Helping Foreign Students Thrive in U.S. Law Schools

Caitlin Hunter

As U.S. law schools recruit a growing number of foreign students, law librarians are increasingly called upon to teach students who are new to the U.S. education system. On December 5, 2019 four librarians discussed their strategies for helping foreign law students succeed, in a webinar moderated by Jessica Pierucci (FCIL librarian at UCI Law) and featuring panelists Jodi Collova (Director of LL.M. Legal Research and Writing at Berkeley Law), Karina Condra (FCIL librarian at Sturm College of Law), Heidi Frostestad Kuehl (Director of the Law Library at NIU Law), and Mike McArthur (FCIL librarian at Duke Law). All four panelists have extensive experience teaching foreign law students in a variety of contexts, ranging from short, pre-semester introductions to U.S. law for LL.M.s, to full semester research and writing classes including a mix of LL.M. and JD students.

Here were my key take-aways from the panelists’ tips:

1. Recognize students’ individuality and diversity.

It’s important to prepare for common struggles faced by foreign students but it’s equally important to recognize the diversity of cultures and individual personalities.

Some students need to be encouraged to speak up; others need guidance on interjecting tactfully. Some students need to be encouraged to visit their professors during office hours; others need to be warned that U.S. professors will not provide the level of handholding they expect.

Listen to what students tell you about their circumstances and be prepared to adapt. Students who refuse to work with the opposite sex may have real and well-founded fears of being reported to their government. Topics that seem interesting in an abstract way to an American, like China’s belt and road initiative, can turn out to be political hot buttons for students from other countries, requiring defusing and redirection back towards legal research skills.

2. Create assignments that set students up for success

Foreign law students are getting used to U.S.-style legal assignments and are typically reading and writing in a foreign language, so try the following:

- Stay away from high-stakes final exams and assignments with tight time limits, and use a mix of methods to assess students.
- Start the semester by having students memorize basic legal terms and then quizzing them on them. This gives them necessary U.S. legal vocabulary, and this type of memorization is familiar and comfortable for students from many countries.
- Always provide written instructions.

Most foreign law students come from civil law jurisdictions, where law is based primarily on statutes with little to no emphasis on cases. These students tend to excel at dissecting and applying statutes but struggle with analogizing and distinguishing cases. To make the transition easier for students from civil law countries:

- Start the semester with problems based on statutes, regulations, and rules of procedure and professional conduct.
- When introducing case law, provide exercises that teach students to make
From the Chair

Loren Turner

Happy 2020 everyone! This year, the FCIL-SIS turns 35 years old and we have a lot to celebrate and anticipate. Thank you for your continued support this and every year.

AALL 2020-NOLA

The 2020 AALL Annual Meeting in New Orleans, Louisiana, is right around the corner, so mark your calendars for these FCIL events scheduled to occur during the meeting (list is non-exhaustive- more to come!):

Saturday, July 11, 2020:

- **FCIL-SIS Pre-Conference Workshop:** *Demystifying Civil Legal Systems for a Common Law Audience: Historical Traditions, Modern Developments, and Practical Research & Instruction Applications.* The Law Library of Louisiana (aka the Louisiana Supreme Court’s library) in downtown New Orleans will serve as the venue for this year’s workshop. Tickets will cost $60 for AALL members and $90 for nonmembers. The cap for attendees is set at 55 people, so be prepared to purchase tickets quickly as soon as the official call is announced. The working agenda is:
  - 8:30 am Coffee, Continental Breakfast, Registration
  - 8:50 am Welcome (Loren Turner)
  - 9:00 am Introduction to Civil Law Jurisdictions: Traditions, Origins, and Terminology (Marylin Raisch)
  - 10:00 am The Role of Codes in Mixed and/or Civil Jurisdictions: Historical Traditions and Modern Developments (Olivier Moréteau)
  - 11:00 am The Role of Cases in Mixed and/or Civil Jurisdictions: Historical Traditions and Modern Developments (Xavier Beauchamp-Tremblay)
  - 12:00 pm Lunch sponsored by Hein Online/IFLP
  - 1:30 pm Foreign/Domestic Influences on the Louisiana Civil Code (Sally Brown Richardson)
  - 2:30 pm Acquiring and Selecting a Civil Law Collection in Louisiana (Ajaye Bloomstone, Seth Brostoff, Miriam Childs, James Duggan)
  - 3:30 pm Snack Break
  - 3:45 pm “Mock Class” on Approaching Research from a Civil Law Perspective (Janet Kearney, Jennifer Allison, Katarina Daniels)
  - 4:50 pm Conclusion/Good bye (Loren Turner)

