

American Bar Associated Mandated Disclosures
Santa Clara University School of Law
2017 Summer Abroad Program in Oxford

The following disclosures are made pursuant to Part I.E. and II.E. of the 2016-17 American Bar Association [Criteria for Approval of Foreign Summer and Intersession Programs Offered by ABA-Approved Law Schools in a Location Outside the United States](#).

Part I.E. Disclosures

1. Housing check in begins on Wednesday, June 28, 2017. The program begins on Thursday, June 29, 2017 and ends on Friday, July 28, 2017. The program is housed at Magdalen College, Oxford, United Kingdom. Anticipated enrollment in the program is 15-20 students. The program consists of tutorials in selected law subjects (three units) and a seminar in selected topics (two units). For details concerning the tutorials and the seminar, see item 3 below.

2. Santa Clara University School of Law has maintained a longstanding personal relationship with two law fellows of Magdalen College and with administrative and support staff of Magdalen College. Magdalen College furnishes housing and breakfast for students and the director and a variety of support services for students and the director (internet access, laundry facilities, housekeeping, security, mail, duplicating facilities, reception). There is no further relationship between Santa Clara University School of Law and Magdalen College.

3. Program description

A. Tutorials (three units)

The tutorial portion of the program is conducted in the traditional Oxford tutorial manner. When registering for the program, a student chooses from among a variety of legal subjects to study under the supervision of a tutor. For each of the five weeks of the program a tutor in that subject (the equivalent of a United States law school professor and typically referred to as a “don” or a “fellow” of Oxford University) provides the student with an extensive bibliography of readings and assigns a topic for a written essay based on the readings. Tutors generally expect an essay of 1,500-2,000 words. Toward the end of each week, or at other times mutually agreed upon between student and tutor, the student meets with the tutor for an hour and fifteen minutes. Some tutors prefer meeting with a pair of students at the same time; such tutorial meetings are two hours long. Tutors ask that each student present and defend his or her essay and discussion of the topic ensues between tutor and student.

The 2017 program offers tutorials in the following subjects:

1. International Criminal Law

This tutorial traces the historical origins of international criminal law and its sources, and its development through the jurisprudence and practice of various international criminal tribunals,

from Nuremberg to the International Criminal Court in The Hague. The tutorial introduces students to the nature of the principal international crimes (genocide, war crimes, crimes against humanity), as well as forms of criminal participation and individual criminal responsibility.

Tutor: Susan Lamb

2. Transitional Justice

This tutorial explores various types of justice initiatives available to societies emerging from armed conflict or authoritarian regimes, seeking to redress historic injustices or to achieve national reconciliation. It studies responses such as truth and reconciliation commissions, commissions of enquiry, initiatives aimed at memorialization, and critically examines the supposed tension between peace and justice. It also examines mechanisms designed to ensure that the impact and legacy of international criminal tribunals extend beyond the relatively few cases these tribunals can themselves adjudicate and the extent to which these can instead inspire local justice responses or contribute to the reinvigoration of national justice systems affected by armed conflict or suffering from other systemic weaknesses.

Tutor: Susan Lamb

3. Comparative Constitutional Law

This tutorial covers topics and issues in comparative constitutional law, most likely chosen from the following: separation of powers, constitutional judicial review, federalism, the conduct of politics, including referenda, constituency/districting formation, limitations on campaign expenditures, electoral systems, and entitlement to vote.

Tutor: Laurence Lustgarten

4. Comparative Property Law

This tutorial will explore similarities and differences between the law of real property in England and that of the U.S.

Tutor: Roger Smith

5. Comparative Tort Law

This tutorial will explore similarities and differences between the tort law of England and that of the U.S.

Tutor: Roger Smith

6. Law of Armed Conflict

This tutorial examines a range of topics within this major area of international law, including

the rules as to how warfare is to be conducted, the displacement of persons during armed conflict, and the legal protections for injured or captured combatants and civilians.

Tutor: Ruvi Ziegler

7. International Refugee Law

This tutorial explores a major area of public international law that regulates an exception to the principles of state sovereignty and migration control. It offers a critical understanding of the international regime of refugee protection by highlighting its virtues and shortcomings.

