## INTERNATIONAL TRADE LAW (ITL)



# 3 Credit Course, Law 944-1000, Class Number 12705

# Qualifies for KU Law Certificate in International Trade and Finance (“Core Course”)

### SYLLABUS FOR FALL 2022

#### Raj Bhala

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**Office Hours:**

**Mondays and Tuesdays, immediately after class, or via appointment**

**All welcome!**

**Class Time:**

**Mondays and Tuesday, 9:15-10:40 AM,**

**Green Hall, Room 127REQUIRED BOOKS**

The “***Textbook*,**” Volumes One and Two:

(1) Raj Bhala, *International Trade Law: A Comprehensive Textbook*,

 Volume One: Interdisciplinary Foundations and Fundamental Obligations

 (hard copy or e-book)

 5th edition, 2019, Carolina Academic Press

ISBN 978-1-5310-1425-4

e-book ISBN 978-1-5310-1426-1

<https://cap-press.com/books/isbn/9781531014254/International-Trade-Law-A-Comprehensive-Textbook-Volume-One-Fifth-Edition>

(2) Raj Bhala, *International Trade Law: A Comprehensive Textbook*,

Volume Two: Customs Law and National Security

(hard copy or e-book)

5th edition, 2019, Carolina Academic Press

ISBN 978-1-5310-1434-6

e-book ISBN 978-1-5310-1435-3

<https://cap-press.com/books/isbn/9781531014346/International-Trade-Law-A-Comprehensive-Textbook-Volume-Two-Fifth-Edition>

Both Volumes One and Two of the Four-Volume Set may be purchased from the KU Law Bookstore, online at Carolina Academic Press, or via other online sources (including Amazon). Discounts may be available.

All Four Volumes of this Set may be purchased online, at a discount price with free shipping, directly from Carolina Academic Press:

ISBN 978-1-5310-1471-1

e-book ISBN 978-1-5310-1814-6

<https://cap-press.com/books/isbn/9781531014711/International-Trade-Law-A-Comprehensive-Textbook-Four-Volume-Set-Fifth-Edition>

Please note Volumes Three and Four are used for the Spring Semester *Advanced International Trade Law* course as well. So, you will not have to buy more books later if you opt to purchase the package set.

The ***Textbook*** is discussed in the following YouTube video:

www.youtube.com/watch?v=LY2XVBlZ\_nE&feature=youtu.be

(3) The “***Documents***.”

 Raj Bhala, *Documents Supplement* for *International Trade Law*.

 Free online! No purchase required.

All ***Documents*** referenced in the ***Textbook***, and many more, are posted *gratis* on the website of the University of Kansas Wheat Law Library. The links are:

General University of Kansas Wheat Law Library:

<http://law.ku.edu/wheat-law-library>

International Trade Law Documents:

<http://guides.law.ku.edu/intltrade>

These documents are freely downloadable, in Word and/or PDF format.

**RECOMMENDED BOOKS**

(1) Raj Bhala, *International Trade Law: A Comprehensive Textbook*,

 Volume Three: Remedies

 (hard copy or e-book)

 5th edition, 2019, Carolina Academic Press

ISBN 978-1-5310-1436-0

e-Ibook ISBN 978-1-5310-1437-7

<https://cap-press.com/books/isbn/9781531014360/International-Trade-Law-A-Comprehensive-Textbook-Volume-Three-Fifth-Edition>

(2) Raj Bhala, *International Trade Law: A Comprehensive Textbook*,

Volume Four: Preferences, Labor, Environment, and Intellectual Property

(hard copy or e-book)

5th edition, 2019, Carolina Academic Press

ISBN 978-1-5310-1438-4

e-book ISBN 978-1-5310-1439-1

<https://cap-press.com/books/isbn/9781531014384/International-Trade-Law-A-Comprehensive-Textbook-Volume-Four-Fifth-Edition>

Both Volumes Three and Four of the Four-Volume Set may be purchased from the KU Law Bookstore, online at Carolina Academic Press, or via other online sources. Discounts may be available.

All Four Volumes may be purchased online, at a discount price with free shipping, directly from Carolina Academic Press:

ISBN 978-1-5310-1471-1

e-book ISBN 978-1-5310-1814-6

<https://cap-press.com/books/isbn/9781531014711/International-Trade-Law-A-Comprehensive-Textbook-Four-Volume-Set-Fifth-Edition>

Again, please note Volume Three and Four are used for the Spring Semester *Advanced International Trade Law* course as well. So, you will not have to buy more books later if you opt to purchase the package set.

The ***Textbook*** is discussed in the following YouTube video:

www.youtube.com/watch?v=LY2XVBlZ\_nE&feature=youtu.be

**OPTIONAL BOOKS**

(1) Ethics and Gender Issues.

Dr. Kara Tan Bhala, *Ethics in Finance: Case Studies from a Woman’s Life on Wall Street*

1st edition, 2021, Palgrave Macmillan

ISBN 978-3-030-73753-5

e-book ISBN 978-3-030-73754-2

<https://www.palgrave.com/gp/book/9783030737535>

Winner, Best Book in the World in International Business

Business Book Awards (U.K.), May 2022

<https://www.youtube.com/watch?v=WiYjOAMU9rg>

Winner, Bronze Medal, Third Best Book in the World in Ethics

Axiom Awards (U.S.), March 2022

<https://axiomawards.com/92/2022-medalists>

Finalist (1 of 7 Finalists), International Book Awards,

Award-Winning Finalist, Nonfiction: Narrative Category

American Book Fest (1 of 7 Finalists), June 2022

<http://www.internationalbookawards.com/2022awardannouncement.html>

Book Reviewed by:

Bill Tammeus (Former Faith Section Columnist, *The Kansas City Star*, *National Catholic Register*, and *The Presbyterian Outlook*, and member of the *Star* staff that won the 1982 Pulitzer Prize for local reporting), *Here’s A Concept: Let’s Operate Business Ethically*, Bill’s Faith Blog, 7 July 2021, <https://billtammeus.typepad.com/my_weblog/2021/07/1-7-21.html>

Interviewed by:

Mario Schulzke, *Kara Tan Bhala – Founder of Seven Pillars Institute for Global Finance and Ethics*, IdeaMensch, 23 July 2021,

<https://ideamensch.com/kara-tan-bhala/>

(2) “Social Justice” Book

Raj Bhala, *Trade, Development, and Social Justice*

1st edition, 2003, Carolina Academic Press

ISBN 978-0-89089-384-5

<https://cap-press.com/books/isbn/9780890893845/Trade-Development-and-Social-Justice>

(3) The “***Treatise***.”

