

Thoughts on Law School Summer Abroad Experiences

by
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Over the course of my 30 years as a full-time academic, I have taught three times in summer-abroad programs hosted as part of American Bar Association (ABA) accredited legal programs, and I have talked extensively with various colleagues who have taught in other summer programs abroad. I taught one summer at the University of Parma in Parma, Italy in a traditional program sponsored exclusively by the law school at which I was then teaching.¹ I have taught twice in a summer program at Downing College, Cambridge University, in the U.K. as part of a program participated in by a consortium of law schools.² Finally, I have spoken to colleagues who have taught in these and other summer programs. The other programs I have spoken to friends and colleagues about include traditional summer programs that ranged in length from two to four weeks, but also include programs that have had a substantial classroom component in the United States before involving a much more limited international experience.³

I am aware that some of my colleagues, and certainly some students and probably a fair number of folks in the practicing bar, regard all summer abroad programs as a grand boondoggle and an opportunity for students and faculty to travel abroad, with little “real” work involved. My experience suggests this view is in error.⁴ Each of the summer abroad experiences with which I am familiar offers at least the potential for significant benefits for schools, students, and faculty alike, although the advantages of the different kinds of programs do vary somewhat.

This short reflection begins with a comparison of some of the various options in terms of how summer abroad programs are conducted. This section is divided into three parts: what I will call typical programs, modified programs, and briefer visits abroad. The second section of this piece focuses on the benefits and costs of summer abroad experiences, from the perspectives of institutions, students, and faculty. It then concludes with some personal thoughts and

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¹ I was then on the tenure-track at Seton Hall University School of Law, which for many years offered a summer program in Parma, Italy taught primarily by Seton Hall law faculty to American law students, most of whom were attending Seton Hall. Italian legal professionals and faculty sometimes taught or participated as guests in the classes.

² Official information about this program may be found on the University of Mississippi’s website, at <http://law.olemiss.edu/academics-programs/cambridge-study-abroad-program/> (last accessed December, 2019). The University of Mississippi is the lead institution, responsible for administration of the program. The co-sponsors are the University of Arkansas (Fayetteville), University of Nebraska, and University of Tennessee.

³ In the past several years, the University of Arkansas (Fayetteville) has experimented with a number of these shorter international experiences. Our students have made educational trips in connection with law school classes to St. Petersburg, Russia, and to Rome, Italy. These programs have been offered primarily in the summer, but we have also experimented with a visit to Rome over Spring Break. I have not taught in any of these programs, but have spoken with several of my colleagues who have taught these courses and arranged the international component.

⁴ I do not dispute that it may be possible to earn credit for little “real” work in such programs, but in all candor, the same may be said for many JD classes taken back in the US. And in all honesty, I was favorably impressed with the diligence and preparation of the students with whom I interacted during my summer abroad classes.

observations about choices that appear to me to maximize the benefits of summer abroad experiences.

1. Comparison of the Options

A. Typical Summer Abroad Programs

Summer abroad programs for American law students date back to 1967.⁵ Originally, there were few such offerings, with only five summer abroad programs being accredited in 1975.⁶ By 2008, there were more than 200 such programs, in 49 different countries.⁷

Based on a review of the general information maintained by the ABA and a somewhat informal perusal of online descriptions maintained on many law schools' webpages, most of the existing programs are hosted by a single law school, many but far from all in association with a foreign university or law school.⁸ Those that are not associated with a university or law school all involve some exposure to legal professionals and legal institutions in the host country as part of the experience.⁹ These programs tend to last between 10 and 30 days, with three weeks being cost common.¹⁰ Most programs offer somewhere between two and four credits, depending on the

⁵ Louise Harmon & Eileen Kaufman, *Innocents Abroad: Reflections on Summer Abroad Law Programs*, 30 T. JEFFERSON L. REV. 69, 103 (2007). This article also contains a history of study abroad more generally, in the section entitled "Pioneers in Study Abroad." *Id.* at 95.

⁶ *Id.* at 103.

⁷ *Id.* at 104. Additional information about current summer abroad programs accredited by the ABA and offered through American law schools is maintained by the ABA's section of Legal Education and Admissions to the Bar. ABA, *Foreign Summer and Intersession Programs* (Dec. 3, 2019), available online at https://www.americanbar.org/groups/legal_education/resources/foreign_study/foreign_summer_winter_programs/ (archived at <https://perma.cc/ER5W-KLKU>) ("*Foreign Summer*").

