

Peking University Exchange Fall 2016

In fall 2016, I participated in the Hastings semester exchange program at Peking University Law School. I thoroughly enjoyed my experience and write this travel report to bestow some words of wisdom for any law student interested in pursuing the opportunity.

I. Pre-Arrival Preparations

Before embarking on your journey to Beijing there are some things to keep in mind. Apply for your student VISA as soon as you receive the invitation letter from Peking University so that you can have plenty of time to purchase your flight. Also, I would recommend purchasing a one-way ticket because you will not know your finals schedule until you arrive in Beijing. If you are set on returning to the states just in time for the holidays though it is possible to arrange your schedule to facilitate that process. Another tip is to constantly keep in touch with the Peking University international students coordinator about any materials that Peking requires prior to your arrival. The coordinator was very responsive via email, phone and Wechat, which made the arrival process run smoothly.

II. Arrival and Settling in

A. Housing

The PKU international office was helpful in terms of providing resources to facilitate my housing search. The university provides on-campus housing for international students but you can also choose to live off campus. If you choose the latter, be prepared to search for housing after arrival. It is not recommended to secure an apartment in Beijing prior to arrival because sometimes the online photos may not be reflective of what you will find when you arrive. I recommend the following sites for apartment hunting in Beijing:

Thebeijinger.com, Cityweekend.com. I used Beijingbuddy.com. Beijingbuddy provides you with a housing agent who will guide you through the housing search, for a fee. The agent will then help you with moving in and with moving out procedures. Also, if you have never lived in Beijing and want to live off campus, be prepared to provide up to four months worth of rent upfront. Most landlords prefer this to secure the place. This may be different if you sublet.

B. Course Selection and Orientation

The orientation process was short but it was also somewhat complicated. The international office at PKU provided us with two sheets to list the courses we were interested in taking. One sheet was for law courses and the other for undergraduate courses. However, given that we were exchange students or LLM students, the expectation was to sign up for law courses. The courses offered in the fall of 2016 were: Constitutional & Administrative Law, Chinese Company Law, Legal Chinese, Chinese Civil Law, Chinese Criminal Law and Chinese Judicial Systems. PKU also provides Chinese language courses but one is not able to receive credit from Hastings. You should know that all of the required courses are taught in English and you can take enough to meet the 12-unit maximum that Hastings sets for students who study abroad. If your Chinese is advanced enough you can also sign up to take law classes in Chinese. I opted to do so and it really heightened my understanding of how Chinese law is taught to future Chinese attorneys. Such an experience was invaluable. An additional aspect of the orientation process was signing up for a student ID card, health insurance and school internet. I would not miss orientation because then it will be difficult to do all of the aforementioned steps on your own. We were also matched with a PKU student buddy.

My buddy was extremely helpful when it came to settling in and learning about law in [REDACTED]  
China.

### III. On The Ground in Beijing

One of the most rewarding aspects of my study abroad experience was the chance to meet and interact with law students from across China and around the world. The conversations outside of the classroom truly enriched my learning. PKU also organized visits to courts, Chinese law firms and government agencies, which really put our learning into practice. I would not worry too much about spending hours in your dorm room studying when the real learning is out in the field. The examinations, which will be discussed more in-depth in the next section, are straightforward and the TAs are helpful in terms of helping you understand any concepts. I would say take advantage, get out and network while there!

### IV. Exam and Departure Protocol

The final exams vary depending on the course. My exams consisted of take-home papers and one in-class essay exam. The exams were also scheduled at the end of December so if you are planning to return home earlier than that then plan accordingly. Most professors are flexible with the deadline. Upon leaving, do not forget to make sure that your transcripts will be sent to the appropriate office at Hastings.

Lastly, be sure to treasure every moment. Studying abroad while in law school was one of the best decisions I could have made. Reflecting on the experience, I not only grew as a scholar but as a professional. Good luck as you choose where to spend your semester and enjoy yourself!

