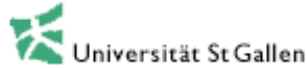


Working translation of official course description – Seminar held in German



Universität Zürich  
Rechtswissenschaftliches Institut



Rechtswissenschaftliche  
Abteilung

Prof. Dr. Jens Drolshammer  
University of St. Gallen  
Prof. Dr. Anton K. Schnyder  
University of Zurich  
Prof. Dr. Hans-Ueli Vogt  
University of Zurich

Seminar of the Universities of Zurich and St. Gallen in April/May 2007:

### ***American Legal Culture from a European Perspective***

How are heads of legal departments of multinational enterprises, senior attorneys in international legal practice, Swiss administrative and regulatory officials as well as courts of Switzerland and Europe specifically affected by and how do they deal with American legal culture in their respective functions?

#### **Responsible professors:**

Prof. Dr. Jens Drolshammer, University of St. Gallen  
Prof. Dr. Anton K. Schnyder, University of Zurich  
Prof. Dr. Hans-Ueli Vogt, University of Zurich

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#### **Sponsors:**

### **Dates and Places:**

- (1) Friday, 13 April 2007, 17.15-22.15 (University of Zurich)
- (2) Tuesday, 22 May 2007, 16.15-21.30 (University of Zurich)
- (3) Thursday, 24 May 2007, 16.15-21.30 (University of Zurich)
- (4) Tuesday, 29 May 2007, 16.15-21.30 (University of Zurich)
- (5) Thursday, 31 May 2007, 16.15-21.30 (University of Zurich)
- (6) Thursday, 4 June 2007, 15.00-21.00 (University of St. Gallen)

## **1. Goals**

The seminar "American legal culture from a European Perspective" is designed to show students in upper semesters how American law and American legal culture affects the professional activities of European, in particular Swiss lawyers and how those lawyers in various professions specifically deal with American legal culture and American law.

The seminar focuses on the professions of lawyers active in legal departments of enterprises, of lawyers active in law firms involved in the international practice of law, of lawyers active in regulatory agencies and the administration of justice as well as of judges. The seminar is aimed at giving students first-hand exposure through reports by high level representatives of these four groups of legal professions. These reports are the starting point of thematically focused and more in-depth discussions on the general theme of the seminar.

The seminar also aims to give the students an issue-focused insight into legal practice by complementing and supplementing generally affected courses at the law schools driven by a dogmatic conception of law. The students will acquire specific knowledge through a reader dealing with the issues of the four professions. They will be organized in working groups, and prepare the specific questions in discussion sessions with the experts. Moreover they will write a paper.

## **2. Concept (overview)**

The seminar will take place on two evenings (opening and final session) as well as on four late afternoons (main events I-IV, 16.15-21.30).

The *opening session* will be focused on the transatlantic relationships from the Swiss and the European perspective, both as regards society and politics, and with regard to law.

The four *main events*, the importance of American law and American legal culture will be discussed with respect to specific professional groups: Heads of legal departments of Swiss multinational enterprises, senior attorneys engaged in the international practice of law, Swiss lawyers engaged in the administration of justice and in regulatory authorities as well as in courts in Switzerland and in Europe. In these four events, the students hear from the "horse's mouth" of the specifically affected experts how European and in

particular Swiss lawyers are affected by American law and American legal culture and how they specifically deal with it.

In the *final session*, the professors and in particular students in groups will give statements on their observations and opinions.

The *participants* - approximately 40 students, 20 from the upper semesters of the University of Zurich and 20 from the master programs of the University of St. Gallen - will analyze the texts in the reader before the start of the seminar and formulate and coordinate the questioning of the experts in the four main events. In addition they will write a seminar paper on a topic related to the main theme of the seminar, which must be chosen at the outset of the seminar.

### **3. Structure**

See the overviews on the following pages.