 Raj Bhala, *Modern GATT Law: A Treatise on the Law and Political Economy of the General Agreement on Tariffs and Trade and Other World Trade Organisation Agreements*, Volumes I and II.

2nd edition, 2013, Thomson Sweet & Maxwell (London)

ISBN 978-1-84703-776-3

May be ordered via the following. Ask for student discount price:

(a) Thomson Sweet & Maxwell

<http://legalresearch.westlaw.co.uk/books/modern-gatt-law/>

[www.sweetandmaxwell.co.uk/Catalogue/ProductDetails.aspx?recordid=5273](http://www.sweetandmaxwell.co.uk/Catalogue/ProductDetails.aspx?recordid=5273)

Calling Customer Services Department at + 44-1264-342-906 or +44-(0)-845-600-9355, or faxing at + 44-1264-342-706.

(b) Global Legal Products Thomson Reuters

 Tel: 1 800 507 9378

 Fax: (651) 687- 7570

 Email: globallegalproducts@thomson.com

(c) West

610 Opperman Drive

Eagan, MN 55123

U.S.A.

Tel: 1-651-687-7000

(d) Amazon.com

[www.amazon.com/Modern-Gatt-Law-W-T-Agreements/dp/1847037763/ref=dp\_ob\_title\_bk](http://www.amazon.com/Modern-Gatt-Law-W-T-Agreements/dp/1847037763/ref%3Ddp_ob_title_bk)

**OPTIONAL BLOOMBERG QUINT / BQ PRIME (MUMBAI) “ON POINT” COLUMNS**

Bloomberg Quint, rebranded BQ Prime in Spring 2022, which is headquartered in Mumbai, publishes a non-partisan, non-*ad hominem* “On Point” column I am honored and humbled to write. The focus is on International Law, Economics, and Policy. Some of the columns may be of interest in your study and research.

Please visit <https://www.bqprime.com/search?q=raj+bhala>

The list of columns will appear in reverse chronological order. (The first was January 2017.) Scroll down for the list of columns and click on the links to them. Several of the columns (starting with December 2017) also contain an embedded video presentation of their content.

If you have difficulty accessing the “On Point” columns, please use the following login credentials:

Username:

readrajbhala@bloombergquint.com

Password:

onpoint

(Kindly log out when you are finished.)

Your comments are welcome!

**TOPICS COVERED AND STUDY QUESTIONS**

**Absolutely no background** in Economics, Finance, Business, or International Law is required or assumed. **All** law, business, and other graduate students are welcome!

This basic course in *International Trade Law* covers the critical legal, business, and policy dimensions of international trade. The course covers 17 foundational topics, explained below. **It is vital to consult the *Table of Assignments* below regularly**.

This ***Table*** is the guide for the entire course, articulating what issues are addressed under each topic, and the assignments students should read.

The topics range from the arguments for and against free trade to the intricacies of antidumping cases. This range reflects the unifying purpose of the course, namely to introduce students to the legal, economic, and political aspects of the modern multilateral and regional trading systems, and the most significant legal obligations in each system. Accordingly, the course should help prepare you for further **world-class** level thinking, study, and practice, in international trade law.

This course covers the following topics, roughly one or two per week, as laid out in the ***Table of Reading Assignments*** below:

***Topic 1: Arguments for Free Trade***

Why is International Trade Law important? What does this field consist of? Why are trade relations with Asia particularly important? Most importantly, why is this field intellectually engaging and practically rewarding?

What are the philosophical and religious arguments for free trade?

What are the economic arguments for free trade? What is the difference between Adam Smith’s Law of Absolute Advantage and David Ricardo’s Law of Comparative Advantage? Why does that difference matter to poor countries?

Who really believes in these arguments? Are the benefits of free trade “over sold” to an increasingly sceptical public?

What is the relationship – if any – between free trade and job creation (or job loss)? Is free trade theory, in truth, about the international division of labor, not about boosting employment?

What are the deficiencies in the arguments for free trade? What is “fair” trade and the arguments for it? What is “protectionism” and the arguments for it? What are the key economic theorems about trade patterns and factors of production?

***Topic 2: Arguments for Protection***

What are the philosophical, religious, and economic arguments for fair trade? For protectionism? What are the patterns of international trade, that is, of importation and exportation, and important economic theorems about them?

How has the Sino-American Trade War (launched in March 2018) and the COVID-19 pandemic (which began in November 2019-March 2020) affected free trade and protectionist theory and practice? Has trade become less about Smith-Ricardo absolute and comparative advantage, and more about protecting national security and public health? Have, therefore, supply chains become less global, and certainly less China-centric, and more regional, national, and even sub-national?

***Topic 3: Historical and Institutional Overview of GATT-WTO System***

What is the GATT-WTO as an institution? How did it arise? That is, how did GATT develop in 1941-1948? How did the WTO arise, and what is it as an institution?

What are the “rounds” of multilateral trade negotiations, particularly the Uruguay Round and the current so-called Doha “Development” Round (which as of now appears dead)? What has been accomplished in these rounds?

What are “rounds” of multilateral trade negotiations, particularly the Uruguay Round and the current Doha “Development” Agenda (DDA)?

What occurred during the rounds of multilateral trade negotiations from 1947 through the 1990s? What was achieved, and what was left out? What was the “Grand Bargain” of the Uruguay Round?

***Topic 4: Uruguay Round Agreements***

What are the Uruguay Round agreements? How are they structured in relation to the *Agreement Establishing the World Trade Organization* (*WTO Agreement*)?

Why are the Uruguay Round agreements so important?

Briefly, what issues does each one address, and how?

What amendments have been made to the Uruguay Round Agreements? What additional treaties have been agreed, and what ones are still under discussion?

***Topic 5: Accession and Case Studies of China, Saudi Arabia, Vietnam, and***

 ***Russia***

How did a country become a contracting party to GATT?

How does a country accede to the WTO?

China matters to every country. What has China’s relationship been to the GATT-WTO system, and what ought it to be? What lessons are there, and for which countries, from the China case study? What are the basic obligations associated with GATT-WTO membership?

To what extent are Muslim countries integrated into the GATT-WTO system? To what extent can they be? What special problems exist with respect to their participation in this system? What difficulties do they encounter when acceding to the WTO? What efforts have Muslim countries made at regional integration? To what degree have these efforts been successful, and where they have failed, why?