- **Joint SIS Presentation of the Film “Change the Subject”** @ 7:00 pm. Location: Law Library of Louisiana (aka the Louisiana Supreme Court’s library).

Sunday, July 12, 2020:

- 7:30 am: FCIL-SIS Breakfast & Business Meeting and 35th Birthday Celebration with special guest, Claire M. Germain, the first Chair of the FCIL-SIS. Location: Hilton Jackson
- 11:30 am Through the Codes Darkly: Slave Law and Civil Law in Louisiana (Susan Gualtieri (Coordinator/Moderator), Janet Kearney (Moderator); Vernon Valentine Palmer (Speaker)). Location: MCC Room 211-213

continued on page 4
Helping Foreign Students continued from page 1

fact-to-fact comparisons between cases, rather than simply mining cases for sweeping rules.

- Tailor cases and add discussion questions to make them more manageable. Have students discuss and compare cases as a group.

Although most of the librarians primarily taught legal research, they reported that many students’ biggest struggle was actually with writing, and suggested the following:

- Add a short memo or scholarly paper to a legal research class.
- Try Plain English for Lawyers to help non-native English speakers get comfortable with English mechanics, and help native English speakers transition to the plain American style from the more verbose, flowery style typical in many other English-speaking jurisdictions.
- During class, walk students through writing techniques that are less commonly used in other countries, such as drafting issue statements, case analysis and synthesis, and outlining.

3. Teach students how U.S. law school works.

Things that are obvious to a librarian who completed law school in the U.S. and has worked at a U.S. law library for years, are not obvious to a 25 year old who just got off a plane from China.

Librarians can help students succeed in all of their classes by pointing them to resources that they may not know about, such as:

- Study aids, online and in print.
- Legal dictionaries: Show students where to find English legal dictionaries and discuss how the same word can mean different things in conversational versus legal English.
- Office hours and writing and reference help: Students may not realize that they can visit professors during office hours. Likewise, they may not be aware of school writing centers or know that they can ask reference librarians for advice on citations, research for any of their classes, or for research problems that they encounter in practice. Tell them!

Also, alert students to educational norms that may differ between the U.S. and their home countries:

- The Socratic Method and active participation: Many students are from cultures where being a good student means staying quiet and taking notes. Clearly explaining the different expectations in the U.S. can make students more comfortable speaking up.
- Punctuality: In many countries, it’s normal for classes to start a half hour or an hour after the posted time. Let students know that in the U.S. they are expected to arrive at the posted class time.
- Plagiarism: U.S. students are drilled from elementary school onwards to use their own words, rather than copying from the book. However, anyone who has ever taught U.S. law students knows how many of them struggle to understand what this means in practice. The problem is multiplied for foreign students who may have been taught that they should copy directly from the book to show respect for established scholars. Talk with students upfront about the importance of using quotation marks and providing attribution in U.S. scholarship.

Of course, many of these norms (especially the Socratic Method) are new to most law students. However, foreign students face a particularly steep learning curve. LL.M.s may not know how to read a case at the beginning of the semester and, yet, by the end of the semester they must compete on exams with third-year J.D.s.

