# COMPARATIVE EUROPEAN AND AMERICAN LAW

# (LAW 639)

**Summer 2014 – Prof. Brant, Prof. Leonard, Dr. Mühlemann, & Dr. von Wunschheim**

**Tentative Syllabus and Synopsis of Course**

This offering of Law 639 provides an introduction to Chinese Law and International Commercial Arbitration.

**Schedule**

*Week One: Chinese Law*

May 13

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| 10:00 – 11:00: | Introduction to the Joint Offering |

May 14

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| 9:15 – 12:05: | Introduction to China and its Legal Culture |
| 1:15 – 3:05: | PRC Constitutional Law |

May 15

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| 9:15 – 12:05: | PRC Criminal Law |
| 1:15 – 3:05: | Civil Law in the PRC |

May 16

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| 10:15 – 12:05: | The Republic of China's Legal Culture |
| 1:15 – 3:05: | Thoughts about the Future in the Formosa Straits. |

*Week Two: International Commercial Arbitration*

May 19

10:00 - Noon: International Commercial Arbitration

1:30 – 2:30: International Commercial Arbitration

May 20

10:00 - Noon: International Commercial Arbitration

May 21

10:00 - Noon: International Commercial Arbitration

1:30 – 2:30: International Commercial Arbitration

May 22

10:00 – Noon: Arbitrating with Chinese Parties

1:30 – 3:30: Enforcement of Arbitral Awards in China

**Learning objectives**

Students should: 1) acquire a basic understanding of the Chinese legal system; 2) develop a basic understanding of the goals of international commercial arbitration; 3) be able to draft a simple arbitration agreement or clause that is appropriate to a client's situation; 4) have an understanding of the arbitration environment in the People's Republic of China.

**Readings**

Dr. Mühlemann (Chinese Law) and Dr. von Wunschheim (Arbitration in China) will supply presentations and materials for their parts of the course. Professors Leonard and Brant recommend that you review any of the following introductory texts in international arbitration:

Latham and Watkins, *2013 Guide to International Arbitration*

http://www.lw.com/thoughtLeadership/guide-to-international-arbitration-2013

Clayton Utz, *A Guide to International Arbitration*

http://www.claytonutz.com/docs/Guide%20to%20IA_2012.pdf

*Federal Judicial Center, International Commercial Arbitration: A Guide for U.S. Judges (2013)*

http://www.fjc.gov/public/pdf.nsf/lookup/strongarbit.pdf/$file/strongarbit.pdf

## Evaluation

Final grades for this course will be based on a take home exam.