Regarding accession, Iran (which applied in 1996), and Syria (which applied more recently) are interested in joining the WTO. The Kingdom of Saudi Arabia joined effective 11 December 2005 (after applying in 1993). Russia joined on 22 August 2012. The WTO General Council approved the terms of accession for Tajikistan in December 2012.

Based on (1) what you know about these countries, plus (2) the 15 November 1999 bilateral agreement between the United States and China on the Chinese WTO accession, what lessons can we draw on for their proposed accessions? Should Iran and Syria be allowed in? If not, why not? If so, then under what terms?

Consider these questions in light of the terms of the July 2012 special rules on accession for least developed countries. Those rules were first applied to Laos. The WTO General Council approved the Laotian terms on 26 October 2012.

***Topic 6: WTO Adjudication***

How were trade disputes dealt with under GATT Article XXIII?

How does adjudication work under the *Dispute Settlement Understanding* (*DSU*)? What are the legal effects of a WTO Panel or Appellate Body ruling? How has the Appellate Body functioned, and how well has it done its job?

Why was the Appellate Body “killed” in December 2019? Now that it is dead, how has the *Multi-Party Interim Arbitration Agreement* (*MPIA*) worked?

What issues have arisen in the operation of the *DSU*, and how – if at all – have they been resolved? What are the problems in *DSU* adjudication?

***Topic 7: First Pillar of GATT: MFN***

What is “most favored nation” (MFN) obligation? How can it be justified? What exceptions exist? What exceptions ought to exist?

Did America make a mistake in granting China MFN treatment, with the Clinton Administration in the mid-1990s dropping human rights concerns and proceeding with China’s entry into the WTO (effective 11 December 2001).

***Topic 8: Second Pillar of GATT: Tariff Bindings***

How do tariffs “work”? What are tariff bindings? What do the *Argentina – Footwear* and *EC – Computer* cases teach about tariff rules? What exceptions exist to these bindings?

What is “overhang” or “water” in a tariff schedule? Why does it matter in terms of market access and certainty and predictability for producer-exporters?

***Topic 9: Implementing Second Pillar***

How are tariff bindings implemented in terms of Customs Law rules? That is, with respect to Customs Law, what legal steps must be undertaken to get goods across borders?

How is a schedule of concessions for goods, *i.e.*, a tariff schedule, properly read?

What is tariff classification and valuation?

What are rules of origin? What are non-preferential rules of origin, and why do they exist?

What is drawback? Why does it exist?

What is pre-shipment inspection (PSI)? What opportunities and risks come with PSI?

What are the lessons from the 2019 *Russia Traffic in Transit* Appellate Body Report?

***Topic 10: Third Pillar of GATT: National Treatment***

What is non-discrimination as between imported goods and “like” domestic products?

What are the tests for “likeness”? What are the tests for non-discrimination?

How does GATT Article III:1-2 work? What is the difference between Article III:2 first versus second sentence? How does Article III:1-2 operate, especially in contrast with Article III:4?

What does the *Japan – Alcoholic Beverages* case teach? Should there be exceptions – for example, for cultural industries, as was intimated in the *Canada – Periodicals* case?

***Topic 11: Fourth Pillar of GATT: Non-Tariff Barriers***

What are “non-tariff barriers” (NTBs)? How are they constrained by the GATT regime?

What exceptions to the rule against NTBs exist?

Which types of NTBs have proliferated amidst the COVID-19 pandemic, and why?

***Topic 12: Fifth Pillar of GATT: Transparency***

What does “transparency” mean? How does it differ from “participation”? What are the obligations on WTO Members to be “transparent”? Why is transparency a threat to some of them – a “Trojan Horse”?

***Topic 13: Cracks in the Pillars: The GATT Article XX Laundry List***

What are the major exceptions to the four pillars of GATT?

Why do these exceptions exist?

Of particular interest is the exception for public morality in GATT Article XX(a) – why, and what are the key cases on this provision?

***Topic 14: Trade and Agriculture***

What trade liberalizing efforts exist in the critical sector of agriculture? What did WTO Members agree to in the Uruguay Round in the *Agreement on Agriculture* and accompanying Press Releases with respect to the three prongs (or pillars) of farm trade liberalization:

(1) market access (which covers tariff reduction, tariffication, minimum access tariff-rate quotas, and special safeguards (SSGs));

(2) domestic support (which covers Green, Blue, and Amber Box subsidies, and *De Minimis* support); and

(3) export subsidies?

How is market access enhanced, and how are domestic support and export subsidies reduced, or not, under the *Agriculture Agreement*? With respect to each prong, what are the negotiation deadlock points in the Doha Round?

What is the Common Agricultural Policy (CAP) of the European Union (EU), and what effect does it have on the negotiating position of the EU in the Doha Round? Similarly, what are the major subsidy programs under successive United States Farm Bills, and how do they affect the American negotiating position?

What effects have the 2005 *Upland Cotton* and 2005 *Sugar Subsidies* cases, brought successfully by Brazil against the United States and EU, respectively, had on the Round? Overall, to what extent are efforts to liberalize world trade in agriculture successful – *i.e.*, is trade really “free” in this sector?

What are “SPS” measures? How does the WTO *SPS Agreement* regulate them? Is “science” the right standard for moderating SPS disputes?

What are the important SPS cases? What was the 1998 *Beef Hormones* dispute all about, and what lessons can be drawn from it?

How has the COVID-19 pandemic affected not only SPS matters, but also global trade rules and policies generally?

***Topic 15: Trade and Services***

What steps were needed to liberalize trade in services?

What trade liberalizing efforts are occurring in the critical area of services? How did the WTO *General Agreement on Trade in Services* (*GATS*) come about, that is, what steps were needed to get services trade liberalization on the multilateral bargaining agenda in the Uruguay Round?

What are the four different modes of delivery of services (Modes I, II, III, and IV)?

How are services classified into different sectors, sub-sectors, and sub-sub-sectors? How is a services schedule properly read?

What are the general legal obligations in *GATS* for all services sectors (*i.e.*, horizontal obligations)? What obligations – including market access and national treatment – apply on a limited basis? What is the difference between a “Positive List” and a “Negative List” approach?

For the United States, what service sectors are especially significant – Banking? Insurance? Securities? Telecommunications? Legal?

What does the 2005 *Antigua Gambling* case say about public morality and services? What is the state of play in the Doha Round as to services negotiations? Overall, to what extent are efforts to liberalize world trade in services successful – *i.e.,* is trade really “free” in this sector?

To what extent do the services trade liberalization interests of WTO Members diverge, and why?

***Topic 16: Trade and National Security***

How is “national security” defined?

