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University of California Hastings College of the Law East Asian Law Program

Introduction

The rise of China and continued rapid growth across the Pacific Rim present both vast opportunities and new challenges for the legal profession and the world. Legal education in the 21st century must prepare law students to grasp these opportunities and meet these challenges. As a leading Pacific Rim law school, with historic strengths in the field of international and comparative law and an emphasis on global legal practice, University of California Hastings College of the Law has made East Asia an important part of its curriculum, planning and development. UC Hastings offers an East Asian Law Program designed to provide students with the knowledge, training, experience and contacts they need to understand core East Asian legal systems and take full advantage of growing career opportunities across the Pacific Rim.

Curriculum

UC Hastings offers four courses focused on the Chinese legal system. These courses include Introduction to Chinese Law (3 credit survey course), Legal Reform in East Asia (2 credit lecture course comparing legal transitions in mainland China, South Korea and Taiwan), China Business Law and Economic Rights (2 credit seminar), and China and the International Legal Order (2 credit seminar). UC Hastings offers two courses on Japan: Introduction to the Japanese Legal System (2 credit survey course) and Law and Business in Japan (2 credit seminar). In addition, UC Hastings offers courses on Comparative Law, International Business Transactions, Law and Development, Public International Law, International Trade Law and Policy, Comparative Constitutional Law, International Refugee Law, International Human Rights Law, International Criminal Law, International and Comparative Intellectual Property Law, Asian Pacific Americans and the Law, and other subjects that provide opportunities to explore issues related to East Asian legal systems and legal culture. Visiting scholars from East Asia may offer additional courses in their areas of specialty.

Key Faculty

Frank H. Wu, Chancellor and Dean. Chancellor and Dean Frank H. Wu is the first Chinese American dean of a California law school and only the second Chinese-American law school dean in United States history. He is the first Asian American to serve as dean at UC Hastings. Dean Wu previously taught for a decade at Howard University. He has also taught at the law schools of George Washington University, University of Maryland, Columbia University, and University of Michigan, and he served as dean of Wayne State University Law School in his hometown of Detroit. He has written extensively on Asian Americans and the Law, taught law at a Peking University program in Shenzhen, China, and received the 2008 Chang-Lin Tien Education Leadership Award from the Asian Pacific Fund. Dean Wu is a member of the Committee of 100, a national organization of citizens of Chinese descent who have distinguished themselves as leaders in their fields. He has made East Asia a core component of his plan for the long-term development of UC Hastings. He received his B.A. from the Johns Hopkins University and J.D. from the University of Michigan. He also completed the Management Development Program at the Harvard Graduate School of Education.

Joel Paul, Associate Dean for International and Graduate Programs. Professor Paul is the associate dean of International and Graduate Programs and is responsible for the law school's 16 foreign exchange programs, LL.M. program, summer programs and foreign visiting scholars program. He has taught at American University, University of Leiden, Yale University and the University of Connecticut. Professor Paul has advised the Clinton presidential campaign on trade policy, testified to Congress, and lectured or published in Japan, China and Europe. Prior to joining the faculty at UC Hastings, Professor Paul practiced law in the San Francisco office of Graham & James. Professor Paul holds a J.D. from Harvard University and a Master's degree from the Fletcher School of Law and Diplomacy. During 2011-2012, while Dean Paul is on leave, Dr. Christian E. Mammen will be serving as Acting Assistant Dean for International and Graduate Programs

Keith Hand, Associate Professor of Law. Prior to joining the UC Hastings faculty in 2009, Professor Hand was Beijing director, senior fellow, and lecturer-in-law at Yale Law School's China Law Center and visiting scholar at Peking University Law School. During his tenure with the Center, Professor Hand worked with leading Chinese courts, government agencies and academic institutions to design and implement cooperative legal reform projects in the areas of criminal justice, judicial reform and property law. Professor Hand served as editor-in-chief of the *Pacific Rim Law & Policy Journal* at the University of Washington School of Law. After graduating Order of the Coif in 2000, he worked as a corporate attorney with the New York office of Paul, Weiss, Rifkind, Wharton & Garrison, where his practice focused on mergers and acquisitions and private equity funds. He then served as senior counsel to the U.S. Congressional-Executive Commission on China. Professor Hand brings more than 18 years of professional experience in private practice, government, development and academia to his teaching and research at UC Hastings. In 2011, Professor Hand was named a Public Intellectuals Fellow at the National Committee on U.S.-China Relations. Professor Hand holds a J.D. and an M.A. in China Studies from the University of Washington.

Key Faculty, cont.

