



East Asian Legal Studies Center

Newsletter

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The Director's Annual Report

In spite of the turbulent relations across the Pacific (see *Commentary*, inside), the Law School's East Asian Legal Studies Center continues to expand and deepen the Law School's ties throughout East and Southeast Asia. I am pleased to report that we now have dual degree programs with the University of International Business and Economics in Beijing, the East China University of Politics and Law in Shanghai, Korea University in Seoul, National Taiwan University in Taipei, and Thammasat University in Bangkok. Under the dual degree programs, students are enrolled concurrently in the masters in law program in their home university and the UW's MLI program. Some of the credits taken at their home university are counted towards the Wisconsin MLI degree and at the same time some of the Wisconsin credits are counted towards the master's degree at the home institution.

In September, 2003, the Center hosted a conference on integrating technology into global legal education. The three day conference was co-sponsored by Nagoya University Law School and involved a detailed examination of the ways in which new technologies can be used to improve legal education. We were pleased to have participants from Nagoya University, Nanzan University, the Shanghai High People's Court, Korea University, Inha University (Inchon, Korea), and Far Eastern National University (Vladivostok). The Center also has been active in sponsoring distance education courses through live internet hook-ups. During the spring and fall semesters, 2003, Adjunct Professor Rod Matthews teamed with Associate Professor Natalia Prisekina from Far Eastern National University to offer an international business course live in Madison and Vladivostok. I am joining the Matthews/Prisekina team for an expanded version of this course which is being offered during the spring, 2004. Also during the spring semester, Professor Ohnesorge is offering an Asian Law seminar jointly with professors from the University of Washington, the University of South Carolina, Southwestern Law School, and the University of Melbourne. I am greatly impressed with the opportunities for significant enrichment of the Law School's curriculum through low cost distance education and I hope to see an expansion of these courses in the future.

Another program of special significance was the Second Annual Seminar on Judicial Skills Development for Shanghai judges. Due to the SARS threat, the seminar had to be postponed from the summer to the fall of 2003. In September, Professor John Ohnesorge joined Dane County Circuit Court Judge Maryann Sumi and UW ESL Faculty Associate Gail Ibele for ten days of intensive instruction at the Shanghai Judges Training Center. (See the photo on page 2.) In mid-October, 20 Shanghai judges came to Madison for three weeks of courtroom observations, discussions with Wisconsin and federal trial and appellate court judges, formal class presentations, and visits to the ABA headquarters in Chicago, the Cook County Circuit Court, and the Court of Appeals for the 7th Circuit. The interaction between the Shanghai judges and the U.S. judges, lawyers and academics was especially intense and seemed to be very educational for all who were involved. Certainly the American participants came away strongly impressed with the Shanghai judges' professionalism and the depth of their commitment to the development of a more rule based society. Shirley Abrahamson, the Chief Justice of the Wisconsin Supreme Court, Michael Nowakowski, the Chief Judge of the Dane County Circuit Court, and Barbara Crabb, the Chief Judge of the Federal Court for the Western District of Wisconsin, were very active in their support and participation in the seminar.

Highlights of other Center activities are listed here:

- The entering MLI class is one of the most diverse ever, with representatives from eight countries and regions in East and Southeast Asia. Profiles of the entering MLI students are included beginning on page 6 of this Newsletter.
- In January 2003, the Center co-sponsored a two week "English for Lawyers Program" in Bangkok with the Thai Chamber of Commerce. UW English teachers Gail Ibele and Jessie Lindner and Madison lawyer Eric Ibele taught in the program.
- In late May 2003, fourteen JD students traveled with Clinical Professor Ralph Cagle to Thailand, where they teamed with lawyers and upper level law students from Thammasat University for a two week program in cross-cultural negotiations. A report of the program is on page 3.

- Because of strong support from the faculty of Thammasat University and international law firms in Bangkok, three JD students participated in the Thai legal internship program in July and August. See pages 4-5.
- Visiting Professor Craig Ehrlich taught a 3 day workshop on “Negotiations and International Contract Drafting” for MLI students in October.
- The Center awarded a number of travel grants to JD students doing field research in Malaysia, Korea, and China. Two representative reports are found on page 9 of this Newsletter.
- The Center again is hosting a number of visiting scholars at the Law School. Information about them and reports from two recent scholars are on pages 10 and 11.

Also, during the summer of 2003, with support from the Center, Associate Clinical Professor Nina Camic did field research on the Japanese legal response to familial conflict. In October, under Center auspices, Professor Gerald Thain presented a seminar entitled “Sex, Lies and Tobacco Tapes: A Summary of the Tobacco Litigation and Regulation Battles in the United States” at the National University of Singapore. In December 2002, I talked with graduate law students at the University of International Business and Economics (Beijing) about international tax issues and the Chinese economy; in March 2003, I gave a talk on law and developing economies at Nagoya University’s Center for Asian Legal Institutions, and in May 2003, I presented a paper sponsored by the Thai Chamber of Commerce on globalization and tax base erosion in Thailand.

The East Asian Legal Studies Center Dean’s Scholars awards were established four years ago to recognize those students who have shown exceptional scholarship and citizenship in the MLI program. The award recipients for 2002-2003 are Lee Hyun, Liu Yin, and Zhou Li. Congratulations to all of them!

In April 2004, the Center will enter its 15th year with an increasingly active involvement in academic interchange



Shanghai judges at the Dane County Courthouse with J. Schwartz



(l. to r.) Gail Ibele, John Ohnesorge, Judge Maryann Sumi

between Wisconsin (the state and the university) and East and Southeast Asia. The core people, in addition to the director, remain as on the first day in April 1990, with Susan Katcher as the associate director and lecturer, Ethel Pellett as the key administrative person, and Professor Larry Church teaching Introduction to American Law. We now are joined by Assistant Director John Ohnesorge and Lecturer Jessica Harrison as well as a good number of the faculty. Their presence is greatly helping to integrate the Center into the mainstream of the Law School.