Opening session on April 13th 2007, 17.15-22.15, in Zurich

## Opening Session:

### Introduction into the social, political and legal dimensions of the transatlantic relationships from a Swiss and a European perspective

**Time:** 17.15-22.15

**Place:** Seminar room University of Zurich, restaurant uniturm of the University of Zurich

**Responsible:** Prof. Drolshammer/Schnyder/Vogt

<b>Time</b>	<b>Session</b>	<b>Responsibilities</b>
17.15-17.30	Introduction into the seminar: goals, structure, responsible professors	Drolshammer/Schnyder/Vogt
17.30-18.30	Presentation by Prof. Dr. Andreas Wenger (Swiss Institute of Technology, Zurich): The importance of America for Switzerland and Europe - Developments and effects of the transatlantic relationship on Europe and on Switzerland  plenary discussion	Drolshammer
18.30-19.00	break	
19.00-20.00	Presentation by Prof. Dr. Rolf Stürner (Institute for German and foreign civil procedure at the Albert-Ludwigs University Freiburg i.Por.): Overview of the effects of American law and American legal culture on Europe and on Switzerland  Plenary discussion	Schnyder
20.00-20.15	Overview of the next event	Drolshammer
20.15-22.15	Joint dinner for the students, professors and guests in the restaurant uniturm	Vogt

2. event May 22nd 2007, 16.15, Zurich

**Main event I:**

**American legal culture from the perspective of heads of legal departments of multinational enterprises in Switzerland**

**Time:** 16.15-21.30

**Place:** Seminar Room University of Zurich, KO2-F-175

**Responsible:** Prof. Drolshammer

<b>Time</b>	<b>Session</b>	<b>Responsible</b>
16.15-16.30	Introduction and overview	Drolshammer
16.30-17.30	Statements as to the importance and the handling of the effects of American law and American legal culture by heads of legal departments of multinational enterprises: Dr. Markus Diethelm, Swiss Re Dr. Bruno Maier, Roche Dr. Andreas Meier, Institut Straumann Dr. Reto Schiltknecht, Schindler Dr. Thomas Werlen, Novartis	Drolshammer/Experts
17.30-18.30	prepared and structured questions of the experts by the students	Drolshammer/Experts
18.30-19.00	break	
19.00-19.30	Presentation of Dr. Peter Kurer, UBS AG: The importance and the effects of American law and American legal culture on general counsels of multinational enterprises – taking UBS AG as example	Drolshammer
19.30	End of the official part	
19.30-21.30	Dinner of the organizing professors with the experts	Drolshammer

3. event May 24th 2007, 16.15, Zurich

### Main event II:

## American legal culture from the perspective of international legal practice in Switzerland

**Time:** 16.15-21.30

**Place:** Seminar room University of Zurich – SOD-1-101

**Responsible:** Prof. Vogt

Time	Session	Responsible
16.15-16.30	Introduction and Overview	Vogt
16.30-17.00	Introductory presentation by Dr. Andreas von Planta, Lenz & Stähelin: The significance of American law and American legal culture and the approach taken to it by internationally active attorneys - the example of the <i>corporate lawyer</i>	Vogt/Panelists
17.00-17.45	Statements of further attorneys involved in the international practice of law, from the perspective of their practice: <ul style="list-style-type: none"><li>▪ Dr. Peter Isler, Niederer Kraft &amp; Frey</li><li>▪ Dr. Nedim Peter Vogt, Bär &amp; Karrer</li><li>▪ PD Dr. Natalie Voser, Schellenberg Wittmer</li><li>▪ Dr. Peter Widmer, Homburger</li></ul>	Vogt/Panelists
17.45-18.15	break	Vogt
18.15-19.15	prepared and structured questions of the experts by the students	Vogt
19.15-19.30	end of the official part	
19.30-21.30	dinner for the experts with the organizing professors	Vogt

### Main event III:

## American legal culture from the perspective of the administration of justice and the regulatory authorities in Switzerland

**Time:** 16.15-21.30

**Place:** Seminar Rooms, University of Zurich, KOL-E-21

**Responsible:** Prof. Drolshammer

<b>Time</b>	<b>Session</b>	<b>Responsible</b>
16.15-16.30	Introduction and overview	Drolshammer
16.30-17.00	Presentation of Prof. Dr. Heinrich Koller (formerly head of the Federal Office of Justice): The significance of American law and American legal culture and the approach taken to it by Swiss administrative and regulatory authorities - the example of legislation by federal government	Drolshammer/speaker
17.00-17.45	Statements by further officials in the administration of justice and in regulatory authorities. <ul style="list-style-type: none"><li>▪ Dr. Rudolf Wyss, Head of Division of International Legal Assistance, Federal Office of Justice</li><li>▪ Dieter Cavalleri, Deputy Chief of the Section International Public Law, Division of International Public Law</li><li>▪ Deputy Federal Prosecutor Michel-André Fels</li><li>▪ Dr. Urs Zulauf, Head of the Legal Department of the Swiss Banking Commission</li><li>▪ Dr. Hans Peter Tschäni, Head of the International Economic Law Section, seco</li></ul>	Drolshammer/Panelists
17.45-18.15	Break	Drolshammer
18.15-19.15	structured questions by the students	Drolshammer/Presenter/Panelists
19.15-19.30	end of the official part	Drolshammer/Schnyder
19.30-21.30	dinner for a small group of invited guests and organizers	Drolshammer

