teaching for the first time was to copy and paste the attendance policy right from the student policy handbook into my syllabus. That way the students are not receiving any mixed messages, and if an enforcement situation arises, you haven't compromised the position of the administration. Also, reach out to the AALL FCIL-SIS to use the teaching resources available; and ask those who have been teaching to be your mentors, whether other FCIL research instructors, or those teaching other subjects at your school. As for the rest of your syllabus, be sure to let the students know that you're available to them, and how, when, and where. If you want to include a schedule of the subjects that you'll cover, it's easy to put that together from whatever course textbook you may be using. Take a look at the table

of contents, decide which subjects you want to include, and if you like the order in which the book addresses them: instant semester calendar! Eventually, you'll need to update your content for subsequent semesters, depending on how much time passes between each time you teach the course. Teaching FCIL once a year, and doing so with mostly online sources, I find I must update pretty much all of the materials each time. Because of your schedule and the format in which you teach, you may not find that necessary.

Now to the one fly in the ointment: grading. I'll cite this quote because I have heard it not only across law schools, but across disciplines: "I'll teach for free, but they have to pay me to grade." – Anonymous. This really is the only part that makes me even consider not teaching. Grading is tough. If you do it right, it can be agonizing. If your school has a forced mean type grading set up, invariably this will make both you *and* your students unhappy. You won't be able to give as high (or as low) grades as you'd like. The one mitigating factor may be that your students are likely to be 2Ls and 3Ls who have adjusted to the grading scheme in law school and simply mutter under their breath about it ... as you will.

All things considered, teaching is a fabulous experience. You'll get much more out of it than you ever thought possible, and maybe more than your students do. You'll learn, each and every time. You'll grow. You'll become a better researcher. You'll form bonds with the soon-to-be attorneys who are your students, and they will remember you. You'll make that ever-important connection between them and their alma mater. More than that, you'll be a future resource for them, and they for you.

Series: A Closer Look at Teaching FCIL Research

Foreign Legal Research at the LSU Law Center: Working with Students in a Mixed Jurisdiction

Susan Gualtier

In my three years at the Louisiana State University Law Center Library, I have had no shortage of interesting teaching opportunities. I have taught first-year legal research classes, given annual guest lectures in our Advanced Legal Research course, designed and taught a 2-credit course in Foreign, Comparative, and International Legal Research, and co-taught with a member of our faculty an LL.M. research workshop focusing on legal research, citation, and comparative law methods. So when I was asked to write an article on one of my FCIL teaching opportunities, I had a number of topics from which to choose. One particular teaching opportunity, however, stood out as being unique to LSU: the many guest lectures on foreign legal research and comparative law methods that I have been able to prepare for our upperclass seminars.

The LSU Law Center's unique position as a mixed jurisdiction law school has allowed me to prioritize foreign legal research instruction and to work one-on-one with students as they research foreign law. The Law Center trains its students in both the common law and civil law traditions, and every student receives both a J.D. and a Graduate Diploma in Comparative Law (D.C.L.). Because our students study — and will most likely practice — law in a mixed jurisdiction, comparative law is incorporated into every course by both necessity and design. In addition to the traditional first-year curriculum, our 1Ls take courses in Legal Traditions, Obligations, and Civil Law Property, with additional civil law courses being offered during the second and third years. In order to fulfill their degree requirements, each student must

complete 15 total hours' worth of coursework in the areas of Global, Comparative, and Civil Law. They must also complete a 2-credit writing requirement, either as part of an upperclass seminar or as an independent study. Many of the available seminars require that the students examine the law of at least one foreign jurisdiction, which in most semesters allows me the opportunity to give at least one, if not several, guest lectures that deal specifically with foreign legal research and comparative analysis.

My involvement in each class depends upon the needs of the faculty member and the structure of the course. At minimum, I provide a 60-90 minute lecture on foreign legal research, during which I review the types of world legal systems and their primary and secondary sources of law, and introduce the students to basic sources such as Juri-Globe, the Foreign Law Guide, GlobalLex, and the Index to Foreign Legal Periodicals. For most classes, I incorporate examples or additional resources relevant to the subject area. In a few cases where a faculty member has requested it, I have also scheduled mandatory meetings with the students so that I could work one-on-one with each

of them, using sources specific to their country of interest. However, even without mandatory meetings, at least a few students from each class will seek me out later to schedule an appointment. The time that I spend working with these students is some of the most productive time that I spend in the law library. When we set aside time to focus on their particular topic and country, the students take a more active role in learning about the basic resources, and see that they can overcome any obstacles that they have been anticipating. Since foreign legal research varies so much depending on the country and type of legal system, I always stress the need for individualized instruction during the introductory lesson, and encourage the students to stop by or set up an appointment at their earliest convenience.

The response that I have received from both faculty and students has been overwhelmingly positive. I have made repeat visits to a number of our seminars, and the presentations have driven traffic to the library and have raised the students' and faculty's awareness of the many foreign and comparative law resources that we have to offer. The guest lectures and student meetings have also been an incredibly positive experience for me. I have had the opportunity to work on any number of interesting research topics, and I learn something new from each student I meet. It has been a challenge to work in a mixed jurisdiction, and the learning curve has been steep; however, I have been privileged to work with students who are receptive to library instruction and who have a strong interest in comparative law. Teaching at LSU has truly been a unique experience within the already diverse and exciting field of FCIL librarianship.

**The next issue of
FCIL Newsletter is
May 2015.**

**Submissions due:
May 1, 2015.**