All of us are working hard to make the Center an outstanding example of international activism and cooperation. I urge you to help us by contacting me with any comments or criticisms relating to the Center. I am especially interested in hearing from you when you think of a new project in which the Center might become involved. The best way to contact me is by email at crirish@wisc.edu.

**From the Director, Charles Irish
COMMENTARY**

SARS, terrorism, tightened security and tougher visa standards in the United States and vociferous calls for trade protection for U.S. industries and workers are major challenges for U.S. programs with an Asian orientation, including those of the Law School’s East Asian Legal Studies Center. The initial uncertainties about SARS, then the threat of a SARS pandemic, and the continuing threats of terrorism directed against the U.S. and U.S. interests abroad sharply limited travel between Madison and East Asia during the spring and summer of 2003. Heightened security measures also made all air travel less comfortable and more stringent visa standards made it much more difficult and sometimes impossible for East and Southeast Asians to visit or study in Madison and elsewhere in the U.S.

The U.S. Government’s preoccupation with threats of terrorism is not winning us many friends in Asia. Many parts of the world long have been dangerous places and people there have little sympathy for our sudden discovery that things can be unsettled and dangerous within the U.S. as well. U.S. hypocrisy

on international trade matters also does not sit well in the export oriented economies of Asia as the U.S. government uses its economic power to press for market liberalizations in foreign markets even as American trade laws are being used to aggressively protect American agriculture, steel and textiles industries.

Still, throughout the region, there is a reservoir of good will and respect for the U.S., which has been damaged by recent events, but not totally destroyed. As a consequence, the Asian attitude towards the U.S. and things American is much more ambivalent than in the last several decades as Asians are angered or threatened by recent developments, but continue to recognize the U.S. as the most potent force for economic and political liberalization and still a land of great opportunity. In Sarawak, Malaysia, in October, 2002, I was perhaps the only American in the audience as a folk singer sang a variation of an American song, with words changed to convey the bitterness so many felt toward America. The European, Asian and Australian audience was wildly appreciative, but at the same

time, the young Malay sitting next to me was asking for my help to get him and his family to America. An Indonesian man, having experienced the rigor of U.S. visa restrictions especially reserved for Muslim males remarked to me (only partly in jest) that, while many of the young men in Indonesia wanted to kill Americans and destroy America (and other signs of invidious Western culture), a good number of the women hoped to marry Americans and live in America. Many South Koreans are angry with the U.S. government's hardline policy towards North Korea, but just as many are dismayed at the prospect of moving U.S. troops away from the DMZ where they serve as a tripwire against North Korean aggression. In China, relations with the U.S. and its many manifestations (such as the Center) are very warm and friendly, but there is bewilderment and anger over the U.S. trade sanctions directed against China and Chinese exports to the U.S. [My son, Robert, and I are writing an article explaining why U.S. trade policies toward China are so ill-conceived and why the externalities may be so severe. The article will be posted on the Center's website in spring 2004.]

Cross-Cultural Negotiations Program

In late May and early June, 2003, Professor Ralph Cagle led a group of J.D. students from the Law School and a group from Thammasat University in cross-cultural negotiation simulation exercises. The program was run in cooperation with Thammasat University Faculty of Law. The activities sites were, first, at The Learning Center, in Pattaya, and then at Thammasat University in Bangkok. Before leaving for Bangkok, Professor Cagle met with the J.D. students a number of times as part of the 1 credit course at the Law School. In the seminar, students learned about the dynamics of cultural differences and then negotiated a number of problems, with the American and Thai students both working together in teams and negotiating against each other.

Student comments on the program were positive and varied. A composite summary follows:

The course itself was very interesting and extremely well taught. I have been back in the United States for one month now. Every time someone asks me about my trip it strikes me as odd—I cannot believe I have been to Thailand. It is not a place I would have thought I would have an opportunity to

visit while still in law school. My first thought about this program is that it provides an amazing opportunity to a number of students every year. My trip to Thailand is something that I will remember for the rest of my life and hopefully a trip that will inspire me to explore the country further in the future. The fact that we had traveled so far was very motivating in encouraging us to participate enthusiastically and seriously. Professor Cagle did an excellent job of teaching the course. I have participated in similar negotiation exercises before, but doing it on the other side of the world with a group of people from a different culture gave it much more depth and realism. Our hosts from Thammasat were outstanding. I specifically appreciated their graciousness and patience with us, especially in understanding that for many of us this was a vacation, class, and cultural experience rolled into one. I am very pleased with the experience.



The group in Thailand: Josh Thompson, Brian Bushaw, Joel Knutson, Tina Chang, Andrew Holton, Ben Winig (sitting), Lisa Infield-Harm, Bob Mannina, Professor Cagle (sitting), Eileen Huie, Kazuyuki Fujii, Mana Stulgaitis, Katherine Teitgen, Nate Rice. Not pictured, Lou Antonacci.

Summer Internship In Thailand

Excerpts from short summary papers written by the participants in the 2002 Summer Internship in Bangkok that the Center co-sponsors with Thammasat University:

Maria Abellon

There is so much to say about all of the wonderful experiences and opportunities that I encountered on the summer internship program.

Monday morning I went to Thammasat University for the first of a three-day orientation. The orientation consisted of lectures from Thammasat professors, lectures from a partner from each of the participating firms, and field trips to several courthouses. All the lectures were interesting and informative, considering that Thai law is based on the civil system, unlike the U.S.'s common law system. My favorite part was going to the courthouses.

After the orientation, I started work at the law firm Dej-Udom & Associates. When I first got there, I was nervous because one of my major fears was that I would not be capable of handling some of the assignments since I had just completed my first year of law school. I soon realized that this was not the case. I found that my legal research and writing skills were most helpful in completing my assignments. When I had questions or difficulties, I felt very comfortable asking the office manager, Jane, or others for help.

The assignments were varied. I researched anti-terrorism law and helped conduct professional development meetings covering Thai trademark law and legal writing for the junior associates. I also wrote a response addressing the state of patent law protections in Thailand including biotechnology, business processes, and computer software.