What is the relationship between trade and national security, especially in the post-9/11 world? Is the vision of Cordell Hull a sensible policy goal or vaguely defined, even quixotic? How can trade sanctions for national security purposes, and the controversies these sanctions cause, be analyzed?

What post-9/11 measures have been taken to secure America’s borders?

What is Section 232? What are the major Section 232 cases (*e.g.,* steel, aluminum, cars, and uranium)? What is and should be Presidential authority under Section 232? How has that authority been used with respect to America’s traditional allies, such as Canada?

***Topic 17: Trade Sanctions and Export Controls***

What are the salient legal and policy features of recent sanctions legislation, such as the 1986 *Helms-Burton Act* and 1986 *Iran and Libya Sanctions Act*, as amended in 2010 and 2012? What should American trade policy be toward Iran and North Korea, in particular?

As to Iran, why did the United States in May 2018 withdraw from the July 2015 *Joint Comprehensive Plan of Action* (*JCPOA*), *i.e.*, the *Iran Nuclear Deal*? What sanctions did America reimpose? How did Iran respond? How has the January 2020 targeted assassination of Qasem Soleimani (a Major General in the Islamic Revolutionary Guard Corps (IRGC)) affected relations between Iran and America? Will (and should) the *JCPOA* be renewed?

What is and should be Presidential authority under trade sanctions and export control laws?

**METHOD OF ASSESSMENT**

**(MONITORING STUDENT EFFORT)**

Exam – 100 percent of final grade.

There will be **one, three-hour, closed-book, controlled (closed-mode) examination, computerized,** on **Tuesday, 6 December, 9:00 AM to 12 noon.** Please do **not** try to reschedule the date or time of the exam. The exam will be “controlled,” in that you must return the questions with your answers, and not to retain a copy of the questions.

“Closed book” means no reference to outside sources are permitted, and “controlled (closed mode” means, further, please return questions and do not retain any copies of them.

The exam will cover material presented in classes and the reading assignments. It will call for long and short essay answers. Grading is based on the substance and style of responses. Computer use is **not** allowed.

Please do **not** worry about the exam! We will talk about it in due course. **The best preparation is to keep up with the reading, come to all classes and take careful notes, participate actively in the discussions, and enjoy the intellectual experience.** Through reading before and after class, and participating in the lectures, you will go through the material three times!

In addition, **forming study groups** to go over the lectures and readings is a good idea, and also a way to forge relationships for a future trade law practice!

**CLASS PARTICIPATION POLICY**

Anyone is subject to being called upon at any time. You are expected to come to class prepared and ready, willing, and able to participate. If you are called on, you are **not** permitted to pass, regardless of whether you are indeed prepared.

The “no pass” and “no multi-tasking” rules may seem harsh. But, they are **not** meant to be. Their logic is simple.

First, you are certain to encounter many instances in your professional careers in which you must answer a legal question without being fully prepared. (For example, a senior officer, senior vice president, government minister, or senior partner calls you on the phone and needs an immediate answer, and there is no time for a LexisNexis search or library research). You might as well get used to answering as best you can, and develop confidence in your legal instincts, in the present safe environment.

Second, for genuine intellectual interchange, it is not optimal to have the same students talk at length in every class. No one enjoys listening to the verbal domination of a handful of students, with the same perspectives repeated. Thus, the rules ensure that, should we begin to slide into a familiar pattern, we can escape it to the benefit of all.

Third, you are paying good money – precious hard dollars – to be in this class and for my time. I try my best to give all to you during class time. I expect no less than a **world-class** effort in return. Put differently, you are investing in your human capital in a globally competitive legal environment, not paying to say “pass” or multi-task.

Multi-tasking on a computer or smart phone, for example, surfing the internet or checking e-mail, while simultaneously purporting to be engaged fully in class, is technologically possible. **It is pedagogically unwise. The subject demands full attention. So, please avoid multi-tasking in this class. Performance and the ultimate grade will suffer from multi-tasking. I reserve the right to take action against multi-tasking. Such action includes a diminution in the final grade, or prohibition from taking the final exam.**

***Please Note:***

The American Bar Association (ABA) requires regular attendance in all courses. In this class, “regular” is defined narrowly. At most only a very small number of classes may be missed, and then only for good cause. (Please see ABA Rule 310 below.)

So, you are expected to attend all classes (whether they are conducted in person or online). If you absolutely must miss a class, please email me (bhala@ku.edu) in advance (if possible) and let me know so I can explain to you how to make up the material you missed. I will suggest ways you can do so, and be happy to help you.

Acceptable reasons, that is, “good cause,” for missing class are defined narrowly to mean: family births, marriages, or deaths; serious illness; emergency (but not pre-scheduled) medical or dental appointments; accidents; jury duty or other fixed legal obligations; and military service. “Good cause” does not include a job interview, outside job responsibilities, failure to make appropriate travel arrangements (*e.g.*, plane reservations), other course, paper, or law review or journal responsibilities, or other co-curricular or extra-curricular activities. In the event of a childcare scheduling conflict, you are welcome to bring your child to class (whether in person or online).

If you miss more than a small number of classes in total, then I reserve the right to disqualify from taking the final examination and getting credit for the course. That is because it would not be possible to make up a sizeable volume of material missed that we covered in class.

# ACCOMMODATIONS

KU Law School works with the Academic Achievement and Access Center (AAAC) on the KU campus to coordinate accommodations and services for students with disabilities. If you have a disability for which you intend to request a classroom and/or exam accommodation, then you may contact KU Law Associate Dean for Administration Crystal Mai, cmai@ku.edu, or Leah Terranova (leaht@ku.edu), Assistant Dean, Academic and Student Affairs. You should notify someone at the beginning of the semester or as early as possible. The disability determination process can take time and accommodations may not be possible, if requests are made late in the semester. The accommodation process is a collaborative one among the student, AAAC, and Professor. More about the AAAC can be found at [www.achievement.ku.edu](http://www.achievement.ku.edu).

**READING ASSIGNMENTS**

The weekly reading assignments are presented in the ***Table*** below, along with the topics covered. The assignments and related classes are designed to proceed at a “reasonable” pace so as to give careful, in depth coverage to each of the topic areas covered. This pace can be adjusted to suit the needs and interests of the class.

Please note the following points about the Table:

1. The reading assignments refer to chapters in the ***Textbook***. The online ***Supplement***contains primary source materials, such as WTO agreements, with which International Trade lawyers work every day.

