

**Rotterdam Law Network Meeting
15 –17 April 2010
University of Lisbon, Portugal**

Chairman: Prof. Jaap de Zwaan

Present: Els Demyttenaere (Ghent), Zeljko Potocnjak, Marko Petrak, Davor Babic, Tamara Perisin (Zagreb), Josef Bejcek, Jana Jurnikova (Brno), Jochen Glöckner (Konstanz), Nuno Ferreira (Manchester), Teija Isotalo (Helsinki), Gerard Legier (Aix-Marseille), Anthony Chamboredon (Paris), Andrea Robotka, Marta Dezso (Budapest), Alberto Maffi, Cinzia Corti (Milano), Dalia Vasariene (Vilnius), Gordana Buzarovska, Ana Pavlovska-Daneva (Skopje), Anette van Sandwijk, Jaap de Zwaan (Rotterdam), Asbjorn Strandbakken, Ingrid E. Tosdal (Bergen) Jakub Urbanik, Piotr Korzec (Warsaw), Vasco Pereira da Silva (Lisbon), Flavius Baias (Bucharest), James L. Murdoch (Glasgow), Maria Patakyova, Veronika Uzakova (Bratislava) Francina Esteve (Girona), Pablo Gutierrez Junquera (Salamanca), Jaan Ginter (Tartu), Anita Rodina (Riga)

Absent: Copenhagen, Lund, Stockholm, Reykjavik (due to ash cloud), Maribor, Warwick, Yeditepe, Innsbruck, Sofia (all with notice)

Friday 16 April

Auditorium – Plenary Sessions (open to the public) – Global Theme: The Master in Law and the Bologna Process

Vasco Pereira da Silva opened the plenary session on behalf of the rector of the University of Lisbon (absent because of ash cloud). Jaap de Zwaan then opened the meeting on behalf of the Rotterdam Law Network and expressed gratitude towards Lisbon for their hospitality and organization. Unfortunately some partners were absent also due to the ash cloud, but two potential new partners were present as well.

Then Dean Dr Eduardo Vera- Cruz Pinto opened the meeting on behalf of the law school. After this a letter written by Barroso, President of the European Commission and alumnus of the Faculty of Law of the University of Lisbon, was read out loud. He praised the network for being an excellent example for exchanges in Europe.

Models of the Master in Law at the European Countries

- the French Perspective – Anthony Chamboredon explained that Paris V was the first to have the Bologna reforms. In 2004 the “LMD” (*licence, master, doctorat*) was implemented. He provided information on the transitional process of implementing this system. It involved a great change in organisation of studies. Paris V has research masters and professional masters. The LMD system has created competition among universities.
- The German Perspective – Jochen Gloeckner informed the network about the reasons why legal (university) education was kept out of the Bologna process in Germany and stated the pro’s and cons of the BaMa system. In his view, hardly any of the internal and external goals that were set for ‘Bologna’ were reached and he presented some possible new models. Please see PowerPoint presentation for full text.
- The British Perspective – Nuno Ferreira’s emphasised that Europe has focused too much on harmonization of the educational systems; there’s more to Bologna than we remember. England already had 3 cycles of studies, nothing has changed. The BaMa implementation resulted in having turned education into a “market section” (way of making money for universities). Master’s are taken by students who want an academic career or who find themselves too young for a career yet. Nuno concluded by saying that he doesn’t favour a greater degree of harmonization, but does favour greater mobility.