My experience in Thailand was priceless. I strongly encourage anyone in the least bit interested to apply for the opportunity. The program is not only a great way to get exposed to the legal profession but it also affords its participants a chance to travel and experience a unique culture.

Nelle Rohlich

I chose to apply for the internship in Thailand program because I had lived in Thailand before and was interested in learning about the Thai legal system and international law in general.

The internship began with several days spent at Thammasat University Law School. This was one of the highlights of the trip and is where I learned a great deal on the basics of Thai law. The staff ran the introductory

program very well. Speakers came to discuss the Thai legal system and their work as attorneys or law professors in Thailand. We went on several outings to various Thai courts and met several accomplished people in the judicial system and government. Everyone was very receptive to our questions and I felt I learned a great deal during the week and that it was a good way to start the program.

My internship was with the International Legal Counsellors Thailand (ILCT), a large firm with around 50 attorneys located near the Silom district of Bangkok. I worked there for six weeks, Monday through Friday, with the hours set as 8:30-5:00, although this was flexible depending on my schedule. I worked with three lawyers, primarily with an Australian lawyer who specialized in securities law with international companies doing business in Thailand.

I began my work with a slow first day followed by four busy days where I was thrown into work, going with a partner to a meeting with a client. Following the meeting, I was assigned to redraft a development contract for the client based on the meeting. Following that, my biggest projects included helping the Australian partner write two articles on securities law and corporate governance in Thailand for publication in an Asian business magazine and helping another partner on similar topics. In this process I learned a great deal about both Thai and U.S. securities law. I also did extensive research on rules and regulations applicable to foreign companies that did business in Thailand. There were slow days in between these larger projects; during the slow times, I would review contracts and independently read about Thai law. Also, I was invited to go to court with staff attorneys when work was slow; watching the process of a trial was very interesting.

The highlight of working at the office, beyond learning a great deal about securities law, was the friendly atmosphere with several partners, associates and law interns at the office. On a daily basis, people would invite me to lunch and I would have the opportunity to learn about their work and studies. Everyone spoke fluent English, and the students working at the firm seemed to appreciate being able to practice their English when we were together. I was invited to seminars held at the office for the interns, and although they were conducted in Thai (which I can understand for the most part), the partners holding the seminars took time to make sure I was following along.

At the last minute, I brought along my Bluebook from school which ended up being very useful for citing in my

work. The citation format of the Bluebook was the same as what the attorney wanted so the guidance was good. I am happy I brought my laptop because I did not have access to the office when it was closed, and on some evenings and weekends was able to work at home. Also, internet cafes can be expensive, but I was able to buy internet cards for a lot less and do internet from my apartment.

As for living in Bangkok, I had no problems finding places to eat and any necessities during my stay. The firm set me up in an apartment within walking distance to work, although I ended up taking motorcycle taxis because of the heat. The apartment was safe and clean; there was no kitchen but that was not a problem because there are food vendors everywhere that sell cheap meals. Laundry could get expensive, especially dry cleaning; the washable, light clothing that I brought turned out to be the most practical. The pollution and traffic were unpleasant for me, so on weekends it was nice to get away from Bangkok and travel. I had the opportunity to go to several beaches and to see other areas outside of Thailand.

Medical facilities are top rate in Bangkok. I had one incident with an ear problem after swimming at a waterfall and was very satisfied with the medical treatment at a nearby hospital.

Overall, I am very pleased with my summer in Thailand. I feel I learned the basic structure of Thai law as well as a good deal about business and securities law, areas I otherwise probably never would have gotten experience in. I would certainly recommend the program for other students and am very pleased that the UW-Madison Law School has this program to offer.

Ameen Imam

SARS. This was all I could think of in the months before my trip to Bangkok. I had even ordered a set of designer wear masks to don in case of a massive outbreak in Bangkok. But since Bangkok had not experienced a massive outbreak of SARS, I returned SARS free and gained experiences both in international law and in living abroad generally.

The program in Bangkok began with a crash course in Thai culture and law at Thammasat University. Our training seminar included lectures by accomplished foreign and Thai lawyers on intellectual property law and Thai culture. The lecture given by my boss, James Pate, was notably beneficial since it helped shaped my interest in intellectual property law. In the following days, we toured three courts. The trip to the intellectual property court was particularly interesting since we had the chance to attend a court hearing and were able to discuss intellectual property law with a panel of judges.

The professors from Thammasat graciously picked us up from the airport and organized our training seminar. After the seminar, I began to work at Satyapon and Partners. The firm had arranged my accommodations in a hotel very close to their building so I never had to battle Bangkok traffic to get to work. Satyapon and Partners is considered a mid-size firm in Thailand and specializes in intellectual property law. The firm is known internationally as being one of the best enforcement firms in intellectual property law. It represents a diverse set of clients both domestically and internationally.

Of my many tasks at the firm, my hands-on experience



I.to r., Maria Abellon, Ameen Imam, Nelle Rohlich

came when I was sent out to look for fake designer wear goods. By the end of the program, I had gained the uncanny ability to discern fake designer wear goods from real ones. Aside from my trips to Bangkok bazaars, I also edited firm materials, including the website, reviewed lectures given by Mr. Satyapon, reviewed contracts, and performed trademark searches on the Internet.

I acquired a wealth of knowledge and experience in intellectual property and international law from the guidance of Mr. Satyapon and Mr. Pate. Both of them took me under their wings and patiently answered any and all of my most basic questions about the law. They also gave me feedback on my work. In addition, I went out to lunch with them frequently and, since in Bangkok co-workers are not allowed to discuss work at lunch, I became good friends with both of my bosses. I learned the entrepreneurial and leadership skills needed to establish a successful firm in a foreign country from my discussions with them.

I am grateful I had the opportunity to work, live, and travel through Southeast Asia.