2. Reading assignments in the ***Textbook*** link to the ***Supplement*** (as suggested by the italicized headings “*Documents References*” in the first footnote at the start of each ***Textbook*** Chapter).

3. Additional ***optional*** reading assignments in ***Modern GATT Law*** are listed.

4. The reading assignments are balanced across the First (Fall) Semester *International Trade Law* and Second (Spring) Semester *Advanced International Trade Law* courses.

5. While the overall volume is significant, it is stretched out over the semester, and it is consistent with practice in a rigorous course at any good American law school. Please try to plan ahead and thereby keep up. Please do your best as regards the reading, but take heart: **no one** can memorize it all. That would be an impossible task, even for seasoned practitioners and teachers. Besides, critical thinking, not rote memorization alone, is what matters.

 As a general, rough estimate, the ***Textbook*** readings are an average of 30-40 pages per Chapter, which translates to about 75 pages per class, or about 151 pages per week. However, these readings are designed to be as **user-friendly** as possible. Please plan ahead, and thereby keep up, for example by budgeting time to study about 15 pages per night on each of 5 work nights.

 If you supplemented the required ***Textbook*** with the optional ***Modern GATT Law*** ***Treatise*** reading, doing both, then there would be roughly double those figures.

6. We cover the readings as carefully as possible in class, to reinforce them. Of course, we cannot cover all the reading material in class, so please consider taking reading notes on matters not discussed – and, please feel free to ask questions about it. Also, occasionally a topic in class is covered about which the reading occurred a few days ago. So, if called upon, then it is understood some time may be needed to refresh recollection.

7. International Trade Law is a discipline heavy in acronyms. You will amaze yourself, family, friends, and colleagues by how many acronyms you learn. For your convenience, they are listed in the Table of Abbreviations, which appears in the front of all the Volumes of the ***Textbook***. The acronyms are not hard, and we will go over the acronyms in class. They will become second nature. Reviewing this Table is a superb way to study for the Final Exam.

## Table of Reading Assignments

|  |  |  |
| --- | --- | --- |
| **WEEK** | **TOPIC** | **READING ASSIGNMENT:*****INTERNATIONAL TRADE LAW******Textbook*,****Volume 1 and 2****(required)****AND*****MODERN GATT LAW*,****Volume I or II****(optional)** |
| ***Week 1***Monday-Tuesday,29-30 August | Introduction:Themes in International Trade Law**Plus:**Economics of Trade:Arguments for Free Trade and Protectionism | *International Trade Law*,Volume 1:*Preface*,*Introduction*,andChapters 1-3*Modern GATT Law*:*Preface* and *Introduction***Plus:***International Trade Law*,Volume 1:Chapters 4-12*Modern GATT Law*,Volume II:Chapters 56-57Watch YouTube Video:<https://www.youtube.com/watch?v=LY2XVBlZ_nE> |
| ***NO CLASS,******LABOR DAY,******MONDAY,******5 SEPTEMBER*** |  |  |
| ***Week 2***Tuesday,6 September | Economics of Trade:Arguments for Free Trade and Protectionism(Continued) | Same as Week 1 |
| ***Week 3***Monday-Tuesday,12-13 September***Special Guest Professor,******Monday, 13 September:******Eric Witmer, J.D.******Research Attorney II,******Kansas Court of Appeals,******KU Law Class of 2017*** | Historical and Institutional Overview:General Agreement on Tariffs and Trade (GATT) andWorld Trade Organization (WTO)**Plus:**Uruguay Round Agreements**Plus:**Accession and the Case Studies of China, Saudi Arabia, Vietnam, and Russia | *International Trade Law*,Volume 1:Chapters 13-20*Modern GATT Law*,Volume I:Chapters 1-4, 26-36 |
| ***Week 4***Monday-Tuesday,19-20 September | Adjudication of Trade Disputes:WTO, *WTO Agreement*, and Adjudication under *Dispute Settlement Understanding* (*DSU*) | *International Trade Law*,Volume 1:Chapters 21-25*Modern GATT Law*,Volume I:Chapter 5 |
| ***MAKE UP CLASS #1******Monday, 19 September******12:30-1:25 PM******Court Room (201)******Special Guest Professor******Dr. Kara Tan Bhala,******President,******Seven Pillars Institute for Global Finance and Ethics,******Kansas City, Missouri*** | “Financial Ethics, Women, and Wall Street” | Optional Assignment:Seven Pillars Institute Website Posting:<https://sevenpillarsinstitute.org/ethics-in-finance-wins-business-book-award/?utm_source=mailpoet&utm_medium=email&utm_campaign=test-email-for-mailpoet-3_2>Book Review:Bill Tammeus (Former Faith Section Columnist, *The Kansas City Star*, *National Catholic Register*, and *The Presbyterian Outlook*, and member of the *Star* staff that won the 1982 Pulitzer Prize for local reporting), *Here’s A Concept: Let’s Operate Business Ethically*,Bill’s Faith Blog, 7 July 2021, <https://billtammeus.typepad.com/my_weblog/2021/07/1-7-21.html>Interview:Mario Schulzke, *Kara Tan Bhala – Founder of Seven Pillars Institute for Global Finance and Ethics*, IdeaMensch, 23 July 2021,<https://ideamensch.com/kara-tan-bhala/> (Make Up combined with *International Law and Literature* class) |
| ***Week 5***Monday-Tuesday,26-27 September | Adjudication of Trade Disputes(Continued)**Plus:**First Pillar of GATT:Most Favored Nation (MFN) Obligation and GATT Article I**Plus:**Second Pillar of GATT:Tariff Bindings and GATT Article II | **Plus:***International Trade Law*,Volume 1:Chapter 26-28In *Modern GATT Law*,Volume I:Chapters 8-10**Plus:***International Trade Law*,Volume 1:Chapters 29-30*Modern GATT Law*,Volume I:Chapters 19-25 |
| ***MAKE UP CLASS #2******Monday, 26 September,******12:30-1:25 PM******Court Room (201)*** | Catch Up, Review, Open Forum | None(Make Up combined with *International Law and Literature* class) |
| ***Week 6***Monday-Tuesday,3-4 October | First and Second Pillars(continued)**Plus:**Implementing the Second Pillar:Customs Law and WTO *Agreements on Rules of Origin*, *Customs Valuation*, and *Pre-shipment Inspection* | **Plus:***International Trade Law*, Volume 2:Chapters 1-14*Modern GATT Law*,Volume I:Chapters 41-43 |
| ***NO CLASS,******FALL BREAK,******MONDAY-TUESDAY, 10-11 OCTOBER*** |  |  |
| ***MAKE UP CLASS #3******Monday, 17 October,******12:30-1:25 PM******Room 127******VIA ZOOM******(Invitation to be emailed)******Special Guest Professor******Mr. Kaushik Vaidya,******Editor, Views and Special Projects******Bloomberg Quint******Mumbai, India*** | “Contemporary Controversies in India and the Indo-Pacific Region, and the Craft of Writing” | None(Make Up combined with *International Law and Literature* class) |
| ***Week 7***Monday-Tuesday,17-18 October | Implementing the Second Pillar:Customs Law(continued) | Same as Week 6 |
| ***Week 8***Monday-Tuesday,24-25 October | Third Pillar of GATT:National Treatment and GATT Article III | *International Trade Law*, Volume 1:Chapters 31-32*Modern GATT Law*,Volume I:Chapters 11-18 |
| ***Week 9***Monday-Tuesday,31 October-1 November | Fourth Pillar of GATT:Non-Tariff Barriers (NTBs) andGATT Article XIFifth Pillar ofGATT:Transparency andGATT Article X**Plus:**Cracks in Pillars:Broad Exceptions and GATT Article XX | *International Trade Law*, Volume 1:Chapters 33-36**Plus:**Review Chapter 12*Modern GATT Law*,Volume I:Chapters 37-40,Volume II:Chapter 85**Plus:***International Trade Law*, Volume 1:Chapters 37-42*Modern GATT Law*,Volume II:Chapters 44-45, 47, 49 |
| ***Week 10***Monday-Tuesday,7-8 November***Special Guest Professor,******Monday, 7 November:******Eric Witmer,******Research Attorney II,******Kansas Court of Appeals,******KU Law Class of 2017*** | Trade and Agriculture | *International Trade Law*,Volume 1:Chapters 43-47 |
| ***Week 11***Monday-Tuesday,14-15 November | Trade in Services | *International Trade Law*,Volume 1:Chapters 48-50 |
| ***Week 12***Monday-Tuesday,21-22 November***Happy Thanksgiving******(Thursday, 24 November)!*** | Trade and National Security | *International Trade Law*,Volume 2:Chapters 15-18 |
| ***Week 13***Monday-Tuesday,28-29 November | Trade Sanctions and Export Controls | *International Trade Law*,Volume 2:Chapters 19-25 |
| **FINAL EXAM**: Closed book (no reference to outside sources permitted), controlled / closed-mode (please return questions and do not retain any copies of them), computerized**TUESDAY, 6 DECEMBER, 9:00 AM to 12:00 noon** |