Setsuo Miyazawa, Visiting Professor of Law. Professor Setsuo Miyazawa is one of Japan's most distinguished legal scholars. He has visited UC Hastings regularly to teach courses on Japanese law and worked actively to develop UC Hastings' programs in Japan. Professor Miyazawa is a legal sociologist who has been a full-time faculty member at Hokkaido University, Kobe University, Waseda University, and Omiya Law School in Japan. He has also served as a visiting professor at the University of Washington, Harvard University, UC Berkeley and New York University. He is currently a professor of law at Aoyama Gakuin University Law School in central Tokyo. Professor Miyazawa has a wide range of teaching and research interests, including police and criminal justice, legal ethics and public interest lawyering, legal education and corporate legal practice. He has published or edited more than a dozen books in Japanese and English. He has been highly active in the promotion of judicial reform in Japan and is one of the most prominent proponents of the introduction of the American-style graduate professional law schools into Japan. He received his LL.B., LL.M. and S.J.D. from Hokkaido University and M.A., M.Phil. and Ph.D. in sociology from Yale University.

Eric Sibbitt, Adjunct Professor of Law. Professor Sibbitt is a partner in the San Francisco office of O'Melveny & Myers LLP and a member of the firm's corporate finance practice. He advises U.S. and foreign investment banks, private equity funds, and private and governmental issuers on a wide range of corporate finance transactions. He has experience in cross-border mergers, acquisitions, tender offers and joint ventures. Prior to joining O'Melveny & Myers, Professor Sibbitt practiced in New York and Tokyo with Sullivan & Cromwell LLP. He received his LL.M. from Kyushu University, J.D. from Harvard University and B.A. from UC Berkeley.

Ling Zhu, Adjunct Professor of Law. Professor Ling Zhu practiced in the areas of international law, mergers and acquisitions, and general corporate and commercial law with the U.S. and Chinese offices of international law firms (including Jones Day) for more than eight years. Professor Zhu authored the chapters on technology transfer and copyright law in the CCH Asia series on Chinese law, as well as numerous other articles on legal development in China. Before her career as an attorney, Professor Zhu taught at the college level and published both in the United States and China in the areas of language, translation and comparative literature. She received her J.D. with high distinction from the University of Iowa College of Law.

In addition, numerous UC Hastings faculty members have experience in or research interests related to East Asia. Representative examples include Professor Ugo Mattei, one of the world's leading comparative law scholars and co-editor of *Schlesinger's Comparative Law*, a casebook that breaks new ground in its treatment of China and other East Asian legal systems, and Professor William Dodge, who lived in Tianjin, China in the 1980s and teaches International Business Transactions.

Exchange Programs and Cooperative Relationships

Over the past three years, UC Hastings has established faculty and student exchange relationships with two of China's premier law schools, Peking University Law School and Shanghai Jiaotong University KoGuan School of Law. UC Hastings students may apply to spend a semester at either Peking University or Shanghai Jiaotong University in their second or third year. Exchange students at both institutions may take courses in either English or Chinese.

In Japan, UC Hastings has established a student exchange program with Waseda University Law School, one of Japan's leading law schools. UC Hastings also maintains faculty exchange relationships with Aoyama Gakuin University Law School, Hitotsubashi University Law School, and Doshisha University Law School.

UC Hastings is engaged in an exchange with the Intellectual Property Affairs Center at China's Ministry of Science and Technology (MOST). Professor Jeff Leftsin traveled to China in late 2010 to serve as an intellectual property expert at a MOST conference.

UC Hastings has established cooperative relationships with The Dui Hua Foundation, a San Francisco non-profit focused on promoting criminal justice reform in China, and China SF, a collaborative initiative operated by the San Francisco Center for Economic Development and the City of San Francisco to enhance business ties between San Francisco and China. UC Hastings is working with Dui Hua and China SF on programs related to juvenile justice reform and intellectual property in China.

Research Resources

The UC Hastings Law Library boasts a large and growing collection of books and research materials on East Asian legal systems. In addition, the Law Library maintains subscriptions to two of the largest electronic databases on Chinese law, LawInfoChina and iSinoLaw, giving researchers instant access to thousands of PRC laws, regulations, cases, journal articles and other research materials in both Chinese and English. The Law Library Website includes detailed research guides to Chinese and Japanese law.

UC Hastings is just steps from the San Francisco Public Library, which maintains a large collection of thousands of Asian-language books and periodicals and a broad selection of English-language titles on East Asia.

LL.M. Program in United States Legal Studies

UC Hastings attracts students from around the world to its vibrant and growing LL.M. program in United States Legal Studies. Typically, more than one-third of the students in the LL.M. program are from East Asia. LL.M. students take courses with regular J.D. students at UC Hastings and enrich the classroom with East Asian perspectives on legal and policy issues. UC Hastings students have opportunities to network and engage in discussion and collaborative research with these leading students and legal professionals from East Asia.