4. Reap the benefits for all students.

Throughout the webinar, I was continually struck by how many of the panelists’ tips for supporting foreign students will also benefit the U.S. students in the class:

- All students will benefit from more practice writing up their research in emails or memos. After all, as attorneys, that’s how they’ll be expected to present their research!
- Students with disabilities will also benefit from avoiding tight time limits and high stakes final exams and receiving written instructions. For that matter, so will any student who just needs a little bit more time and practice to figure out the material or didn’t catch the instructions in class.
- First-generation students also report feeling daunted by reaching out to professors or simply not being aware of the academic resources that their classmates take for granted.
- Many U.S. students struggle with organizing their writing and never really understood what teachers meant when they said to “use your own words.” They will also

continued on page 5
From the Chair  

- 12:45 pm FCIL-SIS Joint Group Meetings (Jurisdictional IGs, CARLIG, ERIG, Indigenous Peoples IG, International Visits Committee, Roman Law IG, Continuing Education Committee, Newsletter Committee, Schaffer Grant Fundraising and Selection Committees). Location: MCC Room R04-R05
- 2:30 pm Change the Subject: How a Cataloging Term became a Flashpoint in the Immigration Debate (Sara Pie (Coordinator/Moderator); Cate Kellett, Jill Baron, and Melissa Padilla (Speakers)). MCC Room 220-222.
- 6:15 pm FCIL-SIS Publicity Committee Meeting. Location: Hilton Warwick.

Monday, July 13, 2020:

- 9:30 am When ILLiad becomes Odyssey: Obtaining and Using Copyrighted Materials from Foreign Countries (Sarah Reis (Coordinator); Caitlin Hunter (Moderator); Erin Gow, Ronit Barenboim, and Andreas Knobelsdorf). Location: MCC Room 228-230
- 11:00 am Legal Information from U.S. Territories: What a Conundrum! (Marcelo Rodriguez (Coordinator); Aesha Duval (Moderator); Gina Gutierrez, Geraldine Cepeda, and Victoria Szymbczak (Speakers)). Location: MCC Room 228-230
- 1:30 pm FCIL-SIS Teaching Foreign & International Legal Research IG Meeting. Location: Hilton Magazine.
- 3:00 pm FCIL-SIS Sponsored Program: How Codes are Made: Creating Laws in Civil Jurisdictions (Janet Kearney (Coordinator/Moderator); Jennifer Allison, Nikolaos Davrados, and Ronald Sealsie (Speakers)). Location: MCC Room 206-207
- 5:30 pm FCIL-SIS Schaffer Grant for Foreign Law Librarians Recipient Presentation. Location: Hilton Parish
- 6:30 pm International Attendees Joint Reception (AALL/IALL/FCIL). Location: Hilton Fulton

Tuesday, July 14, 2020:

- 7:30 am FCIL-SIS Education Committee Meeting. Location: Hilton Durham.
- 8:30 am The Ins and Outs of India Legal Research: Learning How to Find India Primary and Secondary Law (Mandy Lee (Coordinator); Sunil Rao and Pushyamitra Veeramachaneni (Speakers)). Location: MCC Room 211-213
- 11:15 am Improving Access to Law and Justice in Communities around the World (Sally Holterhoff (Coordinator); Leslie Street (Moderator); Xavier Beauchamp-Tremblay, Billie Jo Kaufman, and Stephen Wyber (Speakers)). Location: MCC Room 208-210.

I’d like to extend a sincere thanks to our Education Committee co-chairs, Susan Gualtier and Dennis Sears, and committee member, Janet Kearney, for creating and editing program proposals for this year’s Annual Meeting. Also, thank you to all FCIL-SIS members who submitted program proposals and/or volunteered as program coordinators, moderators, and speakers. For anyone interested in future presentation opportunities, there is still time to submit proposals for poster sessions and discussion dens during the Annual Meeting. And, of course, there are year-round opportunities to create and participate in FCIL-related webinars hosted by our very own FCIL-SIS Continuing Education Committee.

FCIL-SIS ELECTIONS

I’m pleased to announce that Hunter Whaley, lecturer in law and reference librarian at Columbia Law School, has accepted the nomination for the position of Vice-Chair/Chair-Elect. Jennifer Allison, our FCIL-SIS Secretary/Treasurer, will be providing more information about the upcoming March election through the Foreign, Comparative, and International Law SIS listserv via My Communities. Stay tuned and vote!