**Note on *Advanced International Trade Law*:**

**3 credit Spring course,**

**Qualifies for Certificate in International Trade and Finance**

**(“Core Course”)**

For those interested in pursuing additional trade topics (everyone, hopefully!), **please** consider a 3-credit Spring course entitled *Advanced International Trade Law*. Having taken basic International Trade Law, you are welcome in the *Advanced* course. The *Advanced* course also is required for the Certificate in International Trade and Finance.

The *Advanced* course is taught each Spring semester, on Mondays from 9:15 AM-11:15 AM, and Tuesdays from 9:15 AM-10:10 AM.

The *Advanced* course covers the topics in Volumes 3 and 4 of the *International Trade Law* Textbook. They are listed in the Summary of Contents at the front of each of the 4 Volumes.

In Addition:

There may be one or two Special Topics inserted into the Syllabus, possibly with Guest Lecturers. These instances may cover part or all of a class period.

**AMERICAN BAR ASSOCIATION (ABA)**

**STATEMENTS OF COMPLIANCE**

**STANDARD 301: LEARNING OUTCOMES**

**10 LEARNING OUTCOMES**

In keeping with ABA Standard 301, *International Trade Law* has 10 specifically defined learning outcomes. The 10 goals are:

**(1) Writing:**

To expose students to grand literary style, and thereby develop storytelling techniques to aid in framing *International Trade Law* problems and solutions in narrative terms.

**(2) Reading:**

To address the deficiency among law students in critical reading skills by exposing them to *International Trade Law* literature that sharpens their ability to read an international or comparative legal text carefully, and in turn to enhance their written and oral communication ability.

**(3) Issue Spotting:**

To present *International Trade Law* issues through readings that cover, directly or indirectly, matters of justice, truth, morality, obedience, equality, discrimination, equality, mercy, and punishment.

**(4) Interpretation:**

To teach law students to interpret complex legal texts by revealing inherent difficulties in the language of *International Trade Law*.

**(5) Analytical Frameworks:**

To develop facility with classical and contemporary methodologies for analyzing *International Trade Law* texts that can be used to shed light, unlock meanings, and foresee consequences or legal rules in treaties, statutes, and cases.

**(6) Wisdom:**

To prepare students to think deeply about the human condition, and human relations, by providing non-legal material that is not explicit in treaties, statutes, and judicial opinions, but which underlies and/or is impacted by those legal texts.

**(7) Creativity:**

To strengthen the Humanities in the law school curriculum, by studying authorship in all its forms, and thereby develop an appreciation for the “art” of *International Trade Law* and the role of a lawyer as an artist, and ultimately produce well-read international and comparative lawyers who can think “outside-the-box.”

**(8) Ethics:**

To contemplate the role, power, and moral responsibility of lawyers, legislators, diplomats, negotiators, and legal policy makers by studying the portrayal of these actors, in these same roles, in *International Trade Law* texts.

**(9) Rebellion:**

To consider rebels in literature and compare and contrast them with real-life rebels who have challenged laws and legal institutions, and more generally to think about dystopian versus utopian legal rules and policies.

**(10) Joy:**

To have fun, particularly in view of the widely-reported empirical data on clinical depression and suicide among law students and lawyers. Consider these grim facts revealed in 2015:[[1]](#footnote-1)

(1) American law students enter law school with the same rate of depression as the general public, namely, 8%. By the spring semester of their 1L year, 32% of them are clinically depressed. By the time they graduate from law school, 40% of them are clinically depressed. (The figure drops to 17% two years after graduation, but that still is double the average.)

(2) Suicide is the third leading cause of death among lawyers in the U.S. and Canada. It accounts for 10.8% of their deaths. Suicide among lawyers is 6 times the suicide rate in the general population (69.3 per 100,000, versus 10-14 per 100,000).

More recent data, from a 2018-2019 survey of depression, anxiety, and stress among First-Year students all ABA-accredited law schools, confirm and amplify these findings:[[2]](#footnote-2)

(1) 57% of 1Ls report some form of depression, with 10% in the “severe,” and 15% in the “extremely severe,” category. These figures far exceed those of the general U.S. population: annually, 16% of Americans qualify under the clinical standards for depression.