⁸ The first summer abroad program was hosted at Exeter University in Devon, England. Harmon, *supra* note 5 at 103. England continues to be a favored destination, with multiple programs being located at Oxford University, Cambridge University, and a number of London schools including the Queen Mary campus, King's College, and the University of Law (a private law school operating in the UK). See ABA, *Summer Student Abroad Law Programs*, available online at <https://abaforlawstudents.com/stay-informed/summer-study-abroad-law-school-programs/> (archived at <https://perma.cc/5VPB-LAJ2>) ("*Summer Student Abroad*"). Other prestigious international universities hosting summer programs include Peking University in China; University of Vienna Law School in Austria; the Sorbonne in Paris, France; the University of Bologna, in Italy; and Trinity College in Dublin, Ireland. *Id.* While most programs are hosted in Europe, there are opportunities around the globe for law students interested in a summer abroad.

⁹ This is not surprising, since the current accreditation requirements mandate that the program "include at least two visits that relate to the socio-legal environment in the host country." ABA, *Criteria for Programs Offered by ABA-Approved Law Schools in a Location Outside the United States*, § I.B.5.(a) (2019-20), available online at https://www.americanbar.org/content/dam/aba/administrative/legal_education_and_admissions_to_the_bar/standard_s/2019-2020/19-aug-revised-criteria-for-programs-offered-by-aba-approved-law-schools-in-location-outside-us.pdf (archived at <https://perma.cc/G4YT-RCN8>) ("*ABA, Criteria*").

¹⁰ Information about the duration of programs comes from *Summer Student Abroad*, *supra* note 8.

length of the program.¹¹ Almost all of these shorter programs have a set schedule of classes that the participating students must take,¹² although sometimes there are options as well.¹³

With regard to the program participants, many and often all of the courses in the program are taught by law faculty from the host law school, and most students are from that law school although virtually all programs allow and even encourage students from other ABA accredited law schools to participate as well.¹⁴ Many programs also allow others including students from the host country to participate,¹⁵ although all classes are typically taught in English unless there is an optional foreign language component to the program. Sometimes, local faculty or legal professionals are invited to teach all or a portion of one or more courses in the program, to co-teach a class, or to participate in classes in other ways.¹⁶

Regardless of how any given summer program is structured, it must meet the accreditation requirements imposed by the American Bar Association.¹⁷ Current standards require that the academic content of the program be approved in the same manner as the sponsoring law school's (or schools') on-campus courses,¹⁸ and it must meet the same standards as on-campus courses, including evaluation of student performance.¹⁹ The program must also include "at least two [educational] visits that relate to the socio-legal environment in the host country," although this

¹¹ One of the applicable accreditation requirements is that no more than 1.5 credit hours be offered per week of the program. "[I]n no event shall a student receive more than 1.5 semester credit hours for each week of the program." *ABA Criteria*, *supra* note 9 at § I.B.1.(a).

¹² For example, Brooklyn offers a two-week program in China. *See Brooklyn Law School Beijing Summer Abroad Program Description* at <https://www.brooklaw.edu/Academics/International-Programs/Beijing> (archived at <https://perma.cc/MCG5-P2ZH>) ("Program Description"). There are two required courses listed in this program. *Id.*

¹³ The most common options appear to be the possibility of adding an externship experience following the classroom component or in participating in a second summer abroad offering that follows the first. Santa Clara, for example, offers a number of such opportunities in its summer abroad programs. *See Santa Clara, Summer Abroad 2020*, at <https://law.scu.edu/international/summer-abroad/> (archived at <https://perma.cc/RB56-UXDF>). Most of Santa Clara's offerings allow for externships or the possibility of continuing classroom learning in a later session in Geneva or a tutorial at Oxford. *Id.*

¹⁴ Harmon, *supra* note 5 at 120-21, *espec.* n.186. This information is also maintained in the list found at *Summer Student Abroad*, *supra* note 8. The Summer Student Abroad report includes a range of information about these programs, starting with the sponsoring institution(s), the location(s) of the program and its dates; the subject matter of offered courses, cost, housing, eligibility requirements, and application information. *Id.* Many of the programs also have a listed website that includes substantial information about the particular program. The listings in the report itself are incomplete and some of the information is out of date, but the report still collects some relevant information in a single place.

¹⁵ *Id.*

¹⁶ Many programs highlight involvement by local professionals as an added attraction of participation in summer abroad experiences.

¹⁷ "A law school may grant credit for study outside the United States that meets the requirements of the Criteria adopted by the Council." ABA, Standards and Rules of Procedure for Approval of Law Schools (2019-20), Standard 307(a). Chapter three of the Standards, dealing with the *Program of Legal Education*, is available online at https://www.americanbar.org/content/dam/aba/administrative/legal_education_and_admissions_to_the_bar/standards/2019-2020/2019-2020-aba-standards-chapter3.pdf (archived at <https://perma.cc/R7BF-XLER>) (Because all of the references in this reflection are to this chapter, this source will be referred to herein as "Standards (2019-20)").

¹⁸ ABA, *Criteria*, *supra* note 9, at § I.A.2.