FCIL-SIS AWARDS

Have you, or an FCIL-SIS member you know, made a significant contribution to our profession this year? If so, please let us know! The Executive Committee needs your help identifying the folks who deserve these prestigious FCIL-SIS Awards:

The Daniel L. Wade FCIL-SIS Outstanding Service Award: honors a FCIL-SIS member who has made an outstanding contribution to our SIS in the areas of section activity and professional service.

continued on page 5
From the Chair continued from page 4

The Thomas H. Reynolds & Arturo A. Flores FCIL-SIS Publications Award honors a FCIL-SIS member who has greatly contributed to the professional development of their AALL colleagues during any given year. The winning “publications” may be print, digital, or electronic initiatives.

The Spirit of the FCIL-SIS Award honors a FCIL-SIS member whose work furthers our mission, serves the entire FCIL-SIS, and inspires others to act.

Nominations are due March 15, 2020, to any member of the Executive Committee: Loren Turner (lturner@umn.edu), Susan Gualtier (sgua@law.upenn.edu), Jennifer Allison (jallison@law.harvard.edu), or Catherine Deane (Catherine.deane@shearman.com). We look forward to hearing from you!

FCIL-SIS STRATEGIC PLAN FOR 2018-2021 UPDATE
As a reminder, the goals of our Strategic Plan for 2018-2021 are:

1. More Educational Webinars
2. Pre- or Post- AALL Annual Meeting Conference Programs
3. Updating FCIL-SIS Website Content

Thanks to the work of certain dedicated members (who shall be named!), we have met and continue to meet our goals.

Caitlin Hunter, inaugural Chair of our new Committee for Continuing Education, has continued to do a phenomenal job organizing and recruiting speakers for educational webinars on FCIL topics. In December 2019, FCIL-SIS members, Jessica Pierucci, Karina Condra, Heidi Frostestad Kneh, and Mike McArthur hosted a webinar on Cross-Border Cultural Competency: Teaching Foreign Law Students and Training International Lawyers. Follow the link to the webinar for access to the presentation and additional resources. If you have an idea for a webinar, please contact Caitlin at hunter@law.ucla.edu.

Additionally, as explained above, the FCIL-SIS is offering yet another pre-conference workshop for our members in New Orleans. A huge thank you goes to Susan Gualtier and Janet Kearney for their help in organizing the workshop, and to the following FCIL-SIS members who have accepted the invitation to share their expertise with us at the workshop: Jennifer Allison, Seth Brostoff, Katarina Daniels, Janet Kearney, and Marylin Raisch.

Lastly, Lucie Olejnikova continues to do an incredible job updating and maintaining the FCIL-SIS pages of the new AALL platform. Please reach out to Lucie to request any future updates or edits.

Helping Foreign Students continued from page 3

benefit from reviewing outlining and seeing clear examples of proper quotation and attribution.

Additionally, all of the panelists emphasized the immense value that foreign law students bring to classes. Although they may be new to U.S. law school, foreign students bring expertise in the laws and legal systems of their own countries. Most foreign students enjoy explaining how their own legal systems work and it’s easy to create opportunities for them to do so:

- Ask for volunteers to discuss how their countries’ laws and legal systems differ from the U.S. or to present on topics where they are experts. For example, in the midst of the U.S.-China trade war, one librarian was able to have a Chinese attorney present on Chinese trade and tariff law.
- Encourage students to work together in class by pairing LL.M.s and JDs on in class assignments, grouping students from a mix of jurisdictions to discuss how a topic differs in their jurisdictions, or assigning students from a mix of jurisdictions to practice groups or firms to complete assignments.

VOLUNTEER! JOIN AND/OR LEAD A COMMITTEE OR INTEREST GROUP!
I’d like to thank all of you who have taken on leadership roles in the FCIL-SIS Committees and Interest Groups. Your time and service is extremely valuable to our SIS. Thank you so much.

If you would like to join and/or lead a FCIL-SIS Committee or Interest Group, please let me know (lturner@umn.edu). And, of course, please contact any of us on the Executive Committee if you have ideas on how to improve our SIS. We would love to hear from you.