(2) When Second and Third Year (2L and 3L) student survey results are aggregated with those of 1Ls, depression is significantly higher at so-called “Tier One” schools as ranked by *U.S. News and World Report*. Law students at Tier One law schools also felt less supported, had a lower perception of learning, lower academic self-perception, and lower social self-perception, than those at lower Tier institutions.

(3) 10% of 1Ls say they suffer from “severe” anxiety, and 26% of them say they suffer from “extremely severe” anxiety. Here, too, these figures well exceed results from the general U.S. population: 18% suffer from some form of anxiety each year.

(4) 20% of 1Ls state they are under “severe” stress, and 10% under “extremely severe” stress. The four most significant sources of stress are: ineffective teaching (*e.g.*, heavy workloads, use of the Socratic method, lack of feedback from faculty before exams, disrespectful faculty, that is, professors who are nasty in class, and a need to self-educate owing to a lack of teaching); competition and isolation (*i.e.*, competition among students that results in a sense of alienation); ineffective assessments (*e.g.*, application of a curve, use of class rank, and final exams); and, institutional construction of success and failure (*i.e.*, how a law school defines success and failure for students and attorneys, and the link between its definitions and grades and class rank).

Notably, all of these figures are from surveys before the COVID-19 pandemic, which assuredly caused greater depression, anxiety, and stress.

 Economically, the grim facts bespeak a terrible waste of human capital. Morally, it is tragic that students pay good money (plus incur an opportunity cost) for the salaries of law professors, yet then go to law school only to become depressed (or worse), and thereafter join a profession that puts them at disproportionate risk of suicide. Morally, law professors who, through their acts or omissions, cause or contribute to the problem are at fault. Regrettably, nowhere in the process of faculty hiring, promotion, or tenure is account taken of the mental health of teachers; rather, dysfunctions typically are dealt with by cover up, excuse, or neglect. Faculty can avoid faculty, but students cannot avoid faculty. So, students pay the price.

 Thanks to the COVID-19 pandemic, the figures have worsened:

Of the coronavirus’s many side effects, perhaps the least appreciated are psychological. Those who’ve had a bad case and survived, like people who’ve been in war or accidents, may suffer post-traumatic stress for years. And even people in the as-yet-healthy majority are hurting. Young adults, in particular, are getting more depressed and anxious as SARS-CoV-2 uproots whatever budding life plans they’d been nursing.

It’s long been clear that Covid-19, like any major disaster, is causing an increase in mental-health disorders and their accompanying evils. Those range from alcoholism and drug addiction to wife beating and child abuse. In the Americas, the world’s most afflicted region with hotspots from the U.S. to Brazil, this psycho-social crisis has become its own epidemic….

In the U.S., the national rate of anxiety tripled in the second quarter [April-June 2020] compared to the same period in 2019 (from 8.1% to 25.5%), and depression almost quadrupled (from 6.5% to 24.3%). In Britain, which has also had a severe outbreak and a long lockdown, depression has roughly doubled, from 9.7% of adults before the pandemic to 19.2% in June [2020].

 …

[O]lder adults had already built their lives before the pandemic – with routines, structures, careers and relationships to fall back on. The young had not, and were just embarking on that adventure when Covid-19 struck. And what a mess it has made of all those hopes. Even in good times, adolescents and young adults aren’t exactly paragons of emotional stability. Many are unhappy with their own bodies or confused about their professional paths, their sexual options, and their friendships.

But in 2020 all these bugbears have grown. …

[R]eplacing in-person, tactile and pheromonal interactions with screens and apps just doesn’t cut it. Biologically, we’re still like other primates, who need to groom and be groomed to lower cortisol levels and feel well. One result, especially for the hormonal young, is isolation and loneliness, which can lead to listlessness and despair: in short, depression.[[3]](#footnote-3)

Fortunately, an Australian Nurse, Bronnie Ware, offers wise counsel in her book, *The Top Five Regrets of the Dying* (2013).[[4]](#footnote-4)

 Having served for many years in palliative care for patients in the last 12 weeks of their lives, Ms. Ware explains these patients gain clarity of vision at the end of their lives. Their top five regrets are:

(1) I wish I had had the courage to live a life true to myself, not the life others expected of me.

(2) I wish I had not worked so hard.

(3) I wish I had had the courage to express my feelings.

(4) I wish I had stayed in touch with my friends.

(5) I wish I had let myself be happier.

One inference from these studies is to consider what curricular innovations and learning outcomes might help educate a law student not only as a professional in the narrow sense, but also as a person in the whole sense.

**RULE 310: CLASS PARTICIPATION**

The standard Class Participation policy (namely, attendance is required at all classes, unless a justified excused absence is granted) would apply. ABA Rule 310 concerning minimum credit hours requires 42.5 hours per 1 credit hour per semester.[[5]](#footnote-5) The 42.5-hour figure includes both in-class and out-of-class time, and also examination time.

*International Trade Law* satisfies this Rule as follows:

● The course meets 28 times for 85-minute periods (possibly in unequal allotments), twice each week, which means the course has a substantial in class portion. Using a 60-minute conversion, that portion is 39.67 hours per credit, which results from multiplying 28 x 85, to get 2,380 minutes, and then dividing 2,380 by 60 minutes per hour to get 39.67 hours.

**●** However, the ABA allows for a 50-minute conversion, meaning that the 28 meeting class periods of 85 minutes period sums to 47.6 hours, which exceeds the ABA minimum.

● Rule 310 and the ABA Guidance to it at page 3 allow for writing and seminar courses to include in meeting the Rule out-of-class time the time students need to study required readings and prepare for the final exam and/or draft their papers.

● Students meet individually outside of normal class hours to get personalized feedback on their questions and work.

● The above two points make up the gap between 42.5 and 39.67 of 2.83 hours per week, assuming the 60- instead of the 50-minute conversion factor is used.

● Another, simpler way to certify compliance with ABA Standard 310 is as follows:

(1) This course meets the 12.5 hours of in-class time per credit hour awarded (a total of 37.5 hours of in-class time for 3 credits), and

(2) In the professional opinion of the instructor requires 30 hours of out-of-class work per credit hour awarded (a total of 90 hours of out-of-class work for three credits), given the assigned readings and projects, other class preparations, and required written work and/or exam preparation.

● Finally, note that the weekly average assigned readings is 115 (approximately 1,500 pages across 13 weeks). This reading is rigorous, covering both detailed, technical legal issues, and broad, interdisciplinary and policy matters.