¹⁹ *Id.* at § II.D.1.

time may only count towards credit hours if the content of the visit is academic and specifically related to the class for which credit is awarded.²⁰ In addition, if students from multiple institutions are allowed to participate (which includes almost all summer abroad programs),²¹ “[a] substantial portion of the educational program must relate to the socio-legal environment of the host country or have an international or comparative focus.”²² While not all courses listed on law school websites discussing summer abroad programs relate directly to the country or region in which the program is located, most programs have some obvious connection with the host country or countries, or the region. Even courses that do not, by their title alone, directly relate to the host country, could easily be taught with at least some focus on the law of the nation in which the program is located.²³

B. Modified Approaches

A number of schools have found that, for a variety of reasons, it works better to have a summer abroad program that is different in one or more ways from the more typical model. Generally, these changes mean that there is more of something than is usually associated with a summer abroad experience: more schools are involved;²⁴ more locations are part of the program itself;²⁵ or more time (and typically more credits) are involved.²⁶ In most ways, these programs resemble other summer abroad programs, with the same accreditation standards being applied (although there are a few differences when there are multiple schools participating in a consortium).²⁷

Probably the most common innovation involves a number of schools joining together in a consortium or loose affiliation to jointly sponsor a summer offering. The only difference between these programs and more typical offerings is that the faculty and students tend to come from all of the participating schools rather than a single institution. Some of these programs involve two schools, and some involve more.²⁸ This pattern of co-sponsorship is now common enough that

²⁰ *Id.* at § I.B.5.(a) & (b).

²¹ *See supra* note 14 and accompanying text.

²² *Id.* at § I.B.5.a.

²³ For example, Brooklyn Law School offers a summer program in Beijing. The listed courses for such program include Intellectual Property Law and Intro to Comparative Constitutional Law. *Id.* If one actually accesses the program website, however, it is clear that there is a focus on Chinese issues, since the courses include “lectures by prominent Chinese legal scholars and lawyers.” *See Program description, supra* note 12.

²⁴ *See infra* notes 32-34 and accompanying text.

²⁵ *See infra* notes 35-37 and accompanying text.

²⁶ For example, Southwestern Law School offers a 5 week program in London. *See* Southwestern Law School (Los Angeles), London Summer Program, at <https://www.swlaw.edu/curriculum/study-abroad-summer-session/summer-abroad> (listing June 14 - July 17, 2020 for the summer 2020 dates). Similarly, Florida Coastal School of Law offers a program in Clermont-Ferrand, France from the end of May through the beginning of July. *See Summer Student Abroad, supra* note 8.

²⁷ *See* ABA, *Criteria, supra* note 9, at Part II.

²⁸ Stetson University, for example, co-sponsors summer programs with Oklahoma City University, Mercer University, Charleston School of Law, Roger Williams University, and Nova Southeastern University. *See* Stetson University, College of Law, *Study Abroad*, at <https://www.stetson.edu/law/studyabroad/home/> (the list of co-sponsors appears on the link for each specific program; some programs also have local sponsors such as The Universite de Granada in Spain). Some online information suggests that this consortium was once even larged,

there are a few special rules applicable to such programs as part of the ABA criteria for approval of international offerings.

The additional criteria applicable to co-sponsored programs also apply to all foreign-based academic programs that are open to students from other schools, which means these rules actually apply to almost all summer programs. These additional requirements relate primarily to participating faculty and the program director. According to the ABA's criteria for foreign programs, the sponsoring law school(s) are to assign "at least one tenured, tenure-track, or full-time faculty member from the law school (or one of the co-sponsoring law schools) to the program who will be present onsite for the duration of the program."²⁹ There must also be a program director present onsite for the duration of the program appointed with approval of each sponsoring school.³⁰ At least one faculty member at all times must speak the language of the host nation and be familiar with the country in which the program operates.³¹ Substantively, however, these programs operate in the same way as programs sponsored by single institutions.

Another variation involves programs that are specifically designed to take place in multiple locations, so that considerable travel is built into the program.³² Obviously these programs are not hosted by a single foreign university or law school, but they offer the benefit of providing students with exposure to a range of persons, places, and experiences that may not be possible for a programs hosted in a single place. Some of these programs involve activities at two distinct locations,³³ while others involve even more travel.³⁴ One less obvious benefit of having the program itself entail substantial travel while abroad is that student aid may be based on the cost of the program. By incorporating travel expenses into the cost of the program, it may be possible

including Elon University, Washburn University, and Florida A&M University as well. *See Summer Student Abroad*, *supra* note 8.

²⁹ ABA, *Criteria*, *supra* note 9, at § II.A.1.

³⁰ *Id.* at § II.B.1. (The same person can be both the assigned faculty member and the director, although that person may not concurrently serve as director of multiple programs. *Id.* at § II.B.2.)