- The Dutch Perspective – Jaap de Zwaan emphasized the merits of Bologna: it has resulted in greater transparency. He also recalled the principle of mutual recognition of diplomas to which principle –a dimension of the fundamental internal market freedom of movement of persons- all Member States of the European Union are bound. So, it does not really matter how universities arrange their programmes, in the end free access of lawyers to the Labour market of other Member States has to be guaranteed. He explained the Dutch educational system (difference between two types of University education which both offer Master's degrees) and explained how Erasmus School of Law has created a huge variety of specialized Master's programmes to provide each student an almost "tailor-made" programme for his/her future career. Please also see powerpoint sheets.
- The Polish Perspective – Jakub Urbanik gave a presentation on the Polish educational system in which a "long cycle" of studies is being used. The 5 years end with a Master's Degree. Please also see PowerPoint presentation.
- The Portuguese Perspective – Vasco Pereira da Silva stated that there is a tendency to complain about Bologna and that this is not really fair. Some good initiatives such as Erasmus Mundus programmes and joint Master's have been made possible. He explained about the distinction between Scientific and Professional Master's in Portugal and stated that language (Portuguese) is a problem for mobility, but they do offer intensive courses by foreign professors

The Masters in Law viewed from their public – Vocational or Research Masters in Law?
 After the break we heard about the vision of the judges (Dr Caetano Duarte) who stated that the master's programmes do not correspond with the specificities of the career of judges. The perspective of the State procurator (Dr Antonio Cluny) was that in fact a special master should be created. The perspective of the lawyers (Rogerio Alves) was that lawyers faced Bologna optimistically but that most feel that they did not learn what they needed (programmes are too academically). He suggested a Master's degree with many options as one curriculum does not help anymore and that the training of lawyers should be transferred to universities in cooperation with the bar association. His hope is that universities and the bar association will work together to prepare for "real" lawyers. The student's perspective (Joao Ascenso) was that the two types of Master (scientific and professional) should be brought closer together.

Q and A

Rectory – Working sessions (for RLN members only)

Master's programmes

Jaap de Zwaan opened the afternoon session and after the "tour de table" the morning discussion was continued.

Rotterdam informed the network that a "block" system (two blocks equal a semester) was introduced for the Master's programmes in Rotterdam which is more intensive. *Zagreb* indicated that Erasmus cooperation was recently introduced and that they offer courses in English. They are now focusing on learning outcomes.

Bucharest said that the best students first enter the profession and then later on will do a Master. At this point Master's are not considered to be very important. They're trying to make the Master compulsory for entering the legal profession. *Skopje* informed us that students will need to have completed both Bachelor and Master in order to get access to the judiciary. The law was changed so that students have to take the Master programme. Unfortunately only the first cycle is financed by the state.

Rotterdam asked the participants if there are any countries where a Master is not required to enter the legal profession.

Salamanca informed us that there is a special master for those who would like to become a lawyer. In general a Master is not necessary, it is a specialization. *Aix Marseille* stated that a Master is necessary to get access to the legal profession. In Portugal only a

Bachelor is necessary. *Aix Marseille* mentioned that a project has started to have the two different types of Masters disappear.

Paris wondered how many academics and how many professionals teach in courses (Paris: 100 academics, 200 staff coming from law firms for a professional master degree); professionalization of legal studies. *Rotterdam* answered that this depends on the programme. For their commercial law programme they do have professionals teach in their programme for example. *Bucharest* said that a new law may be introduced so that professionals may teach in Master's programmes. In *Skopje* 30% of classes have to be practical.

Rotterdam wondered how many universities have internships included in their curriculum. *Skopje, Tartu, Riga, Paris, Aix Marseille and Warsaw* have included an internship. This is possible because learning outcomes have been set for internships. *Rotterdam* has included a moot court in their 3rd year bachelor. *Riga* stated that they have a law which requires 26 weeks of practice to be included in the master's (2 year) curriculum (in either administrative, criminal or civil law positions). They also have a 1 year Master programme for practitioners who took the "old style" – 4 year programme. *Brno* also mentioned that practice is also included. *Zagreb* mentioned that became 2nd in moot competition.

Assessment exchanges

Most exchanges seem to take place outside the network (and outside Europe in general). *Glasgow* mentioned that funds are drying up, but not for Erasmus exchanges and hopes that this will result in more exchanges within Europe (instead of Australia etc). *Milano* mentioned that students had to return home due to the economic crisis. *Lisbon* and *Milano* both had cooperation with banks for financing study abroad for students. *Aix Marseille* mentioned that they have a dual degree with Ottawa. *Glasgow* mentioned that next year will be the "Year of the outgoing students".