Career Development

UC Hastings faculty members and administrators work actively with the Office of Career & Professional Development and the Alumni Center to help students network, secure jobs and internships related to East Asia, and develop effective strategies for building Pacific Rim legal careers. Through this support network, UC Hastings has fostered a community in which students and alumni are enthusiastic about providing professional advice, contacts, and assistance to colleagues. In the summer of 2011, more than 15 UC Hastings students secured internships in East Asia.

UC Hastings students have undertaken internships or secured permanent employment at a wide range of leading private firms, government institutions and non-governmental organizations in East Asia. Recent examples include Baker & McKenzie (Hong Kong, Beijing), O'Melveny & Myers (Hong Kong), Lovells (Hong Kong), Civic Exchange (Hong Kong), Bryan Cave (Shanghai), MWE Partners (Shanghai), Alcatel-Lucent (Shanghai), Anderson & Anderson LLP (Guangzhou), Sheppard Mullin (Beijing), Davis Polk Wardwell (Beijing), Allen & Overy (Beijing), King & Wood (Beijing, Shanghai), Volkswagen China (Beijing), the Intellectual Property Affairs Center at the PRC Ministry of Science and Technology (Beijing), the Beijing Arbitration Commission, International Bridges to Justice (Beijing), Yulchon (Seoul), Kim & Chang (Seoul), the Constitutional Court of Korea (Seoul), Lee & Li (Taipei), Shearman & Sterling (Tokyo), BNG Advocates & Solicitors (Phnom Penh), and many other firms and institutions.

UC Hastings has established cooperative intern placement programs with the Beijing Arbitration Commission and the Beijing office of International Bridges to Justice, a non-governmental organization that promotes criminal justice reforms. Under these programs, UC Hastings students may apply for summer internships in their first or second summer. UC Hastings has also established a summer internship program with Yulchon, one of Korea's leading law firms. Students may apply to participate in this program during their first summer in law school.

UC Hastings faculty members maintain an Internet forum with regular news and information on employment and research opportunities in or related to East Asia. The Internet forum is open to all UC Hastings students, faculty and alumni, and currently includes more than 250 postings.

UC Hastings connects many students to alumni in leading law firms and institutions in the Pacific Rim through its widely recognized Alumni Mentor Program. Mentors are UC Hastings graduates who have volunteered to answer student questions, provide career-related advice, and help bridge the gap between the academic environment and the outside professional world.

Visitors and Public Events

UC Hastings regularly hosts visiting scholars and delegations, forums, and conferences focused on legal issues in East Asia. The following list includes representative examples from 2009 to 2012.

- Professor Wan Yong of the Shanghai Jiaotong University School of Law is visiting UC Hastings to co-teach a seminar on international and comparative intellectual property law and give lectures on China's legal system. Professor Wan is an expert in copyright law. (February – March 2012).
- UC Hastings hosted a visit by delegation of senior education officials and scholars from the university system of Taiwan. The delegation was led by the Minister of Cultural Affairs Ovid Jyh-Lang Tzeng and included delegates from National Central University, National Chiao Tung University, National Tsing Hua University and National Yang Ming University.
- Jenny Liu, partner in the Beijing office of Sheppard Mullin, held a forum with students on practicing law in China (January 2012).
- UC Hastings hosted a 2011 China Town Hall in cooperation with the National Committee on U.S.- China Relations in November 2011. The China Town Hall included a national interactive webcast with Dr. Zbigniew Brzezinski, Former National Security Advisor, and a local panel on Legal Dimensions of the U.S.-China Relationship. Local panelists include Chancellor and Dean Frank H. Wu, Associate Professor of Law Keith Hand, and Nicolas C. Howson, Professor of Law at the University of Michigan.
- UC Hastings hosted Jeff Layman, partner in the Beijing office of Baker Botts, for a forum on US-China cross border investment in the energy sector. Mr. Layman also discussed strategies for building a legal career in China (November 2011).
- The Career Office hosted a panel discussion on intellectual property careers in Asia. Panelists included Janet Xiao, partner in the Life Science Group at Morrison Foerster and Song Zhu, partner at Squire, Sanders (November 2011).
- Professor Keith Hand gave a lecture on constitutional dispute resolution in China. The Hastings International and Comparative Law Society sponsored the event (November 2011).
- Adjunct Professor Eric Sibbitt (also Partner at O'Melveny & Myers) and Professor Setsuo Miyazawa hosted an open forum titled "What Can American Lawyers Do in Tokyo?" (September 2011).
- Andrew Wei-Min Lee and Vivian Ying Yu Feng of the Beijing Leading Negotiation Institute gave a lecture on "What Chinese Characters Say About Chinese Attitudes Toward Negotiation" (September 2011).

Visitors and Public Events, cont.