³¹ *Id.* at § II.C.3.(a) & (b).

³² For example, Duquesne University hosts a 3 week program in Cologne, Luxembourg, and Strasbough, with a number of cultural excursions in Germans. *See Summer Student Abroad*, *supra* note 8. Mississippi College offers a program of similar length in ChengDu, Xi'an, and Beijing, China, and Seoul, South Korea. *Id.* *See also* Mississippi College, *China and South Korea*, at <https://law.mc.edu/academics/study-abroad/china-and-south-korea> (listing May 14 to June 7, 2019 for timing of the 2019 program).

³³ For example, Fordham offers a program in Belfast, Northern Ireland and Dublin Ireland. *See* Fordham University School of Law, *Ireland*, at <https://www.fordham.edu/info/23962/ireland>. Similarly, Mississippi College offers a program split between Chengdu, Xi'an, and Beijing, China and Seoul, South Korea. *See* MC/Law, *Study Abroad, China and South Korea*, at <https://law.mc.edu/academics/study-abroad/china-and-south-korea> (archived at <https://perma.cc/8FRT-2GSY>) (for summer, 2019).

³⁴ American University, Washington College of Law, for example, offers a summer program that takes place in London, Brussels, and Geneva (although students may elect to participate in less than all of these locations.) *See* American U. Washington College of Law, Summer Law Programs in Europe, at <https://abroad.wcl.american.edu/index.cfm?FuseAction=Programs.ViewProgramAngular&id=40903>. The University of Missouri, Kansas City offers a summer program in Dingle, Cork, and Dublin, Ireland. *See* UMKC, *Ireland Summer Law Study Abroad*, at <https://law.umkc.edu/academics/international-programs/ireland-study-abroad/>.

for more students to participate in more extensive exploration of an area that might otherwise be inaccessible to them.

Finally, some programs offer a more in-depth experience, lasting for more than the most-common three week program duration, and offering more credit than can be earned in shorter programs.³⁵ Some of the longer options involve externships in the host country or in the surrounding region.³⁶ In addition, at least a few of the longer programs offer students flexibility in which courses to take. The program with which I am most familiar, and in which I have participated twice, lasts for six weeks, and students take between five to seven credits, with a total of seven courses being offered (of which students can take no more than four).³⁷

C. Briefer Visits Abroad

Finally, some summer abroad experiences do not fit the model of classes taught exclusively in one or more foreign countries. Instead, some schools (including my home institution) have begun experimenting with options where most of the classroom time occurs in the U.S., potentially even online, generally followed by an excursion to a foreign location of substantially limited duration (often no more than a single week).

This kind of offering has not been regulated by the ABA in quite the same way as it has approached classes conducted exclusively in foreign locales. Until the most recent amendments to the ABA Standards, Interpretation 307-2 to Standard 307 (which governs studies outside the United States) specified that “a brief visit to a country outside the United States that is part of a course offered and based primarily at the law school and approved through the school’s regular curriculum approval process is not considered to be studies outside the United States.”³⁸ As currently worded, there are no interpretations accompanying standard 307, which merely

³⁵ For example, Indiana University (Indianapolis) offers a relatively stark side-by-side comparison, with two programs in Beijing. Program A lasts for 4 weeks and offers 5 credits, while their program B is limited to 2 weeks and 2 credits. See I.U. Robert H McKinney School of Law, *Study Abroad: Chinese Law Summer Program*, at <https://mckinneylaw.iu.edu/focus/International/study-abroad-china/index.html>. Before it announced its closure in 2017, Whittier Law School also offered students a choice, including both a 2-week and a 3-week option, as well as an 8-week summer program that included an externship experience. *Summer Student Abroad*, *supra* note 8.

³⁶ One such program is offered by Santa Clara, which has a 3 week class component involving 4 credits in Singapore, followed by a 4 or 5 credit externship in Singapore, Cambodia, India or Vietnam. Santa Clara University, *Santa Clara Law: Summer Abroad in Singapore*, at <https://international.scu.edu/index.cfm?FuseAction=Programs.ViewProgramAngular&id=10008>. The Santa Clara option is particularly flexible, also allowing students to continue with studies in classes conducted in Geneva or Oxford. *Id.*

³⁷ See U. Miss., *Cambridge Study Abroad Program Courses and Schedule*, archived at <https://perma.cc/496H-C9XA> (for summer, 2019). The courses vary from year to year, but all involve a substantial international or comparative component, and two are taught by faculty from Cambridge University. *Id.*

³⁸ ABA Standards and Rules of Procedure for Approval of Law Schools (2017-18), Interp. 307-2, at p. 20, available online at https://www.americanbar.org/content/dam/aba/publications/misc/legal_education/Standards/2017-2018ABASStandardsforApprovalofLawSchools/2017_2018_aba_standards_rules_approval_law_schools_final.authcheckdam.pdf.