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## **Travel Report: Peking University, Fall 2014**

### **Before Studying Abroad:**

After being accepted by UC Hastings to study abroad at Peking University there is another application to be filled out and sent to Peking University before placement is secured. This process was not detailed out by UC Hastings so can be confusing but students seeking to study abroad at Peking University should take caution. Also students must also obtain a visa to study in China. The visa that is issued for studying abroad will only allow students for a single entry; this means that students will only be allowed into China and will not be able to travel out without submitting for a different visa once in China.

Before going to Beijing another matter that students should take care is housing. The school does not offer student housing. If there are available spaces then the school will reach out to exchange students. However most exchange students do not prefer living on campus due to the quality of the housing options. Most exchange students were able to find fellow students to live with through email exchanges and the services provided by Beijingbuddy.com.

### **Studying at Peking University:**

Studying at Peking University is a much different experience than the experience at UC Hastings. Exchange students are placed in the LLM program with other foreign students. While being enrolled in the LLM program, exchange students are limited in the amount of credits that can be taken for the semester. Exchange students are limited to 12 credits. The registrar office at the law school is willing to make adjustments but would prefer students to limit class load to only 12 credits. If a student does not care about the credits and is willing to audit a class, the professors are more than willing to accept the students to sit in on the class.

The classes offered in the fall semester are similar to the 1L classes for the Chinese legal education. I had taken four courses that included: constitutional law, criminal law, civil law, and company law. These four courses amounted to 12 credits and gave the foundation of the Chinese legal system. Beyond the four courses were a more practical course called Fieldwork that entailed trips to different governmental legal agencies and law firms to understand how the Chinese legal system differed from the US. The courses were more in depth than the Introduction to the Chinese Legal System taught at UC Hastings. However the Introduction to the Chinese Legal System course had provided me the ability to better understand the classes. Therefore I would recommend taking the course before choosing to study at Peking University.

The program at Peking University is well structured but disorganized in execution. The classes taught in the LLM course are staffed with some of the best professors at Peking University's law school. An issue that I had was with the organization of the program. The staff in the law school is very helpful and willing to help but may not provide all the information that is needed to study at Peking University from the beginning. This problem may have been an issue for me because I did not speak Chinese but I found that many of my fellow classmates were also confused on how classes were going to be taught and even where the classrooms were. Nonetheless, once I was able to figure things out with the help of the school administration and fellow classmates, there were no real other problems during my exchange.

### **Life in Beijing:**

Before leaving for China many people had "warned" me about living in Beijing. Some of the "warnings" are true but I found that life in Beijing was not very difficult. The smog is truly as

bad as the rumors. This is something that students must consider because it can be difficult to adapt to. Many students wear mask that filter the pollution but I found that I was able to deal with the smog relatively well without a mask.

Near Peking University is a district called Wudaokou where I had chosen to live. The area is filled with foreign students and has plenty of foreign restaurants for those who got home sick. The area also contained close grocery markets to get whatever I needed and had a mall when I needed stuff. The area is known for higher rent than other areas but I found my rent in a nicer apartment to be roughly \$600 per a month. The contracts will usually be for 6 months but Beijing Buddy was able to accommodate exchange students.

Beijing is a fun city with a lot to explore. For those who are in Beijing for the first time will find a lot of places for sight-seeing and many of China's major tourist spots within or near Beijing. Another benefit to living in Beijing is that students are able to travel to other parts of China by train and planes. During my time in China there were quite a few holidays that allowed for me to travel. Taking the train was very cheap and allowed me to travel without too much burden. So for those who want to see other parts of China, studying at Peking University is a good option.

There are very few western trained lawyers with any genuine understanding of Chinese law, history and culture and by studying at Beida, one can begin to gain an understanding of China's past and to learn about the development of law and the increasingly important role that law will play in shaping China's future. To those considering doing the exchange at Peking University, I wholeheartedly recommend the course to you and wish you all much success in the future.