**Main event IV:**

**American legal culture from the perspective of the Swiss and European Courts**

**Time: 16.15-21.30**

**Place: Seminar Rooms, University of Zurich, SOD-1-101**

**Responsible: Prof. Schnyder**

<b>Time</b>	<b>Session</b>	<b>Responsible</b>
16.15-16.30	Introduction and Overview	Schnyder
16.30-17.45	<p>Presentation (20`) by Dr. Heinz Aemisegger (judge at the Swiss federal court): The significance of American law and American legal culture and the approach taken to it by Swiss courts - the example of the Swiss federal court</p> <p>Presentation (20`) Prof. Dr. Luzius Wildhaber (president of the European Court of Human Rights): The significance of American law and American legal culture and the approach taken to it by European courts - the example of the European Court of Human Rights</p> <p>Presentation (20`) by Judge Aindrias O`Caoimh (Judge at the European Court of Justice): The significance of American law and American legal culture and the approach taken to it by European courts - the example of the European Court of Justice.</p> <p>Presentation (20`) by Prof. Dr. Carl Otto Lenz (former Advocate General at the European Court of Justice): The significance of American law and American legal culture and the approach taken to it by European</p>	Schnyder/Presentors



	courts	
17.45-18.15	Break	Schnyder
18.15-19.15	structured questions and discussion with the students	Schnyder/Presenter/Panelists
19.15-19.30	end of the official part	Schnyder
19.30-21.30	dinner for a small group of guests and organisers	Schnyder

### Final Session:

## American legal culture from the European perspective - synthesis and conclusion by the students

**Time:** 15.00-21.00

**Ort:** Seminar Rooms, University of St. Gallen – B210

**Responsible:** Professors Drolshammer/Schnyder/Vogt

<b>Time</b>	<b>Session</b>	<b>Responsible</b>
15.00-15.45	Guided tour through the University of St. Gallen	Kalkofen/Drolshammer
15.45-16.00	Information on the new Masters programs in law	Students
16.15-16.45	Presentation by the group "corporate lawyers"  Follow-on discussion	Drolshammer/Students
16.45-17.15	Presentation by the group "attorneys at law"  Follow-on discussion	Vogt/Students
17.15-17.45	Break	Drolshammer/Schnyder/Vogt
17.45-18.15	Presentation by the group "administrative and regulatory authorities"  Follow-on discussion	Drolshammer/Students
18.15-18.45	Presentation of the group "courts"  Follow-on discussion	Schnyder/Students
18.45-19.00	end of the official part	Drolshammer/Schnyder/Vogt
19.00-21.00	dinner with the organizers, representatives of Homburger as sponsors and students	Drolshammer/Schnyder/Vogt

#### **4. Participants**

The participants in the Seminar consist of 20 students from the University of Zurich and 20 students from the University of St Gallen. They are mainly from law faculties and are upper semester students and/or participants in the Masters programs of the University of St Gallen.

The students participate in the seminar in the following manner:

- Reading and studying of the Reader
- Preparation in groups of questions to be put to the experts during each session
- Participation in the general discussion after the presentation by the experts
- Preparation of a student analysis as a group task in the final session
- Research and writing of a seminar paper

The students will be provided with a Reader as well with a reading list.

The respective grading requirements for the participation in this seminar will be governed by the respective rules of the University of Zurich and the University of St Gallen.

The grading for the participants of the University of Zurich consist of the seminar paper as well as the class participation. The presentation at the final session will be taken to account.

#### **5. Organization**

##### *a) Preliminary discussion*

On November 2<sup>nd</sup> 2006 12:15 a preliminary discussion took place at the University of Zurich and on November 16<sup>th</sup> 2006 at the University of St Gallen.

b) *Venues and Rooms*

The opening session as well as the four main events will take place at the University of Zurich.

The final session will take place at the University of St Gallen.

c) *Reader, reading list, list of seminar topics*

The students as well as the invited experts will be provided with a Reader, a reading list and a list of seminar topics. The sponsors will be provided with a list of the participants from both universities.