requires that in order to grant credit for study outside the U.S., it must meet “the requirements of the Criteria adopted by the Council.”³⁹

The Criteria also do not distinguish between full-length offerings in a foreign country, and visits that occur as an adjunct to courses taught primarily in the U.S. Instead, there appear to be only a few applicable substantive statements for shorter excursions. First, it appear that the academic content be approved and meet the same standards as other offerings,⁴⁰ which is both imminently sensible and predictable. The other is the requirement that a “program” must “include at least two visits that relate to the socio-legal environment in the host country,”⁴¹ and the limitation on credit which requires the visits to be academic and “specifically related to the class for which the credit is being awarded.”⁴² The criteria do not define what constitutes a program.

These kinds of offerings are not conventional summer abroad programs, but they may offer a range of different practical experiences for students. For example, a course in international regulation of food could benefit immensely from a short excursion to Rome, where some of the most important international organizations dealing with food issues are located, including the Food and Agriculture Organization of the United Nations (FAO), the World Food Program (WFP) and the International Fund for Agricultural Development (IFAD). A class on international human rights or international criminal justice might benefit from a trip to The Hague, which is the home to the U.N.’s International Court of Justice and the International Criminal Court. A course on the history of U.S. legal institutions might benefit from a trip to England, to learn more about the legal structure and institutions of the nation on which our system is most closely modeled. The options are virtually limitless.

D. One Brief Comment on other Options

Before turning to the potential benefits of the summer international offerings discussed here, it is also important to note that it is possible for American law schools to offer other programs abroad. Shorter, intersession offerings are also permitted,⁴³ and longer semester and even year-long programs are also offered at some law schools.⁴⁴ Since I have not taught at an institution where these options were available and have no personal experience with them, I do not address them here, other than to note that many of the advantages of international summer programs would doubtless apply to these kinds of programs, as well. Some of the costs of summer abroad, however, might also attach to semester or year-long programs, as well, and the burdens on participating faculty are also likely to be even greater.

³⁹ Standards (2019-20), *supra* note 17, Standard 307(a).

⁴⁰ ABA, *Criteria*, *supra* note 9, at § I.A.2. & 3. There are also some administrative requirements, such as limits on the number of students enrolled, requirement of appropriate facilities and support, and the need to provide students with contact information of a responsible person who can be reached at all times. *Id.* at § I.A.4. & 5.

⁴¹ *Id.* at § I.B.5.(a).

⁴² *Id.* at § I.B.5.(b).

⁴³ These are regulated by the same Criteria applicable to other summer programs. *See* ABA *Criteria*, *supra* note 9.

⁴⁴ The standards for these longer programs are also set out in the same Criteria. *Id.*

2. Benefits (and Costs) of Summer Abroad Programs

There are an incredible range of potential benefits associated with summer abroad experiences.⁴⁵ The benefits differ depending on whose perspective is at issue. There are benefits for the sponsoring institution, for the students, and for participating faculty. There are also costs, which again vary depending on perspective. I will address each of those, although the following is not an exhaustive list of either the benefits of potential costs of summer abroad experiences..

A. The Sponsoring Law Schools

First, from the perspective of the institution that sponsors this kind of program, the potential benefits are significant and wide-ranging. First, the availability of this kind of program is likely to be necessary to attract the most talented and most intellectually curious students. It may hold similar appeal for potential faculty when it is time to add to the teaching resources of a school. Failure to have internationally based programs may mean that a school is unable to attract individuals with an interest in international law, which has actually been singled out as one of the most important emerging educational trends.⁴⁶

In addition to attracting such persons to the school initially, it is important that they (and others) remain engaged in the educational process during law school. The reality is that faculty and students who participate in a summer abroad program are likely to come back tired, but also energized and intellectually refreshed. From the students' perspective, the combination of classroom and extra-curricular activities can be eye-opening and at least potentially transformative. Some law students may have had limited opportunities to interact with other educational and legal systems directly, and this kind of opportunity may be essential for their growth as a professional. While that is obviously a huge benefit for the student, it is also critical for class dynamics in the upper level, as those students are able to interact with others about their experiences. The benefit of their presence following such a summer experience can extend far beyond their personal growth.