Staff mobility

Rotterdam mentioned the idea of organising a special one week programme for (adm) staff mobility. Other universities are doing this as well and it brings many advantages: - it is easier to arrange a 5 day programme (because the programme can be offered by the whole university instead of just the faculty) and for participants it is also nice to meet staff from other countries. *Salamanca* wondered if one week is not too much.

Annual Meeting

Istanbul has kindly offered to host next year's (2011) meeting. *Bucharest* has kindly offered to host the 2012 meeting.

Enlargement of the network

Then the University of *Tartu* introduced itself. It has 2 campuses (Tallinn and Tartu) and have a 3+2+4 system. They have 37 European agreements, and offer courses in English. Accommodation is available for EUR 100/month. (More information was mentioned in the leaflet that all participants received).

Then the University of *Riga* introduced itself, one of the oldest universities in Latvia and has a strong position in Latvia. They offer a 3+2+3 system. They have 27 university wide Erasmus agreements and have a very strict student selection. They offer 11 courses taught in English and hope to increase the number of incoming students. They are looking for stronger cooperation with the Riga Graduate School as to offer more courses in English.

After the break all members voted in favor of adding Tartu and Riga to the Rotterdam Law Network, congratulations!

Language proficiency

Some partners have problems with the language skills of visiting students. *Helsinki* now requires a certificate (B2) that needs to be completed by sending university (language coordinator or international office). *Paris* checks the language ability of their students. *Glasgow* wonders if this doesn't provide the students with a false sense of security (because it will still be difficult in the beginning). *Lisbon* also has mixed feelings, you learn the language in the country (they usually call their Chinese applicants to check their language ability – language tests are usually false). *Paris* indicated that in order to be able to attend courses in another language you really need to have a good basic knowledge. *Rotterdam* shares the experience with Chinese students (had a student that caused problems for everybody, however, it was difficult to send her back without a diploma). *Zagreb* agreed that it is important that students speak the language in which they are taking courses very well; but who checks?

Then a discussion started about who should be checking the language skills. *Brno* indicated that this is up to the coordinator of the sending university (Brno has language course in the curriculum). *Glasgow* argued that coordinators should be confronted immediately if the language skills are not up to standard. *Aix Marseille* said that checking language ability is a matter of liability (sending institution should make sure that their students' language skills are in order), confidence (we should trust that we receive students with proper language skills) and adaptation (by the students, *Bergen* sends students to France for a full year whereby the first semester is used to adjust to new country, new language etc).

English taught programmes

For some countries it is "illegal" to have studies completely in English. In *Lisbon* English courses are taught by foreign professors. *Warsaw* informed the participants that their native students like taking English taught courses.

Network extension/reduction

Paris mentioned that Trinity College is interested in joining the network and will send coordinates to *Rotterdam*.

Website

Rotterdam indicates that maintaining (and further extending) our website is very time consuming and suggests outsourcing. All partners approved of this idea (and paying a small fee for this).

Miscellaneous

So far we have not received news from the EC about our response to the Green Paper on learning mobility. *Rotterdam* will check status (25/4/2010 - response: Dear Colleague, The findings will be published on the EAC website in June. Regards, Christian Tauch, European Commission - Directorate General for Education and Culture)

Vilnius, *Lisbon* and *Zagreb* offer summer courses. *Milano* is trying and are open to ideas.

Plagiarism: the host university disciplines and it is expected that the home university also takes action.

Annual Meeting

Next year's meeting will take place in Istanbul from 19 – 21 May. In 2012 the meeting will take place in Bucharest.

Jaap thanked all participants for their input and attendance and closed the meeting.

(How could we have expected that the meeting would continue for days and days because of the ash cloud. Thank you Lisbon for providing work spaces and support, thank you participants for making the extra days so pleasant)