Introducing the new Master in Legal Institutions (M.L.I.) students:

Ayako Amano (Japan) rusty0412rusty@yahoo.com
LL.B., Gakushuin University. I am very interested in business law. After completing the M.L.I. program, I would like to be an in-house counsel in my home country to contribute to the increasing transparency of the Japanese legal system.

Reny Amir (Indonesia) ramir@wisc.edu
LL.B., Jakarta University. I work as a legislative drafter at the House of Representative of Republic of Indonesia (Indonesian Parliament). The area of law I am interested in is constitutional law or administrative law because I work for the legislative body. After I finish my M.L.I. degree, I want to continue my career as a legislative drafter.

Kuei-Ju Chan (Taiwan) kueiju_chan@hotmail.com
LL.B., National Taipei University. I am interested in commercial law and international trade law. After I finish my degree, I aim to return to an international business company and offer more professional consultation services.

I-Mei Chen (Taiwan) imeichen@wisc.edu
LL.B., National Cheng-Chi University. My interest is in business and financial law. I have been a lawyer in Taiwan for 4 years. After completing the M.L.I. program, I will return to Taiwan and continue my career as a lawyer.

Wan-Yun Chen (Taiwan) wanyunchen@wisc.edu
LL.B., Fu-Jen Catholic University. I worked in a US-based worldwide company as a legal counsel. It gave me motivation to study the M.L.I. degree in UW-Madison. I would like to focus on corporation and business transaction laws. After completing the M.L.I., I will go back to Taiwan and continue my job.

Athistha Chitranukroh (Thailand) chitranukroh@wisc.edu
LL.B., Chulalongkorn University. I prefer to study in all kinds of business law including international trade law and intellectual property. Being a successful lawyer as a parent's desire is my only goal after I finish studying in U.S.A.

Lhakpa Chodon lchodon@wisc.edu
BA, LL.B., Mysore University; LL.M., Pune University, Diploma in Human Rights, Indian Law Society Law College. I come from Dharamsala, India, the headquarter of the Tibetan government in exile headed by the Dalai Lama, under a scholarship that helps Tibetan refugees in India. I worked for the judicial branch of the exile government, in one of the legal offices. My areas of interest include Human Rights and International law. From my studies, I hope to contribute in advancing the cause of Tibetan refugees.

Dhanipa Hongspanij (Thailand) dhongspanij@wisc.edu
LL.B., Chulalongkorn University. After I graduated from Chulalongkorn University, I had a chance to be a part of the Senator's assistant team for a while before I came to Madison. I am particularly interested in tax and financial law. I wish to

pursue these areas of law in my future career as a consultant.

Kenichi Iida (Japan) kiida@wisc.edu
LL.B., Hitotsubashi University. I am interested in Laws of contracts. I work for a company in Japan, and I will go back to work in my company after finishing the M.L.I. program.

Rosewitha Irawaty (Indonesia) rirawaty@wisc.edu
LL.B., University of Indonesia. I am interested in business law, to be specific, capital market, since it is relevant to my major. I am a researcher at Research Institute for Law and Technology, Faculty of Law, University of Indonesia, and assistant lecturer in the same institution. I hope my study will be useful for me, my students, and my country.

Nisa Istiani (Indonesia) nistiani@wisc.edu
LL.B., Universitas Indonesia. I work as an assistant lecturer in Faculty of Law Universitas Indonesia and also as a researcher in MaPPI (Indonesian Judicial Watch Society). I gained much knowledge about the strength and weaknesses of the Commercial Court system in Indonesia. I want to contribute ideas or thoughts to create a better one by doing a comparison study with other countries.

Sudkhate Jungcharoen (Thailand) sudkhate@hotmail.com
LL.B., Thammasat University. I am interested in economic and public finance law. I used to work in a Thai international law firm, Johnson Stokes and Master. Because of only one year experience, my legal work was mostly in general. After finishing M.L.I. degree, I will either pursue another degree in the United States or apply for an internship in US law firms.

Beom Joon Kim (South Korea) beomkim@wisc.edu
LL.B., Dankook University. I worked for a Korean law firm as a paralegal for three years before coming to Madison. I have an interest in international business and transactions and e-commerce. For my academic and career goal, I would like to pursue further degrees (LL.M. & S.J.D.) and take the N.Y. bar exam after completing M.L.I. program.

Nak Jung Kim (Republic of Korea) nakkim@wisc.edu
LL.B., Seoul National University; M.P.A., Kyunghee University. I am interested in telecommunication law and copyright law. Because I am a Korean government official at Ministry of Culture and Tourism, I will go back to my office after I finish my degree or I will study further if my Government allows it.

Sung-Bae Kim (S. Korea) sbkimlaw@hanmail.net
LL.B., LL.M., Ph.D. candidate, Kyungpook National University. My interest is environmental law and administrative law. Before I came to the US, I taught constitutional law, administrative law, and environmental law in South Korea and was a civil counselor of the Ombudsman of Korea. After finishing the M.L.I. program, I want to continue my studies in the States to earn the S.J.D. degree.

Hsien-Chen Li (Taiwan) hsienchenli@wisc.edu
LL.B., National Taiwan University; LL.M., New York University. I hope to specialize in intellectual property (IP) law and corporate laws in my future practice, and am focusing my study at UW on these two fields of American laws. I expect to enrich my life and cultural experience during this year living in this lovely city, Madison.

Jianyu Li (P.R. China) jianyuli@wisc.edu
LL.B., Zhongnan University of Economics and Law. I am an LL.M. student at University of International Business and Economics majoring in international commercial law. As an M.L.I. student, I really enjoy my study at the Law School. When I graduate, I plan to practice at law in the fields of international trade and investment.

Lin Yan (P.R. China) mumu7758@hotmail.com
LL.B., LL.M., East China University of Politics and Law. I am interested in constitutional law and administrative law. I want to become a teacher in a law school in China after my graduation.