Similarly, a re-energized and engaged faculty is also a huge benefit for the school. Faculty who participate in summer abroad programs tend to have the opportunity to engage more closely and more regularly with their students, and this too can have significant benefits for the institution, albeit ones that are hard to quantify. Faculty may also come back with a greater appreciation for

⁴⁵ I will note immediately that others have also written about the benefits of study abroad for law students from their perspectives. *See, e.g.*, Harmon, *supra* note 5. For a student perspective, see Holly Lou Hydeman, *Learn the Law Abroad*, J. KAN. B. ASS'N, November/December 2006, at 10. I will also emphasize that I make no claim that my listing of benefits is exclusive, and in fact, I know that it is not. There is a real advantage to simply having fun, for instance, especially as part of and during law school, which can often be a stressful and overwhelming experience. The “fun” part of a summer abroad program is very real—it is simply not the central part of what this reflection is designed to emphasize.

⁴⁶ Internationalization and globalization has been called one of the nine trends facing legal education today. Eugene Clark, *Looking Forward: Challenges Facing Legal Education in the 21st Century*, 3 PHOENIX L. REV. 461, 470 (2010).

international issues and considerations, which may help them in their classroom and scholarly endeavors.

Finally, an international component to a school's program of legal education may be a critical part of how the school brands and markets itself. Participation in signature programs that highlight faculty strength and expertise may bring increased visibility and attention to the institution, which is important for a number of reasons (not the least being those annoying comparative rankings, which often rely on peer assessment from faculty who may have never actually interacted with most of the schools being reviewed).

This is not to say that summer abroad programs are without costs. There are clearly financial costs associated with administering these programs, and proper program administration is likely to involve considerable overhead in addition to the cost of paying faculty to participate. This is undoubtedly the biggest problem for law schools, although it is true that there may be other downsides. For example, if the law school's alumni and local bar are not well educated about the benefits to the students, faculty, and program of legal education, this may also result in costs in terms of a lack of support for the school and its other programs. Finally, students who are travelling abroad will not be enrolling in summer offerings at the law school, which may be a negative for schools that depend on on-campus summer school enrollments.

B. The Students

From the perspective of the students, there is an even longer list of potential benefits. Most obviously, these kinds of summer programs offer students the opportunity to engage in an immersive experience in international law in context of being able to observe aspects of a foreign legal systems and systems of legal education or licensing for the profession. In the process of learning about foreign practices and structures, students are likely to gain insights about ours. In and of itself, this can be incredibly valuable. When combined with intensive exposure to local culture, local practice of law, and local educational practices, this adds not only to legal knowledge but also to cultural intelligence and sensitivity. These kinds of potentially transformative experiences are not easily duplicated in any other setting, and yet they are likely to make for a substantially more well-rounded professional, better able to serve in an increasingly global economy.

In addition, this kind of experience is likely to offer students the opportunity to take various courses that are not usually available in U.S. classrooms. Even when similar offerings are available in the U.S., they are not likely to feature the kinds of insights that can often be gained from guests who teach or practice in the host country. For some programs, students are able to take classes offered by professionals who do not teach at all at their home institution. This can be very reassuring for students who have limited experience to what students at other schools are learning. For others, it is a motivational experience.

Offerings of the breadth that can be offered in summer programs allow students to focus on areas of particular interest to them and also provide students with the opportunity to see how international law permeates subjects that they may have taken or later take in the U.S. which

might lack a focus on the international or comparative component. As the modern practice of law becomes increasingly global in scope, this kind of exposure is important not only for substantive knowledge but also for the ability to see international aspects and issues that might otherwise be missed. Precisely because there are so many alternatives in terms of timing, duration, focus, and location, summer abroad programs offer students a particularly wide range of options that they can tailor to meet their needs, interests, and longer-term career objectives.

Many students participate in these programs immediately following their first year of law school. For many students, that is an incredibly draining and challenging experience, as it will be the first time that they are not at the top of their class. Different in scope and focus, international programs can provide a meaningful opportunity to reflect and re-engage with the process of learning about the law.⁴⁷

Finally, learning in a summer abroad experience enhances a student's resume. Simply put, this kind of experience both makes students stand out, and gives them something interesting and relevant to talk about during interviews. In an increasingly challenging and competitive environment when it comes to finding legal employment, this is no small thing.

On the other side of the coin, there are expenses associated with participating in a summer program. These programs are not inexpensive. The travel expense alone is significant, and then there is both the housing and tuition expense to consider. In fact, it is probably the financial burden of most of these programs that is the largest limiting factor for many students, who attend law school on relatively tight budgets. While financial aid may be available, this is likely to increase a student's debt load, which may not be the most attractive of options.

Nor is the financial cost the only potential issue with summer abroad. There is also a risk to personal safety. The risk of violence, or loss due to theft or pickpocketing is real in many areas. Some areas of the globe pose health problems. These are costs or barriers to participation that have to be evaluated and addressed on an individual basis.

In addition, while most programs are of limited duration in order to allow students to clerk or engage in other summer opportunities, the timing of some summer abroad programs may interfere with other opportunities. Clerkships and externships in the U.S. may be limited or unavailable. More basic foundational courses cannot be taken at the same time as the students participate in the summer program abroad.