Tutor: Ruvi Ziegler

8. Environmental Law

This tutorial will introduce the legal, economic and social context of environmental regulation. No prior knowledge of U.S. environmental law is required, although students with past experience are welcome. During the tutorial, we will discuss: General theoretical approaches to environmental law, the structure of environmental law within the European Union – highlighting differences and similarities with the United States when relevant; and, a case study of the issue of fuel poverty that illustrates the intersection of environmental, economic and social problems on which environmental law functions

Tutor: Josephine van Zeben

9. Jurisprudence

This tutorial will explore several topics in jurisprudence. Past offerings of the tutorial have considered the following topics: the enforcement of morality; natural law; Hartian Positivism; the contributions of Ronald Dworkin; authority, obligation to obey the law, and civil disobedience. Tutor: Peter Mirfield.

10. European Union Law

This tutorial will introduce the student to fundamental principles and structures of European Union Law. Tutor: Jeremias Prassl.

B. Seminar (two units)

The seminar consists of six lectures plus three field trips.

The lectures cover the following topics: an introduction to English land law (Roger Smith), the nature of parliamentary sovereignty in the United Kingdom (Peter Mirfield), deconstructing environmental law (Liz Fisher), the privacy tort in the United Kingdom (Roderick Bagshaw), transitional justice (Susan Lamb), European employment law applied to the “gig” economy

(Jeremias Prassl).

The field trips, accompanied by expert commentary, expose the student to the world famous Bodleian Library in Oxford, the Oxford criminal court, and legal institutions in London (the U.K. Supreme Court, the Royal Courts of Justice, the Old Bailey, an Inn of Court, the Bar Council). No advance preparation is required for the lectures or the field trips, but students are required to submit a paper exploring in greater depth one of the subjects treated in one of the five lectures. The paper is due four weeks after the program ends.

4. Students meet with tutors at times mutually agreed with the tutors. See item 3.A. above.

Each lecture is presented in a designated room at Magdalen College. Lectures are currently scheduled for Thursday, June 29, 2017, from 10:00 a.m. – 12:15 p.m., Monday, July 3, 10, 17, and 24, 2017, from 4:45 – 7:15 p.m. The date and time of the sixth lecture is yet to be scheduled.

5. Students earn three units for successful completion of the tutorials, at the end of which the tutor assigns a letter grade based on the written essays and performance during the tutorial sessions.

Students earn two units for successful completion of the seminar. One of the co-directors of the program, law professors at Santa Clara University School of Law, will read, evaluate, and assign a grade to the paper that, together with attendance at the lectures and field trips, will determine the student's grade for the seminar. Missing any of the lectures or missing a field trip will adversely affect the grade.

6. Tutorial enrollment is limited to four students per tutor. Seminar enrollment is limited to 35 students. There are no prerequisites for either portion of the program.

7. Professors Gary Neustadter and Patty Rauch will serve as co-directors of the program. They have served in this capacity on five previous occasions.

Professor Neustadter obtained his BA degree from UCLA in 1968 and his JD from UCLA School of Law in 1971. He is a member in good standing of the California state bar. He practiced commercial litigation in Los Angeles until 1974. He has taught continuously at Santa Clara University School of Law since August 1975 and is a full-time tenured professor of law. He has served as Associate Dean for Academic Affairs of the Law School, Chair of the Law School's Admissions Committee, President of the University Faculty Senate, and Chair of the University's Athletics Advisory Board. He teaches Contracts (for which he has authored his own electronic book), Bankruptcy, and Secured Credit, and has served as a clinical supervising

lawyer at the Law School's Alexander Law Center. His scholarship focuses on consumer bankruptcy law.

Professor Rauch obtained her B.A. degree from St. Louis University in 1969, her Master's Degree from Southern Illinois University at Carbondale in 1971, and her JD degree from Santa Clara University School of Law in 1987. Thereafter she taught Legal Research, Writing, and Analysis, and Appellate Advocacy, for over twenty years as a clinical professor of law. She continues to teach Legal Research, Writing, and Analysis as a lecturer in law.