Established in 1898 as the oldest law school in China, Peking University enjoys the reputation of being the number one university in a country of 1.3 billion people. In the unprecedented process of globalization, Chinese law becomes a necessary knowledge and instrument for those who have business, cultural, academic and political encounters with China. To meet the increasing demand for understanding Chinese legal system. The curriculum at Beida covers the major fields of Chinese law. The program offers both unique insights in Chinese legal system and exciting experience in China. The best way of studying the legal system of a foreign country is to stay and live in the society while studying the rules and legal operations in that society. Therefore, this LL.M. Program does not only provide all courses and materials in English, but also the unique opportunity to get insight views of Chinese legal system and the society through close contacts with Chinese students, legal professionals and common people.

Many of the teachers there have lived and studied overseas, so they had a good understanding of what I wanted to get out of my time at Beijing. They were also very helpful and generous with their time. Moreover, classmates from many different countries and backgrounds formed a diverse and cosmopolitan study body within a supportive environment. One of the many advantages I gained during my time there was the new friendships and professional

contacts I made. The exchange program has not only opened many professional doors for me, perhaps more importantly it has resulted in binding friendships and relationships that I truly value and which I am sure will continue to grow and deepen over the rest of my life. The exchange program has been invaluable both in terms of providing a solid foundation in Chinese law, but also in developing a network of leading Chinese academics and practitioners that I can call upon to discuss issues of Chinese law when I need to. Besides the obvious academic benefits of the program, spending time in Beijing provides one with the opportunity to learn more about China's history, culture and its people. Trying to develop an understanding of Chinese law without the necessary context provided by these other fundamental aspects of Chinese society would be almost impossible; such context can really only be understood and appreciated by spending time in China.

The philosophy behind the content of the program is two-fold. First, it conveys some of the underlying cultural and social underpinnings of the Chinese legal system. Subjects such as Chinese Judicial Systems and General Information of China explore Chinese culture through a legal lens. Second, the program delivers knowledge about the modern Chinese commercial legal regime through subjects like Company Law, Civil Law, Civil and Commercial Dispute Resolution and Intellectual Property. The teaching faculties have excellent backgrounds in academic research and teaching, with most having experience at some of the world's other leading universities such as the law schools at Harvard, Oxford, Yale, Cambridge and Berkeley. The faculty possess a deep understanding of both Western and Chinese legal cultures and are well prepared to lead discussion about not only China's legal system but of legal systems around the world. Class size is also intentionally restricted to no more than twenty with the expectation

that faculty and students engage in spirited and active interaction. We wish to give our students every opportunity to share with China's top legal minds in a very small group environment.

## Study Abroad Reflection

In the Fall of 2011 I participated in the UC Hastings-Beijing University Law School Exchange Program. I departed for Beijing from San Francisco in mid-August and lived and studied in Beijing for four months until the end of December. While at Beijing University, also known as *Beida*, I received instruction in several fields of Chinese law from a number of extremely accomplished and well respected Chinese legal scholars. The language of instruction was English. The classes that we took largely mirrored the Chinese domestic equivalent of an American 1L course load. The subjects of study included Constitutional Law, Administrative Law, Civil Law, Company Law, and Criminal Law. I was also fortunate to get Beida to agree to allow me to take a language course in Mandarin Chinese . This turned out to be an invaluable tool for helping me to improve the quality of my written and spoken Chinese while in Beijing.

The students in the Beida international legal exchange program represented a diverse array of nationalities. We studied alongside law students and legal professionals from Canada, Japan, France, Germany, Korea, the UK, and more. Indeed, the diverse and individually accomplished pool of fellow students that we were introduced to ended up being one of the most enriching aspects of the entire experience.

It was a very special thing to be able to spend time studying at Beijing University. The institution is the oldest of its kind in China and the country's most prestigious academic institution by far. Since its founding it has played a considerable role in the course of recent Chinese history and has produced a number of major historical and national figures. The Beijing University Law School is a font of pioneering and often iconoclastic legal scholarship and a number of the professors we had the opportunity to study under are deeply involved, at a national

level, in the wave of legal reform that China is currently undergoing. The name *Beida* appears to carry considerable weight among the Chinese people. It is the ultimate academic destination for the ambitious parents of Chinese students all over the country. Association with Beijing University, or the equally prestigious neighboring Tsinghua University, carries enormous cache within professional and academic circles in China.