Last but not least, special thanks to our Newsletter Editor, Melissa Abernathy, and Copy Editor, Carmen Valero, for their excellent work on the FCIL Newsletter, which is the archive of our SIS. Melissa is always looking for submissions, so contact her to contribute: mabernathy@sandiego.edu.
Resource Reviews: HeinOnline’s Multinational Sources Combined

Sherry Xin Chen

INTRODUCTION
HeinOnline’s Multinational Sources Compared is a database based on three print publications in the field of comparative legal research:

- Multinational Sources Compared: A Subject and Jurisdiction Index (2017) by Alena L. Wolotira and Sherry L. Leysen

Functioning as a finding aid, the database quickly directs researchers to both online and print sources that compare multiple jurisdictions by subject.

HOW WELL-KNOWN IS THE SOURCE?
HeinOnline is a very well-known and well-used database in firm, government, and academic law libraries in the United States and abroad. Thanks to the quality of the print publications on which the database is based and a smooth print-to-digital transformation, the Multinational Sources Compared database, released by HeinOnline in 2017, is warmly received by librarians working in the foreign, comparative, and international law field.

HOW ACCESSIBLE IS IT?
HeinOnline is a subscription-only database. Various subscription options are offered. Based on its website, “Subscription prices are based on the size and type of your institution, and the length and content of a subscription.” The Multinational Sources Compared database is one of several a-la-carte libraries that can be added to a core subscription package to enhance and expand the value.

HOW COMPREHENSIVE & AUTHORITATIVE IS IT, IN TERMS OF ITS CONTENTS?
The database currently includes 280 subject headings and over 250 jurisdictions. New sources are added to those subject headings about three times a year. The newly added or updated subject headings include animal law, asylum, class action, data protection, social media, terrorism, etc. For each of the subject headings, both print and electronic sources are provided, including comparative law treatises, handbooks, and practice guides from well-known publishers (e.g., Edward Elgar, LexisNexis, Matthew Bender, Oxford University Press, Sweet & Maxwell, Thomson Reuters, and Wolters Kluwer). In addition to explanation and commentary about the law, those sources often provide the full text of—or citations to—primary law.

However, only bibliographic information of those sources are included in the database, not the full-text PDFs. With the bibliographic information in hand, researchers may look up the title of the source in a library catalogue and decide how to get it.

HOW EASY-TO-USE (USER-FRIENDLY) IS IT?
The database is straightforward and easy to use. Researchers have the option to browse by title, publisher, subject, or jurisdiction. The three print publications the database is based on are also provided. In addition to those four major fields, researchers also have the option to search in the fields of text, ISBN, format, and description. For each of the sources included in the database, detailed identifying information and description are provided.

HOW USEFUL IS IT IN TERMS OF ITS ABILITY TO ANSWER BOTH COMMON AND RARE (DIFFICULT-TO-FIND) QUESTIONS?
The subject headings and jurisdictions explored in this database cover a broad basis for comparative legal research. The sources selected for each subject or jurisdiction have been vetted by editors for their usefulness and comprehensiveness—they should help with both common and rare questions.

HOW CURRENT (UP-TO-DATE) IS IT?
The database is updated three times a year on a rolling basis. Sources included for each subject or jurisdiction have been either published or updated after 2011.
Resource Reviews: International Tribunals Archive (LOC)

INTRODUCTION
The International Tribunals Archive (ITA) (also known as the International Tribunals Web Archive) is a Library of Congress (LOC) collection of digitally archived websites with information about important post-WWII international tribunals. The ITA is one of hundreds of Digital Collections curated by the LOC, https://www.loc.gov/collections/.

HOW WELL-KNOWN IS THE SOURCE?
The LOC is well known as the largest library in the world with a vast array of resources, but this particular collection from the LOC does not appear to be as well known. Online searches for references to the collection, such as in research guides, show occasional mentions but nothing near that of widely known and discussed resources.

HOW ACCESSIBLE IS IT?
The ITA is freely available on the Library of Congress website: https://www.loc.gov/collections/international-tribunals-web-archive/

HOW COMPREHENSIVE & AUTHORITATIVE IS IT, IN TERMS OF ITS CONTENTS?
The ITA captures historical versions of 12 web sites. The archive appears to capture all pages of each site, providing a comprehensive site archive with each capture, but I only tested a random selection of links so results may vary. The amount of archival content varies by site. Some web sites have been captured over 100 times over the course of ten or more years, while others have only been captured a few dozen times in the last few years.