8. The following faculty will be serve as tutors, lecturers, or in some instances both.

Roderick Bagshaw is fellow and tutor in law at Magdalen College and a Lecturer in the Faculty of Law. He teaches courses in Administrative Law, Constitutional Law, Tort Law, and Evidence. He was formerly on the Executive Committee of the Society of Legal Scholars and the Convener of the Society's Tort Law Subject Section. He is the co-author of McBride and Bagshaw, Tort Law (3rd ed. 2008), and a contributor to Phipson on Evidence and Butterworths Common Law Series: Tort.

Liz Fisher is a Reader in Environmental Law at Corpus Christi College of Oxford University and a lecturer in the faculty of law. She received her B.A. and L.L.B. from the University of New South Wales and her D Phil from Oxford University. Her scholarly pursuits are in the areas of environmental law, risk regulation, and administrative law. Her 2007 book, Risk Regulation and Administrative Constitutionalism, won the SLS Peter Birks Prize for Outstanding Legal Scholarship. She won an Oxford University Teaching Award in 2009 and was short listed for Oxford University Press National Law Teacher of the Year Award 2011. She also sits on the Editorial Board of the Journal of Environmental Law and the Editorial Committee of the Modern Law Review (the latter as co-editor of the Legislation Section).

Susan Lamb is a Professor, Vice Dean and Executive Director of the Centre for International Criminal Justice and International Humanitarian Law at the Jindal Global Law School in India. Prior to joining the JGLS, she had a 17 year career with various United Nations responses to atrocity crimes, serving as a Senior Legal Officer for the United Nations Assistance to the Khmer Rouge trials in Phnom Penh, Cambodia, as Chef de Cabinet for the United Nations International Criminal Tribunal for Rwanda, Tanzania and in various capacities for the the United Nations International Criminal Tribunal for the former Yugoslavia in The Hague, Netherlands. She received her Bachelor of Arts and Bachelor of Law degrees from the University of Otago in Dunedin, New Zealand and undertook doctoral studies at Balliol College, Oxford in the mid 1990s as a Rhodes Scholar. She is admitted as a barrister and solicitor of the High Court of New Zealand.

Laurence Lustgarten is a Visiting Fellow at the Oxford Institute for Ethics, Law and Armed Conflict. He was a Professor Law at the University of Southampton and Warwick Law School, Queen's University.

Peter Mirfield is Sir David Lewis Fellow and Tutor in Law at Jesus College, Oxford. He received his M.A. and B.C.L. from Oxford. His teaching and research interests include constitutional law, criminal law, evidence and jurisprudence. He has also a former practicing barrister and has taught in the United States, including at Florida State and Santa Clara School of Law. He currently serves as editor of the Law Quarterly Review, a peer reviewed journal covering common law throughout the world.

Jeremias Prassl is an Associate Professor of Law at Magdalen College, Oxford. Prior to his election to a fellowship at Magdalen, he was a Supernumerary Fellow at St. John's College Oxford and a Stipendiary Lecturer at Jesus College, Oxford. He has held visiting research or lecturing positions at Columbia Law School, New York, the Max Planck Institute, Hamburg, and University College, London. Since 2014 he has also been a Research Fellow at the Faculty's Institute for European and Comparative Law. He teaches Constitutional Law, EU Law, Labour Law, and Corporate Law.

Roger J. Smith is a member of the Oxford faculty of law and a fellow of Magdalen College, Oxford. He received his B.A. from Cambridge, and his M.A. from both Cambridge and Oxford. He has been a lecturer in law at Birmingham University, a Fellow of Fitzwilliam College, Cambridge, and a visiting lecturer in law at the University of Melbourne. His research and teaching interests are in the areas of Real Property, Torts, Trust, Company Law, and Taxation.

Josephine van Zeben studied law at the University of Edinburgh and Harvard University. Her work is interdisciplinary, having postgraduate qualifications in law and economics and law and political theory. An important part of her work focuses on climate change mitigation efforts within the European Union, specifically through market-based regulation. At Oxford, she is a fellow of Worcester College where she teaches EU law, Constitutional law and Administrative law. She is also a visiting lecturer at the ETH Zurich where she teaches Environmental law and policy to scientists.