Henny Marlyna (Indonesia) hennymarlyna@hotmail.com
LL.B., University of Indonesia. I am interested in consumer protection law and intellectual property rights. I work as an assistant lecturer in Consumer Protection Law at Faculty of Law, University of Indonesia, and also as a researcher and consultant at IP Clinic Division at Law and Technology Studies Faculty of Law, University of Indonesia. After the M.L.I. program, I will return to Indonesia and share my new knowledge with my students and colleague.

Andres Montes (Chile) amontescruz@wisc.edu
LL.B., Diego Portales University Law School. During the last five years, I have worked at the Judicial Academy of Chile as coordinator of a special training program for judges that work in the new criminal system of justice. I am interested in criminal procedure and constitutional law. After finishing M.L.I., I will return to Chile to continue my career as a lawyer in the new criminal system of justice.

Nguyen Lan Phuong (Vietnam) plnguyen@wisc.edu
B.A., University of Ho Chi Minh City; LL.B., Ho Chi Minh City Law School. I am interested in international trade law, international business transactions and intellectual property law. I worked for the international law firm of Baker & McKenzie in Ho Chi Minh City as a paralegal and trainee solicitor. Upon graduation, I plan on taking the New York bar exam and return to my home country to continue working for an international law firm or set up a private practice.

Alberto Porras (Costa Rica) agporras@wisc.edu
Academic Degree of Licenciante in Law, University of Costa Rica; Ph.D., University of Bologna (Italy). Alberto is a lawyer, public notary, former public defender and criminal judge from Costa Rica. He is currently a student in the M.L.I. program. His professional future goals include private practice in the United States involving international business with Europe and Latin America.

Rendy Prasetyo (Indonesia) rendyprasetyo@yahoo.com
LL.B., Faculty of Law Universitas Indonesia. I am an assistant lecturer at Faculty of Law Universitas Indonesia and also a researcher at Research Institute for Law and Technology. I'm interested in private law, business law, contract law and internet law. I hope by getting this degree I will improve my legal knowledge and have some knowledge about US law. I also want to make a network with some other people from different countries.



Brian Prastyo (Indonesia) prastyo@hotmail.com
LL.B., University of Indonesia. I am currently working as an assistant lecturer in the Faculty of Law of the University of Indonesia. Most of my work is done in the area of Internet related law and legislation drafting. I plan to develop a clinical program at the University of Indonesia that focuses on those two areas after I finish my study at the UW.

Areeya Ratanayu (Thailand) aratanayu@wisc.edu
LL.B., Assumption University (Bangkok); LL.M. (magna cum laude), University of Pittsburgh School of Law. After completing my LL.M. degree, I interned in the legal department of a credit company. I also worked at Waldo Library, Western Michigan University, helping patrons locate government documents. I hope to pursue an academic legal career. I also plan to complete the M.A. degree in Human Resource Development at Western Michigan University.

Wenny Setiawati (Indonesia) wsetiawati@wisc.edu
LL.B., University of Indonesia. I am interested in cyberlaw and also telecommunication law because I work as a researcher in those particular areas. I want to improve my capability in developing research and areas of study in my country. I hope that when I finish my program, I will be able to do better research and produce results that have value not only for myself but also for the environment surrounding me.

Patara Sinrerak (Thailand) psinrerak@wisc.edu
LL.B., Thammasat University. I'm interested in corporate law, international law, intellectual property law and labor law. I'm planning to work in the U.S. for a couple of years to get more experience before going back to Thailand to work in a law firm in my field of interest.

Supasin Sirilimakul (Thailand) ssirilimakul@yahoo.com
LL.B.(Honors), Chulalongkorn University. I passed the bar examination from Institute of Legal Education, Thai Bar Association. My fields of interest are intellectual property and business law. I served as a legal officer at the Central Bankruptcy Court of Thailand. After graduating with the M.L.I. degree, I would like to pursue a second master degree at another law school. My career goal is to be a judge in my home country.

Perapong Surasidhi (Thailand) perapongs@hotmail.com
LL.B., Thammasat University; M.C.L., Indiana University. I practiced law in my country since 1998, mostly in the areas of corporation law, bankruptcy law, contracts, and criminal law. My interest is in taxation and corporation law. If possible, I would like to be a prosecutor; teaching is also an interest.

Akito Takahashi (Japan) akito@pop11.odn.ne.jp
LL.B., Chuo University; Diploma, Legal Training and Research Institute (Supreme Court of Japan). I am a junior associate lawyer of Anderson Mori, a law firm in Tokyo, and, on a part-time basis, in-house counsel for Development Bank of Japan. My legal areas cover general corporate law, project finance and securities regulation. After obtaining the M.L.I. degree, I plan to work in London for one year and then return to Tokyo to resume my practice.

Yuriko Takahashi (Japan) yuriko-k@mvh.biglobe.ne.jp
LL.B., Chuo University; Diploma, Legal Training and Research Institute (Supreme Court of Japan). I have worked as an associate lawyer of Mitsui, Yasuda, Wani & Maeda, and served, as an observer, the Working Group for Enhancing the PFI Deal concerning Public Hospitals hosted by the Ministry of Health, Labor and Welfare of Japan. I am interested in laws related to commerce and finance. After finishing the M.L.I. program, I am going to practice at a legal firm in London before I return to my law firm in Japan.

Yupawan Utiskul (Thailand) yutiskul@wisc.edu
LL.B., Chulalongkorn University. My primary interest in law is usually related to criminal law. I haven't had any work experiences for the reason that I came to Wisconsin right away after I finished my undergraduate study. After completing my M.L.I. degree, I have not decided yet whether I will go back to my country and work as a legal consultant in a law firm or continue and further my education in an S.J.D. program. It depends on my capacity in legal study and my financial status.

Wen-Cheng Wang (Taiwan) fj241@hotmail.com
LL.B., National Taipei University. I am interested in Business Law. After finishing my M.L.I. program, I will go back to Taiwan to continue my career as a lawyer.