Some of the problems can be addressed or at least minimized with careful program planning and administration. Programs that are shorter in duration are less expensive and allow greater programmatic flexibility back in the U.S., although they may offer less opportunity for the transformative, immersive experience that is truly likely to change perspectives. Fortunately,

⁴⁷ As has been noted before, “[f]or many law students, a summer abroad program may well be one of the last opportunities to have an adventure: the last opportunity to cross an ocean, to share a room with someone new, to view a foreign vista from your bedroom window, to live out of a suitcase, to try new foods, to speak another language badly and enthusiastically....” Harmon, *supra* note 5 at 81.

there is such a wide range of summer programs for students, that with careful planning it is likely that there are good options available, assuming the cost of participation can be managed.

C. Faculty

Finally, consider the many advantages that teaching in a summer abroad program offers to faculty who are able to participate. Again, most obviously, teaching in a summer program encourages and allows faculty members to gain an increased appreciation for international legal issues in their respective areas. As many academics will tell you, one of the best ways to really learn a subject is to teach it. Because one of the requirements of a foreign summer program established by an ABA-approved law school is that a “substantial portion of the academic program must relate to the socio-legal environment of the host country or have an international or comparative focus,”⁴⁸ all classes in the program had a strong international or comparative focus. Perhaps some faculty members in such programs already focus on international law in their academic careers, but that is certainly not true for all of those who participate.

Just as is true for students, participating in a summer abroad program provides faculty with the opportunity to view and interact with a different culture and to see how history and environment can shape a country, its people, its laws and its educational systems. Every country has its own unique culture and the opportunity to visit and experience life elsewhere, even briefly and even as a tourist, is invaluable. Visitors to different countries not only get to experience different food and entertainment, but also get to see how people in different places treat a variety of issues. Walking through the streets, a tourist will see how people regard concepts such as personal space and privacy; a train trip through the country will reveal details about land use and property rights; a visit to or purchase in a market or store will reveal details about ordinary sales and commercial transactions. There are so many little things that travelers experience, and about which they might not otherwise think.

Travel opportunities are of course not unique to summer study abroad programs. Anyone with the money and time to spare can travel. One benefit of doing so within the context of a program such as the programs in which I have personally participated is the academic setting, and the focus on professional enrichment within the program itself.⁴⁹

Again, like students, faculty have the opportunity to meet and interact with law faculty and practicing professionals in the host nation. This may be easier or harder to facilitate depending on how the program is set up and administered, but the opportunity is there in a way that simply does not exist in the U.S. The possibility of having guest lecturers or visitors participate in classes is also one that should not be overlooked, as this is an additional way in which additional insights can be gained. In some cases, it may even be possible for an American professor to sit

⁴⁸ ABA, *Criteria*, *supra* note 9, at § II.D.1.

⁴⁹ For a considerably more detailed exposition about the Cambridge program in which I have twice participated, see Carol Goforth, *Teaching in a Summer Abroad Program*, ARK. L. NOTES 1760 (Sept. 28, 2015) (available online at <http://media.law.uark.edu/arklawnotes/2015/09/28/teaching-in-a-summer-abroad-program/>).

in on lectures or classes taught by local faculty, which may provide insights that help teaching back in the U.S.⁵⁰

Even if there is limited opportunity to interact with law faculty from the host country, a program jointly sponsored with multiple law schools will also offer the chance to meet with an interact faculty and students from other schools. It is always worth seeing and talking about how things are done at other law schools, and this kind of opportunity is one that should not be missed.

Finally, a summer abroad experience is invigorating. It is definitely exhausting, but it is almost impossible to come back to the U.S. without a degree of enthusiasm for the entire program of legal education. This may result in only subtle changes, but ideally it makes faculty more interesting, more engaging, and perhaps more approachable.

On the other side, these benefits for faculty do come at a cost. A faculty member in this kind of program is unlikely to be able to engage in substantial scholarship during the summer program. They may also be unavailable for administrative tasks and committee work over the summer (which the faculty in question may actually view as a benefit). For the duration of the summer program (and quite probably for a considerable period of time prior to the program, as they prepare for it), the faculty member will not have time off from teaching, if that is how they usually regain their energy and enthusiasm for the academic year. It also means they will not have this time to update materials or strategies for the upcoming academic year.

In addition to the time commitment, it appears to be very rare that the expense of travel will be fully reimbursed, especially for faculty with family who might wish to travel with them. Maintaining a home in the U.S. and finding accommodations abroad is an expensive proposition, and reimbursement rates appear to be relatively low for most programs.⁵¹

3. Maximizing the Benefits

With the preceding thoughts and observations in mind, how then can summer programs be structured to maximize the benefits without imposing excessive costs on sponsoring institutions and participants? Obviously, there is no single set of directives that will work for all schools. In fact, if all schools offered identical programs, one of the potential benefits for students in particular (the ability to tailor a summer experience to their personal needs, interests, and career objectives) would likely be significantly curtailed. However, I do have some general thoughts that might be useful in a wide range of programs.