Certainly, if necessary for compliance, additional classes (other than those listed in the Schedule) may be scheduled to comply with ABA Rule 310.

***Please Note:***

**In the event of a childcare scheduling conflict, you are welcome to bring your child to class!**

**DIVERSITY AND INCLUSION STATEMENT**

Demonstrations of systemic racism, protests over police brutality and heightened political tensions make addressing diversity and inclusion in our classes more important than ever.

“The University of Kansas supports an inclusive learning environment in which diversity and individual differences are understood, respected, and appreciated. We believe that all students benefit from training and experiences that will help them to learn, lead, and serve in an increasingly diverse society. All members of our campus community must accept the responsibility to demonstrate civility and respect for the dignity of others. Expressions or actions that disparage a person’s or group’s race, ethnicity, nationality, culture, gender, gender identity / expression, religion, sexual orientation, age, veteran status, or disability are contrary to the mission of the University. We expect that KU students, faculty, and staff will promote an atmosphere of respect for all members of our KU community. This is an inclusive classroom. At KU, administrators, faculty, and staff are committed to the creation and maintenance of “inclusive learning” spaces. These are classrooms, labs, and other places of learning where you will be treated with respect and dignity and where all individuals are provided equitable opportunity to participate, contribute, and succeed.”

*Quoted from*: <https://flexteaching.ku.edu/syllabus-language>

**EXPECTATIONS FOR ONLINE CLASS BEHAVIOR**

***Online Course Netiquette Guide***

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Just as there are common expectations for our interactions with others in face-to-face environments, commonly known as etiquette, online and virtual interactions have a code of conduct known as “netiquette.” This ***Netiquette Guide*** should inform your engagement with this course in all formats and on all platforms, as well as your communications with your professor and fellow students within the course. Remember, as law students you are developing your professional reputation as a future lawyer every time you engage with others.

**Guidelines for Participation in Online Virtual Meetings**

***Please:***

**●** Sign into virtual meetings at least a few minutes before the scheduled start time for the meeting, to ensure you are prepared for the meeting and can address any technical problems in advance.

**●** Be prepared to show yourself on video upon request. Make sure you are appropriately dressed for the meeting. You should dress in the same way you would dress for that meeting if it were held in person.

**●** Do not use distracting or unprofessional virtual backgrounds.

**●** Keep your microphone muted at all times unless asking or answering a question or contributing to class discussion.

**●** Do not use the chat feature as a private message system. Understand that the professor can usually retrieve a transcript of all chat messages after the session ends, and that transcript usually includes private chats.

**●** Pay close attention during the virtual meeting. Do not participate in a virtual meeting in a public location with many distractions for yourself or other meeting participants. Do not act in a manner while you are on camera that other participants in the meeting would find distracting.

**●** If you are using WiFi to access the virtual meeting, you can improve your WiFi connection by reducing the number of devices signed into your WiFi during the meeting. For example, you may want to not have cell phones connected to WiFi if you are using your computer to access an online virtual meeting at the same time.

**●** Respect your fellow students’ privacy. Do not take screen shots or otherwise publicly post information or photos related to this course.

**Guidelines for Written Communications with Professors and Classmates**

***Please:***

**●** Avoid abbreviations and emojis commonly used in texting, as not all people may understand those abbreviations.

**●** Avoid all caps. All caps can convey anger and signal that you are yelling at the recipient.

**●** Don’t overuse exclamation points. They can overemphasize a point you are making, signal yelling, or can sometimes signal immaturity as a writer.

**●** Watch tone in written communications. Because the reader cannot see your body language or expressions, sarcasm or humor can be misread if you are not careful.

**●** Strive to be professional in all communications with professors and classmates.

***Thank You for Your Cooperation.***

1. *See* Brian S. Clarke, *Coming Out in the Classroom: Law Professors, Law Students and Depression*, 64 Journal of Legal Education 403, 405 (February 2015). [↑](#footnote-ref-1)
2. *See* Amanda Carey, J.D., Ed.D, *The Fog of Blackacre: Exploring Depression, Anxiety, and Stress of the American Law Student*, Doctoral Dissertation, Northern Illinois University (Executive Summary) (2020), ProQuest Dissertation Publications, <https://search.proquest.com/openview/9e6c077b911ea455e784f082852f5557/1?pq-origsite=gscholar&cbl=18750&diss=y> (also observing a 2014 Yale Mental Health Alliance study indicated as many as 70% of law school students experience mental health distress, and the WHO reported over 300 million people globally suffer from depression). [↑](#footnote-ref-2)
3. Andreas Kluth, *An Epidemic of Depression and Anxiety Among Young Adults*, Bloomberg Quint (Mumbai), 22 August 2020, [www.bloombergquint.com/gadfly/coronavirus-millennials-are-suffering-an-epidemic-of-depression](http://www.bloombergquint.com/gadfly/coronavirus-millennials-are-suffering-an-epidemic-of-depression). [↑](#footnote-ref-3)
4. *See* Susie Steiner, *Top Five Regrets of the Dying*, The Guardian, 1 February 2013, [www.guardian.co.uk/lifeandstyle/2012/feb/01/top-five-regrets-of-the-dying/print](http://www.guardian.co.uk/lifeandstyle/2012/feb/01/top-five-regrets-of-the-dying/print). [↑](#footnote-ref-4)
5. *See* [www.americanbar.org/content/dam/aba/administrative/legal\_education\_and\_admissions\_to\_the\_bar/governancedocuments/2016\_standard\_310\_guidance\_memorandum.authcheckdam.pdf.](http://www.americanbar.org/content/dam/aba/administrative/legal_education_and_admissions_to_the_bar/governancedocuments/2016_standard_310_guidance_memorandum.authcheckdam.pdf.)

 With respect to in-class time, the ABA requires 750 minutes in class per 1 credit hour, total, including one 3-hour (180 minute) exam (or equivalent assessment). The ABA also counts 50 minutes as a full 60 minutes (1 hour). That brings the total to 2,250 minutes for a 3-credit class (750 in-class minutes times 3 credits). Subtracting the 180 minutes for the final exam (or equivalent assessment), that yields 2,070 minutes, which translates to 34 ½ in-class hours (dividing by 60 minutes), or about 2.65 hours per week, or 41.4 in-class hours (dividing by 50 minutes), or about 3.19 hours per week, across a 13-week semester. The course is scheduled to satisfy the in-class time requirement. [↑](#footnote-ref-5)