Jing Xi (China) jxi@wisc.edu
LL.B., Peking University. Besides the M.L.I. program, I am studying industrial relations at the UW-Madison, so my area of interest is labor law and business organizations. I plan to work either for management or labor upon graduation.

Xueyu Yang (China) xueyu_yang@hotmail.com
LL.B., Wuhan University Law School; LL.M., Zhejiang University Law School. I was associated with Haiwen & Partners Shanghai Office for one year. With the great interest in business law and international trade law, I worked in international commercial litigation & arbitration, foreign direct investment as well as merger & acquisition.

Yi-Sheng Yang (Taiwan) yishengyang@wisc.edu
LL.B., Chengchi University. I have been a lawyer since 2000. I was a legal researcher in Science and Technology Law Center of the Institute for Information Industry (Taiwan). I am interested in intellectual property law and business law, especially in technology licensing and crossborder transactions. After I complete the M.L.I. program, I will return to Taiwan and practice in a law firm or be a legal counsel in a technology company.

Eun Jung Yoo (Korea) by_total_grace2@hotmail.com
LL.B., LL.M., Sookmyung Women's University. I am pursuing the Doctor of Law course at Sookmyung Women's University, but have a temporary leave while I study in the United States. I am interested in constitutional law and studied it in Doctor's course in Korea. I also taught a basic course of law as an elective subject for general students in Sookmyung Women's University about a year. When I complete my M.L.I. degree, I want to continue studying American constitutional law as compared with my country's constitution.

and new LL.M. students ~~

Hsiang-Jung Milton Chiu (Taiwan) hmchiu@wisc.edu
LL.B., LL.M. National Taiwan University, LL.M., NYU School of Law. I am interested in administrative law, especially the administration and development of U.S. trade rules. I hope to continue in the S.J.D. program.

Ki-Bong Lee (Korea) klee22@wisc.edu
LL.B., Kyungpook National University. I am interested in Corporate Law and Securities Regulation. After finishing the LL.M. program, I would like to continue my study in the S.J.D. program. With a successful completion of my study here, I will go back to my country and serve it as a continuing researcher of Corporate Law.



Research Travel Grants

The Center awards grants for J.D. students to do field research in a country in East or Southeast Asia. The research is part of a larger project that is finished upon returning to the Law School. As part of the grant, the student is required to write a short "reaction paper" (summary of the experience) and a substantial academic research paper in the semester following the field work. Excerpts from two reaction papers follow:

Melissa Malott *Land Registration Issues in Sarawak*; project advisor – Charles Irish

With funding from the Center's Research Travel Grant program and the Borneo Project of Berkeley, California, I spent six weeks in the summer of 2003 studying land tenure in Sarawak, Malaysia. My research focused on native land tenure. Historically, native groups arrived in Borneo and developed a nomadic lifestyle, living off the land. Today, the Sarawak government requires natives to register their land. The natives' opportunity to do so is limited, and often the government sells or leases the native-occupied lands before the land is registered, or sometimes regardless of its being registered. I focused my research around this problem, spending time interviewing lawyers, activists, and politicians; browsing through government documents, such as Environmental Impact Assessments of proposed logging projects; and going to town meetings where native communities learned of proposed projects and decide on what action to take.

I did my research in two cities, Miri and Kuching. Miri was a booming oil town during the 1990s but was hit heavily by the financial crisis of 1997. Today, it is a city in transition: the rapid loss of money has given a certain grittiness to the city, but it is also becoming an oceanside resort city due to its location as a gateway to famous national parks. I spent 2 weeks in Miri to observe the work of and obtain interviews with Harrison Ngau, an internationally known lawyer who fights for native rights to land. Mr. Ngau grew up in a native community, was educated by the Peace Corps, and went on to law school. He is now working through Sahabat Alam Malaysia (SAM) – "friend of Malaysia" – a non-governmental organization (NGO) that works to protect native rights and that is assisted by the Borneo Project.

During the next 4 weeks, I was in Kuching, where I met Mohammad Jais, a graduate student recommended by Professor Irish, and my connection from the Borneo Project, Nicholas Mujah, a local activist and current law student. Mohammad Jais helped me gain access to research and the Internet at the local university, and, with his wife, introduced me to Kuching. Kuching is a tourist city with a variety of ethnic restaurants, malls, and tourist attractions.

Overall, doing research in Sarawak was incredibly interesting and the trip was extremely rewarding.

William Pole, *Research Procedures for International Adoptions in Korea*; project advisor -- Nina Camic

I started my research on Korea by reading *The Koreas: A Global Hand Book*. The sociological framework gave enough information to do a legal literature search on the topic of international adoptions. I met with the Law School's Lexis/Nexis who helped guide my research. I had to redefine the research topic myself, but I wouldn't have known where to start without the help of the Lexis/Nexis representative.

Holt Children's Services is the most famous adoption agency in Korea. It is so well known for its work in international adoption that the tourist map of the subway explains how to get to Holt! I went to Holt directly and met Lee, Myung Woo, head of Overseas Programs for Holt. After meeting with Mr. Woo from Holt, I contacted G.O.A.L. G.O.A.L. is an NGO (non-governmental organization) in Korea that assists adoptees. From the very beginning, G.O.A.L. proved very helpful to my research. I was allowed to attend the annual membership training (mt). The mt is a time for Korean adoptees and Korean volunteers to get together and discuss problems that the adoptees are having in Korea and anything else that is on the adoptees' minds. I was given time to discuss my research project and ask some questions at the mt. Several of the adoptees that I met at the mt gave a great deal of their time helping me. Irene De Koning and Kim Vanpraet graciously spent four hours answering my questions about being adopted. Nicole Sheppard and Kelly Donigan spent significant time helping me understand the adoption process, which I really appreciated. G.O.A.L. gave me a special opportunity to learn about the emotional side of the adoption process. With reading material from G.O.A.L. and Holt, I did further research on adoption and conducted interviews. I was able to talk to Namkyu Kan, a certified lawyer in Korea, at the Korean Legal Aid Corp. who proved to be very helpful.