The city of Beijing is absolutely exploding in size and density. The already considerable subway system is in the process of doubling. The roads and highways teem with millions of careening automobiles and gasoline powered scooters. Construction is a twenty-four hour a day enterprise and the whole city seems to vibrate a rolling boil of economic activity. Whole sections of the city are leveled and rebuilt in record time; it is constantly reinventing itself. At the same time the city of Beijing is literally choking under a nearly unfathomable miasma of corrosive smog that blocks the sun and the sky, occasionally shuts down the highways and airports, deposits a layer of soot on every surface and plagues the health and wellbeing of the people. The seemingly unlimited destructive potential of the human civilization has never been on greater display than in the urban centers of modern China. The city of Beijing is one of the great epicenters of human activity in the modern world, and it is simultaneously fascinating and terrifying in its proportions.

Regarding my overall impressions of the UC Hastings-Beijing University Legal Exchange Program—The Chinese certainly run their universities and their law schools differently than we do here. Even at their top university it frequently seemed like elements of the program were somewhat haphazardly thrown together at the last second. The quality of the instruction was good and the professors are a great research, especially in a one-on-one setting. But they were also occasionally held back by a fluency in the English language that sometimes

made it difficult for them to be as engaging as were are used to here at Hastings. Altogether I am happy with my choice to participate in this program. I learned about China, about Beijing, about their legal system, their language and their people and I had a great experience as well.

Fall 2011

Study Abroad Experience

I spent the Fall 2011 semester at Beida. For the most part, it was a positive experience and I am very grateful to have been given the opportunity to study abroad in China, however, there were a few aspects of the program itself and Beijing in general that detracted from the overall experience.

Generally, Beida's classes and professors were pretty good. Many of the professors in the program are very well respected within their fields and are exceptional teachers. In particular, the Chinese Company Law, Administrative Law, and Criminal Law/Criminal Procedure Law professors were excellent, and the Chinese Constitutional Law and Civil Law professors were not bad either. The classes were informative, well structured, and I learned a great deal about many subjects that I am genuinely interested in. The class schedule was also well designed to give us ample opportunity to study and travel.

The administration, however, was so disorganized that it severely diminished my perceived value of the program. And while I was warned about this to a degree prior to going to Beijing, I felt that the warning I received was inadequate in relation to the level of disorganization. The administration was generally unhelpful, resulting in countless hours wasted running around trying to register for and find classes, a process that by now, after years of providing this Exchange/LLM program, should not have been the case. All field trips organized by the administration, including a trip to a law firm, a park and a customs inspection bureau in Beijing, were put together in a haphazard way with (seemingly) little effort on the part of the school, almost as if the administration really did not care about how the students perceived the program or what the students learned from the experience. Worst of all, apparently, there were

many speakers that came to PKU Law School to give presentations and talks throughout the semester that the administration did not feel was noteworthy enough to inform the Exchange / LLM students about. All of this was truly disappointing, not only to myself, but to most of the other students in the program as well.

Beijing is also not the most pleasant of cities in China. While I had been there in years past and was prepared for the sprawl, I was unprepared for the depressing effect that the pollution, which has gotten so bad recently that it felt almost toxic, would have on me. That being said, I did manage to enjoy most of my time in Beijing and am grateful for the opportunity I was given to focus my studies in an area of law that I hope to practice in and be in a position to improve my Chinese language abilities during a semester in law school, as well as meet and develop connections with potential future colleagues that share my interests and career goals.

I learned a great deal during my semester in China, and while much of what I described above as my “experience” may sound rather negative, and I certainly could have benefited from more preparation of what to expect, I did find the semester abroad to be a positive experience in many ways.