Perhaps most importantly, a summer abroad program should seek to foster a sense of community among program participants. Ideally, students should be housed together or at the very least

⁵⁰ For examples of this, see Goforth, *supra* note 49, discussion in some detail the experience of sitting in a class on Public International Law by an Emeritus faculty member from Downing College at Cambridge University.

⁵¹ Although the information is a little out of date, when Harmon and Kaufman wrote their article on Summer Abroad programs in 2007 they reported that average compensation for faculty was slightly over \$3,000 per credit unit plus travel and housing. Only some programs reimbursed meal. The lowest per credit reimbursement was \$2000 per credit and the highest was \$5,500 per credit. Harmon, *supra* note 5 at 128.

efforts should be made to keep them in as close a proximity as possible. Group study and meeting space should be available for academic pursuits and contemplation. Group activities (both academic and extracurricular) should be planned and encouraged. Academic-focused experiences can be required. Even group travel with an academic focus might add substantially to the bonding experience. If that is impractical or too expensive, things as simple as shared meals, special outings, and group photos are also a way to encourage a shared sense of purpose and camaraderie.

This leads nicely into my second suggestion. I believe that it is critical that a summer abroad program be organized to take advantages of local legal resources. On the academic side, this can include the participation of courses taught by professionals in the host country, or by the occasional presence of guest faculty and local lecturers. If possible, it is worth considering visits to academic institutions in the host country, particularly if their system of legal training differs from the way law schools generally proceed. In addition to participation by local academics, most programs would benefit from some participation from or visits with local professionals, to discuss such topics as the training and licensing of lawyers, as well as the practice of law. Some programs use follow-on externships as a creative and excellent way to put classroom learning into practice. This obviously works best when the class-room component of the summer program is conducted earlier in the summer.

In addition to an academic focus, it is important that program planners remember that the program is occurring in a different country. It is therefore important to make sure that the program integrates cultural experiences, even if those do not directly relate to immediate academic goals. Eating at foreign restaurants, experiencing local travel, touring local buildings and famous sites, and similar activities can all be extremely valuable. In some places it may be possible to organize things like a scavenger hunt, where students are put into teams to work together to acquire pictures of local sights. This requires students to work together (building that sense of community), while learning about the local community. If language and safety concerns preclude this kind of activity, perhaps allowing a limited number of groups to propose group excursions or even to research and choose where to go for group meals could build the same kind of team focus while encouraging students to learn as much as possible about the environment in which they find themselves. These kinds of activities can improve cultural intelligence, while feeding students' sense of adventure and enthusiasm.

Finally, it is my personal belief that it is well worth encouraging participation from other schools, especially inviting students from multiple institutions to attend. This “cross-pollination” of law students can only benefit all concerned, as it is clear that students can learn a lot from one another.⁵² This kind of experience allows them to learn from a wider range of students.

⁵² In addition, of course, the ability to learn and work cooperatively is increasingly recognized as an important skills for new lawyers. See Institute for the Advancement of the American Legal System, Foundations for Practice: The Whole Lawyer and the Character Quotient (July 2016), p 20, available online at http://iaals.du.edu/sites/default/files/reports/foundations_for_practice_whole_lawyer_character_quotient.pdf and archived at <https://perma.cc/6SD3-VGCV>. For a brief exposition of the benefits of “flipped learning,” see Jennifer Rosa, *Flipped Learning: Promoting Collaboration, Cooperation, and Civility*, 96 MICH. B.J. 56 (Oct. 2017).

I personally believe co-sponsorship is also worth considering for any but the shortest of programs, because there is also a large benefit to having faculty from multiple schools interact as well. In addition, the co-sponsorship model might decrease each school's administrative costs and overhead. Regardless of whether a program has co-sponsors, however, students should be made aware that they are not typically limited to programs that their home institutions sponsor. For most law students, there is a large range of available options for summer study abroad. They need to know this early, with resources being made available for them to adequately plan for their summer experience.

Finally, I believe that all participants in a summer abroad program should be encouraged to take full advantage of the opportunities presented. Students and faculty alike should participate in group activities, take extracurricular excursions together, engage in activities together outside of class, and faculty should even consider visiting other classes if multiple courses are offered. At the least, they should talk to other faculty participants about how their classes are structured, taught, and assessed. Dinners with local faculty and professionals should be planned and encouraged, as a way for U.S. faculty to learn more about some of the topics that their students are most interested in. I have always told students that they will get out of class what they put into it; this is no less true for faculty who participate in summer abroad programs.