My research in Korea gave me a better understanding of the limitations of the Korean legal system and the difficulties that adoptees face. I also made many friends in the process.

Visiting Scholars at the Center

Cheih-Shan Chen chen4799@msn.com

I am a lecturer in law and subordinate in the Department of Information Management in Ling-Tong College (Taiwan). I am writing my S.J.D. thesis on the topic of "The Director's Fiduciary Duties Focused on Merger."

Bong Chul Choi cybong@empal.com

Professor Choi is Associate Professor at the Sungkyunkwan University of School of Law and Dean of Social Sciences in Open Cyber University. His research while he is at the Law School is in the areas of American Law School Education and Anglo-American Legal Philosophy. Charles Irish is his contact person. Professor Choi received his M.L.I. degree from the Law School in 1988 and his SJD from the Law School in 1993. This is the first time that he has been back in Madison since he graduated over ten years ago.

Jinmyung Chung jmc01@hanmail.net I am an associate professor at Pusan University of Foreign Studies (Korea). My research field is Internet law. I am especially interested in the

regulation of the Internet, specifically spam mail. Professor Gerald Thain is my Law School contact person.

Sang-Kyou Han skhan1968@zaigen.co.kr

I've been working as a judge for several years in South Korea. Here, I am doing my legal research regarding crime victim's rights with the help of Professor Peter DeWind. I believe my research will be very useful for my job at home.

Kyul-Chul Jee kcjee@pknu.ac.kr

Professor Jee is an associate professor of law at Pukyong National University, Pusan, Korea. He did research in areas of constitutional law.

Hyung-Jin Jung jmc01@hanmail.net

Hyung-Jin Jung is Assistant Professor of Law at Kyungpook National University, South Korea. He is doing research on the linkage between trade and competition. Professor Charles Irish is his faculty contact person.

Excerpts of Visiting Scholar Summary Reports

Masayuki Tamaruya, Visiting Scholar, January-July 2003

During the spring semester, I audited Professor Macaulay's seminar on Law and Society. The seminar, as well as Professor Macaulay's personal advice, was very helpful for the first empirical research in my career, described below. I also had an opportunity to take part in a simulated negotiation in a session of the seminar for international transactions. At the law school, I enjoyed interacting with JDs, M.L.I. students and some SJD candidates. I also benefitted from being exposed to varieties of legal issues when I took part in various programs available for fellows at the Institute for Legal Studies (ILS) at the Law School. I also had several opportunities to sit in on faculty sessions including luncheons on U.S. Supreme Court decisions.

With help from Professor Macaulay, I conducted a case study on *Mauler v. Bayfield County* [204 F.Supp.2d 1168 (W.D. Wis. 2001)], a case decided by the U.S. District Court here in Madison in 2001 and upheld by the Court of Appeals in 2002 [309 F.3d 997 (7th Cir. 2002)]. The case involved a strip of land that runs across the plaintiffs' property in Bayfield County, a county in the far north of Wisconsin. The county had purchased the interest in the strip from the railroad company that had ceased railroad service on that strip almost twenty years before and then built a snowmobile trail. The issue was whether the railroad had any interest to sell in the strip to the municipality that subsequently built a snowmobile trail. My research revealed a number of issues, such as the conflicts between state common law and federal cases and statutes and the interested parties' strategic maneuver. In addition to reading cases and visiting state and federal agencies in search of relevant documents, I interviewed more than fifteen people, including the plaintiff, Ms. Mauler, officials from Bayfield County, and the attorneys involved in the case. I also visited Bayfield County Courthouse, the General Land Office in Springfield, VA, the National Archive in Collegetown, MA, and Wisconsin Department of Financial Institutions.

At the same time, I worked as a part-time intern for Judge Barbara B. Crabb at the U.S. District Court for the Western District of Wisconsin, located in Madison. I had the opportunity to draft six summary judgments. Four of them were prisoners' petitions that touched on different constitutional issues. Another case dealt with the fee shifting provision of the Civil Rights Act, and the last case I worked on was on Employee Retirement Income Security Act (ERISA). Drafting opinions was a challenging task, with my draft heavily edited by fellow law clerks, but I learned a lot, some of which I had never been exposed to in the academic setting. Observing various aspects of the proceedings at the court was also a remarkable experience. I once visited the Court of Appeals for the Seventh Circuit to see en banc oral argument on the case in which Judge Crabb had struck down a provision of the law in question.

Kyung-Ja Cha, Honorary Fellow, August 2002-January 2003

During the fall semester, I sat in on two classes, Legal Sources and Introduction to American Law, which gave me a general idea of legal research and American legal system. While I was sitting in classes, I could broaden my knowledge horizon through lectures as well as discussions among students from different countries.

I wanted to learn advanced legal methodologies and develop my international point of view. To achieve my desired objects, I did research and collected valuable sources using Lexis and Westlaw, concentrating on China related papers and reviews. During the research, I was able to study the method of citation and legal writing. I finally outlined the subject of my dissertation roughly, which will predict and analyze some important changes expected on the area of foreign related enterprise laws in China after her entrance to the WTO.

Besides the Law School classes, I attended two writing classes hosted by the Writing Center, which were taught by English majored PhD candidates in UW-Madison. I chose Developing and Delivering Conference Papers and Dissertator's Primer. And also I took part in many activities arranged by on and off campus organizations, for instance Greater University Tutoring Service, International Student Services, International Students Resources, and Madison Friends of International Students. They provided an English conversation partner, workshops, regular conversation and coffee hour for international students on Fridays, English conversation classes, Madison and Milwaukee tour, international pot luck parties, and so on. It was really helpful to understand and experience American campus life and society. I tried to catch up all those chances as many as possible. Because of these activities, I could make friends with lots of Americans, and happened to have American godparent. During winter break, I traveled to Chicago, the Grand Canyon, Las Vegas, Los Angeles, San Diego, San Francisco, Buffalo, Niagara Fall, and New York by Amtrak. It gave me a great chance to realize what I have studied on American society. I am very sure that what I experienced and learned here will affect me the rest of my life.