- Professor Wu Shanshan of Yangtze University Law School is serving as a visiting scholar at UC Hastings and conducting research on evidence law and witness protection programs (September 2011 – May 2012).
- Professor Lin Xifen of Shanghai Jiaotong University Law School served as a visiting scholar at UC Hastings and conducted research on the exclusionary rule (July – September 2011).
- The Hastings International and Comparative Law Society hosted a campus-wide discussion on legal dimensions of the U.S.-China relationship led by Professors Keith Hand and William Dodge (April 2011).
- The Chinese Law and Culture Society at UC Hastings hosted a panel and reception on law and practice in China. Panelists included Howard Chen, partner at K&L Gates; Linda Zhou, managing associate at Orrick; and Yue Zhu, Associate at Morgan Lewis (March 2011).
- UC Hastings hosted Justice Kong Xiangjun of China's Supreme People's Court for a campus visit. Justice Kong heads the SPC Intellectual Property Tribunal and held exchanges with UC Hastings faculty on intellectual property issues in the United States and China (March 2011).
- Kim Jinhan, Research Judge at the Constitutional Court of Korea, gave a campus-wide lecture at UC Hastings on the Court and its role in Korea's transition (January 2011).
- UC Hastings hosted a visit by a delegation of judges from China's Supreme People's Court. The judges met with UC Hastings scholars and San Francisco officials to discuss the subject of government torts (November 2010).
- UC Hastings co-sponsored a conference on "Protecting Intellectual Property in China" (November 2010).
- The Japanese Law Society at UC Hastings hosted a lecture on "Japanese Law—The Current State" by Professor Setsuo Miyazawa (September 2010).
- UC Hastings hosted a visit by Masa Omura, former Dean of Chuo University Law School, to work with Professor Richard Marcus on a book on civil procedure (Fall 2010).
- The *Hastings Business Law Journal* sponsored a one-day symposium on "Law, Business, and Development in China's Booming Economy" (April 2010).
- UC Hastings hosted a forum on exploring legal careers in Japan led by Keith Suzuka (84), head foreign attorney with Nagashima Ohno & Tsunematsu's Tokyo office.

Visitors and Public Events, cont.

- Wang Hongsong, Secretary-General of the Beijing Arbitration Commission, visited UC Hastings with a delegation of Commission staff and engaged in exchanges with UC Hastings faculty (September 2009).
- Professor Guo Zhiyuan of the Chinese University of Politics and Law in Beijing gave a lecture at UC Hastings on the death penalty in China (September 2009).
- UC Hastings Professor Keith Hand gave a lecture on China's legal reforms at the San Francisco office of K&L Gates (June 2009). The lecture was open to UC Hastings students and alumni.
- UC Hastings hosted a panel on mergers and acquisitions in Japan. Panelists included Professor William Dodge; Adjunct Professor Eric Sibbitt (also partner at O'Melveny & Myers); Michael O'Bryan, partner at Morrison Foerster; and Yoshinobu Mitzutani, associate at Morrison Foerster (April 2009).
- Professor Tong Zhiwei of the East China University of Politics and Law gave a lecture on constitutional reform in China (February 2009).
- Professor Zhang Xiaoqiang of Southwest University of Political Science and Law in Chongqing, China served a visiting scholar at UC Hastings and focused on intellectual property law (2009).
- Professor Sui Jun of Northeast University in Shenyang served as a visiting scholar at UC Hastings and led classes on contract law in China (2008–2009).

Student Organizations

Numerous student organizations provide forums through which UC Hastings students may meet and interact with classmates interested in East Asia. Examples include the Chinese Law and Culture Society, the Japanese Law Society, the Asian Pacific American Law Students Association, the Korean American Law Students Association, the Pilipino-American Law Society, and the Vietnamese-American Law Society. These organizations hold regular social, academic, and professional networking events for students interested in East Asian legal systems. Student-run journals, including the *Hastings International and Comparative Law Review* and the *Hastings Business Law Journal*, hold symposia and publish academic articles and student notes on East Asian legal systems. The Hastings International and Comparative Law Society also holds events related to East Asia.

Community Resources

The San Francisco Bay Area is home to the largest and most vibrant Asian-American community in the United States. Students living in the Bay Area have access to numerous free and fee-based Mandarin, Cantonese, Japanese and Korean television channels and radio stations. San Francisco's Chinatown, Japantown and Little Saigon are just a few minutes from campus by foot, bus or subway. Many employers, legal clinics and civic organizations based in San Francisco hold events on East Asia and provide opportunities to interact with East Asian clients and counterparts. Representative examples include ChinaSF, the Asia Foundation, the Dui Hua Foundation, the Asian Law Caucus, the Asia Society, the Chinese Culture Center of San Francisco, and the California Asia Business Council. UC Hastings is working with many of these organizations on cooperative projects, initiatives, and events.