Reuven (Ruvi) Zeigler is a lecturer in law at the University of Reading, Editor-in -Chief of the Refugee LAW Initiative's Working Paper Series at the School of Advanced Study at the University of London, and Research Associate at the Refugee Studies Centre (RSC). He is also a researcher at the Israel Democracy Institute and participates in the "Constitutional Principles and Their Implementation" project there. In addition he is a frequent contributor to the Oxford Human Rights Hub Blog and other legal blogs. Professor Ziegler, as a visiting researcher at Harvard Law School, was affiliated with the Immigration and Refugee Clinic and its Human Rights program.

9. Contact information for an informed person at Santa Clara University School of Law is:

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1.408.554.4378
1.408.554-4426 (fax)
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10. Tuition for the program is \$1,000/unit.

Students are responsible for the cost of round trip airfare to London, land transportation to and from Oxford, breakfasts on weekends, lunches and dinners throughout the duration of the program, and all incidental living expenses. The costs of these items vary depending on the student's individual circumstances.

Students are responsible for the cost of necessary reading materials. The nature and amount of reading materials varies depending upon the tutor with whom a student works. Much of the reading material is accessible for free at the Bodleian Law Library. The program directors also will make every reasonable effort to upload electronic versions of as many of the reading materials as possible and make those materials accessible to students free of charge.

11. Housing and weekday breakfasts are available at Magdalen College. The housing consists of college dorm rooms in historic and old Magdalen College buildings. Most such rooms are not ensuite; a student must use bath and shower facilities outside the room on the same floor or on a floor above or below the floor of the student's room. The rooms include a bed, desk and chair, dresser, internet access, and an ice box. The rooms and furniture are clean and neat but not modern. All rooms have windows. Housekeeping is provided. Doors to all rooms lock.

The approximate costs are \$1,450 for a single standard room, not ensuite, \$2,125 for a single room ensuite (subject to availability), and \$2,525 for a twin standard room (couples only) (subject to availability). Costs are approximate because they are subject to changes in exchange rate).

12. Not all facilities in the United Kingdom or Oxford are accessible to persons with disabilities. Magdalen College facilities are accessible to persons with disabilities but accommodations should be requested of, and suitable documentation provided to, the Santa Clara Law School's Center for Global Law and Policy sufficiently in advance of the program to enable appropriate arrangements for accessibility.

13. Santa Clara University Law School has never cancelled the program since its inception in 1978 and does not anticipate the need to do so. However, war, natural disaster, widespread contagious disease, terrorism, or comparable events, or insufficient enrollment, could cause cancellation. Should cancellation occur, students will be notified by e-mail and all deposits and tuition paid for the program will be refunded.

14. If, prior to commencement of the program, the U.S. State Department issues a Travel Warning or Travel Alert for England, Santa Clara Law School will promptly notify all registrants in the program by e-mail and will give all registrants the opportunity to withdraw from the

program. Students who withdraw shall receive a full refund of all deposits and fees paid to Santa Clara University.

If, during the course of the program, the U.S. State Department issues a Travel Warning or Travel Alert for England, Santa Clara Law School will promptly notify all registrants in the program by e-mail and will give all registrants the opportunity to withdraw from the program. Students who withdraw will be refunded fees paid except for room and board payments (if applicable) used before the date of withdrawal.

See [here](#) for current State Department travel warnings.

15. In addition to the refund policies stated in items 13 and 14, above, if significant changes are made in the course offerings or other significant aspects of the program, those changes will be communicated promptly by e-mail to any applicant who has paid a deposit or registered for the program, and an opportunity will be provided for that person to obtain a full refund of all monies paid or to transfer to another program should the student so desire.

Tutorial and lecture schedules and topics may be adjusted based on the availability of an instructor or of facilities. Site visitations may be altered according to availability (such as unscheduled closings.) Participants will be provided prompt notice of any such changes and the program director will arrange for appropriate substitutions. All such adjustments do not constitute a "significant change" in the program.

Part II.E. disclosures

1. For students not matriculating at Santa Clara University School of Law, acceptance of credit or any grade for the tutorials or the seminar is subject to determination by the student's home school.