***IN MEMORIAM* ~ ~ KIM HYUN-SOO**

M.L.I., 1994

LL.M., 1997



Death is unwelcome at any time, but it is especially tragic when it strikes a young, vibrant person such as Hyun-Soo Kim, who died in December, 2003, after a long struggle with cancer. I worked with Hyun-Soo Kim through his M.L.I. and LL.M. degrees and then in the SJD program, which he was working on when he died. I was very impressed with Hyun-Soo because of his great warmth and compassion. He was a remarkable man who worked extremely hard, but still always had time to help those around him. His great joy was his young family, whom he loved greatly. We will miss Hyun-Soo's gentle and kind personality, and we extend our deep condolences to his wife and daughter and his family in Korea.

—Charles Irish

~~ CLASS NOTES ~~

Araki Shintaro (1993) SARaki@rwfpc.com

We moved to a suburb of New York in September 2002 after my wife, Yoko, had given a birth to our second son, Stanley, in August. 2002. Both of our children as well as Yoko are doing well. We enjoy living in the suburb despite the fact that my daily commute now stretches to more than one hour. As far as the job goes, I am still with the same employer and I started the 9th year in December. I may be involved in the ownership change of the firm next year, but nothing has been decided yet.

Kaiping Chang (2001) kpchang@ms1.chb.com.tw

After graduating in 2002 from the UW, I returned to Taiwan to my job in a commercial bank as a legal specialist. I got a promotion and will take a training program at the Bank of America in New York next summer. Kaiping recently visited in Seoul and saw classmates

Jinsung Kim and **Young-Jin Choi**.

Gomi Satoshi (2000) satgomi@theia.ocn.ne.jp

My news is that I have passed the New York bar. I took three times until passing. One Japanese proverb says "the third times is certain." It was true for me. At the test site, I happened to meet Ms. **Delphine Kao** and Mr. **Cheong-Ha Kim** who worked in the field of taxation for Korean government. I am working as an in-house counsel for my employer, Mitsui Chemicals, Inc. I handled PL case in Europe last year. Because I studied and wrote a paper concerning product liability for raw materials supplier in UW, I think that I worked well on that matter.

Kunihiko Hayashi (2001) kunihiko.h@nifty.com

After M.L.I. degree, I moved to New York and got LL.M. from New York University. Then, I moved to Los Angeles for a four-month internship (Sept. - Dec. 2003) at Reed Smith Crosby Heafey LLP. After the internship, I will go back to Japan in early February 2003 and continue my practice as an attorney in Osaka, Japan.

Chiaki Kan (1995) kanchi0327@yahoo.co.jp

Chiaki was married in March 2003. She wrote, "My life style has changed so much! I love cooking now." Chiaki and her husband Rikura Tomoaki live in Osaka.

Kari Kiesiläinen (1997) kari.kiesilainen@kolumbus.fi

Previously, I reported about my adventures in Bosnia-Herzegovina. Now it is my pleasure to inform you that my work on Balkan will have continuation in a form of a Twinning "Cards" Project which aims to reform the Croatian judiciary. "Cards" stands for (European) Community Aid for Reconstruction, Development and Stability. This 21 month project is funded by the European Union. Finland will contribute by bringing know-how; the implementation will be carried out by Croatia itself. I will need to visit Zagreb about three times a year. I hope that this Twinning Cards project will allow me to visit Sarajevo too.

Hyun Lee (2002) leeh1966@hotmail.com

Hyun Lee wrote to say that he passed the NY bar exam. He is now working in Korea.

Pengyue Li (2002) pengyueli@yahoo.com

Pengyue and her husband are now living in Seattle, Washington.

Amporn (May) Pattanapanyasat (2002) kunmay@yahoo.com

After I graduated from the UW in 2003, I returned to my country, Thailand, and started working in my legal career as an associate in a Bangkok law firm called The Legists. I do general practice work and really enjoy swimming in my free time.

Peng Shin-yi (1993) sypeng@mx.nthu.edu.tw

Shin-yi is now Associate Professor of Law at National Tsinghua University (Taiwan). She and Charles Irish, the Center's director, co-wrote the article "The Personalities and Policies Affecting U.S. Trade with East and Southeast Asia: The Implications of the Trade Promotion Authority." The article will be published in a forthcoming issue of the International Trade and Business Law Annual.

Masahiro Sogabe (2000) Masasogabe@aol.com

Following completing M.L.I. program and getting admission of NY Bar, I came back to my office in Legal Division of ITOCHU Corporation at Tokyo, Japan in February 2002. In July 2003, I was assigned and transferred to the Corporate Counsel in Legal Division of the US headquarter subsidiary of my company located at New York. Now, I live and work in Manhattan together with my wife (and our coming baby!).

Pat Sukanjanajtee (1995) patsuk347@hotmail.com

Pat resigned from his law firm in Thailand to begin work in Kobe, Japan, helping set up a branch office of his family business.

Pareena Supjariyavatr (1998) pareena@chula.com

After obtaining my SJD, I started my career at the Faculty of Law Chulalongkorn University. I teach International Environmental Law, General Principles of Criminal Law, Criminal Procedure and International Business Law. I was also appointed the Deputy Director of the LL.M. (Business Law) international program and of the Postgraduate LL.B. program. Despite all the hardwork, I have been enjoying my life here in Thailand. On a personal note, on September 14, 2003, I got married! My husband, Police Colonel Jaroenvit Srivanit, is a colonel police officer of the Royal Thai Police Department. We have known each other for 19 (nineteen!) years.

Norihiko Yamazaki (1999) wrote to give his new email address: noriyamaza@luck.ocn.ne.jp

Jian Zhou (1997) chinalawservice@sbcglobal.net

"Joe" and his wife Mei are delighted to announce the birth of their son Dean Zhou, January 26, 2004. The Zhou family is currently living in Houston, Texas.