HOW EASY-TO-USE (USER-FRIENDLY) IS IT?
Given the small size of the collection, only 12 archived web sites, users can easily browse the list of items to see their options and choose a relevant site. For those wanting to narrow their options, there is a search bar and options to “Refine your results” on the left, but given the small size of the collection, and the similar metadata for each site, most refine options do not change the results list. Records provide descriptions for some, but not all, sites. The ITA is one of hundreds of LOC Digital Collections, https://www.loc.gov/collections/, so these search and browse features are more helpful when searching across collections.

Selecting an item record opens additional metadata for each site, including a link to “View Captures” and timespan of the captures, which varies by site. Records are generally easy to navigate.

Once users select “View Captures” to view an individual web site archive, the interface will be familiar and easy to navigate for anyone who has previously used the Internet Archive’s Wayback Machine. A header provides information about the version of the website currently in view and clicking links to other parts of the website will generally take the user to that part of the website, but external links, search boxes, and media content may not work as expected.

HOW USEFUL IS IT IN TERMS OF ITS ABILITY TO ANSWER BOTH COMMON AND RARE (DIFFICULT-TO-FIND) QUESTIONS?
The ITA serves a narrow purpose, providing archival access to a select group of web sites on post-WWII international tribunals, focusing on the International Criminal Court (ICC). Only a narrow set of research questions will require archival access to these resources as viewing the current version of each site will often provide the needed information. However, if a researcher needs to trace developments related to a tribunal or discussion about the tribunal over time through changes to a web site, or in the event that one or more of these web sites is removed from the web, the ITA would be invaluable for the researcher.

HOW CURRENT (UP-TO-DATE) IS IT?
The most recent website captures are from 2018. Any changes made to these web sites in the last year or so are not currently available through the archive.

Member Publications

Have you recently published an article or blog post? We would love to highlight it in our Recent Member Publications.

Send your information to Jingwei Zhang for the next issue.
Our SIS is fortunate to include in its ranks exceptionally talented and enthusiastic writers. With this feature, we are happy to spread the word of their recent publications.

**SPECTRUM**


**JOURNAL ARTICLES**

*International Journal of Legal Information*


**BOOK REVIEWS**

*Law Library Journal*


**BLOG POSTS**

*SLAW Blog*

- Lyonette Louis-Jacques, *Thanks for All the Fish*

*IALL Blog*

- Kristina J. Alayan, *Under Fire*
- Lesley Dingle, *Judge James Richard Crawford: an appreciation of his perspectives of international law*
- Julienne E. Grant, *¿Qué Bola?: What’s New (and What’s Not) in Cuba*

*DipLawMatic Dialogues*

- Amy Flick, *From the Reference Desk: Carbon Trading Data Sources*

**NEWSLETTER ARTICLES**

*ALL-SIS Newsletter*

- Benjamin J. Keele, *What are Small Copyright Claims?*

*Government Law Libraries SIS Newsletter*

- Malinda Muller, *Book Reviews—Resources on Interpersonal Relationships*

*Legal History & Rare Books SIS Newsletter*

- Susan deMaine & Benjamin J. Keele, *Digitizing the Indiana Code*
- Roy L. Sturgeon, *Visiting Nuremberg*

*Technical Services SIS Newsletter – Technical Service Law Librarian*

- George Prager, *International Law and Human Rights: K or KZ?*
Helping Foreign Students continued from page 5

- Encourage students to get to know each other outside of class, by introducing JDs and LL.M.s, encouraging JDs to attend LL.M. events, and encouraging LL.M.s to participate in student organizations and journals.

Seeing how attorneys from other countries perceive U.S. law allows U.S. students to recognize assumptions that they take for granted (such as the common law system) and helps them approach the law with an open mind. Ultimately, creating opportunities for foreign law students to share their knowledge and perspectives provides invaluable benefits to other foreign students and U.S. students alike.

A previous version of this recap appeared on the FCIL-SIS DipLawMatic Dialogues blog. The full webinar is available here.