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Presentation by Deans and National Directors

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PRESENTATION BY DEANS AND NATIONAL DIRECTORS

Speaker – Daniel Ujczco
Speaker – Robert Rawson, Jr.
Speaker – Ian Holloway

INTRODUCTION

Daniel Ujczco

MR. UJCZO: I am Dan Ujczco, the Managing Director of the Canada-United States Law Institute.¹ This year marks the thirty-fifth anniversary of our Institute.² I am, like the Institute, also a bicentennial baby. Actually, next Tuesday is my birthday. Cards are accepted. As for being here for three and a half decades and having a vibrant program, the Institute does from time to time require a bit of a face-lift. We have dedicated the past decade to examining our operations through a strategic review of all aspects, from our structure in governance model to our programs, and lastly, our development structure. I have said this morning, and others have heard me say this in other settings, one of the greatest assets of our Institute is that we have the most talented legal minds on the continent, if not the world, associated with our organization. But one of the great challenges when you are structuring a governance document is that we have some of the most talented legal minds on the continent, if not the world.

But we have with tremendous guidance from our Advisory Board and our Executive Committee established this structure in governance model for the Institute that will carry us forward for the decades to come. In particular, Dick Cunningham³ of Steptoe and Johnson drafted our initial structure and

¹ *Dan Ujczco—Biography*, CAN.-U.S. L. INST., http://cusli.org/conferences/annual/annual_2011/bios/bio_ujczco.html (last visited Oct. 30, 2011). Mr. Ujczco acted as the Managing Director of the Canada-United States Law Institute from 2004 to May 2011. He is presently the Economic Relations and Regulatory Affairs Officer at the Consulate General of Canada in Detroit, Michigan.

² *History*, CAN.-U.S. L. INST., <http://cusli.org/about/history.html> (last visited Oct. 30, 2011).

³ *Richard Cunningham—Biography*, STEPTOE & JOHNSON, <http://www.stepto.com/professionals-168.html> (last visited Oct. 30, 2011).

operational guidelines back in 2006. With a few years of experience, changes in the Institute, and changes at our academic institutions, it required a little bit of polish as well and Michael Robinson⁴ gladly carried the mantle. “Gladly” may be an exaggeration, but Michael Robinson did the heavy lifting in terms of carrying this forward with the active support of our National Directors, Professor Michael Scharf,⁵ our United States Director here at Case Western Reserve University School of Law, and Chios Carmody,⁶ our Canadian Director from The University of Western Ontario Faculty of Law. You will be hearing more from Michael and Chios later this evening.

Our heritage rests in having our home in two academic institutions⁷ and those of you who have attended a faculty meeting or two over the years know that that it is not always such a great thing dealing with two very different academic institutions. But it is our heritage. It renders the Canada-United States Law Institute unique and extraordinary in terms of the activities we provide in three ways.

First, it provides us with stability and reputation. These are prestigious academic institutions.

Secondly, everything we do is inherently bilateral and you can see that reflected in this room. As I have stated earlier, we have students both in this room and in our overflow rooms and watching via webcast from Case Western Reserve University and the University of Western Ontario. They should be studying for finals but that is a whole other issue.

And lastly, we are non-partisan. As you have seen on our panels, we hear all sides of these Canada-United States issues, so it is not an industry association viewpoint or a view of one government, et cetera. It also gives us the opportunity to expose successive generations of law students to this special Canada-United States relationship. As I look around the room, there are many alumnae of this program here today and, of course, they go on to bigger and better things. I think one only need walk into the United States Department of Homeland Security right now and seated across the room are our students, graduates, and alumnae of our program. You will see that even

⁴ *Michael Robinson—Biography*, U. W. ONT., <https://www.law.uwo.ca/lawsys/pages/contents.asp?contentName=Instructors&contentFileName=jrobin69> (last visited Jan. 5, 2012).

⁵ *Michael Scharf—Biography*, CASE W. RES. U. SCH. L., http://law.case.edu/centers/cox/faculty_detail.asp?faculty_id=142 (last visited Jan. 5, 2012).

⁶ *Chios Carmody—Biography*, U. W. ONT., <https://www.law.uwo.ca/lawsys/pages/contents.asp?contentName=Instructors&contentFileName=ccarmody> (last visited Jan. 5, 2012).

⁷ *History*, CAN.-U.S. L. INST., <http://cusli.org/about/history.html> (last visited Oct. 30, 2011).

more so tonight when Admiral Parks⁸ is here from the United States Coast Guard.

You will notice that part of our legacy is not just here at the law school. You will see later this afternoon we build relationships across our campus with the Great Lakes Energy Institute over at our School of Engineering, the Weatherhead School of Management right next door, and a number of other programs.

One of my favorite stories is about our program. I teach Canada-United States Legal Relations and the areas on Québec are a little bit challenging for me, as an American. Marc Boucher⁹ is the governmental representative of Québec in Chicago and I gave him a buzz. He likes to lecture. I said, “Come teach our class. Can you teach this and they can hear from a Québécois?” Marc came into the class and I said, “Marc, I will build a program for you,” and he said, “I would really love to get to know the francophone program at Case Western Reserve University. You have one of the best around.” And I said, “Sure,” and I hung up the phone and went, “We have a francophone program at Case Western Reserve University?” But, of course, now we have developed a partnership with our College of Arts and Sciences where our students, particularly those that go on exchange programs, can then get boned up on French, so to speak, through that program as well.¹⁰

It is a collaborative environment with The University of Western Ontario, as Ian will touch on in just a moment. They have launched a university-wide Canada-United States Law Institute program to really leverage this asset that we possess here at our law schools.

That leadership starts at the top. We are just extremely fortunate to have two great deans leading the charge, including Ian Holloway, who I believe is still the longest-serving dean in Canada at The University of Western Ontario Faculty of Law.¹¹ We have been quite fortunate; I am an alumna of Case Western Reserve School of Law and we have been blessed in many ways to have Interim Dean Bob Rawson come to the law school and bring his experience and expertise over the past several years.¹²

⁸ *Admiral Michael Parks—Biography*, U.S. COAST GUARD, http://www.uscg.mil/d9/docs/Parks_Bio.pdf (last visited Oct. 30, 2011).

⁹ *Marc Boucher—Biography*, U. CAL. L.A., <http://www.spa.ucla.edu/seniorfellows/main2.cfm?d=xr&f=sfdisplay.cfm&s=seniorfellows&id=189> (last visited Jan. 5, 2012). Mr. Boucher acted as the Québec representative in Chicago, IL until October 2011. He is currently a Senior Fellow at the UCLA School of Public Affairs.

¹⁰ *French and Francophone Studies Program*, CASE W. RES. U., http://www.case.edu/artsci/fr_studies/ (last visited Oct. 30, 2011).

¹¹ *Ian Holloway—Biography*, U. CALGARY L., http://www.law.ucalgary.ca/faculty/fulltime/bio_holloway (last visited Jan. 5, 2012). Mr. Holloway acted as the Dean of The University of Western Ontario Faculty of Law from July 2000 to July 2011. He is currently the Dean of the University of Calgary Faculty of Law.

¹² *Robert Rawson—Biography*, JONES DAY, <http://www.jonesday.com/rrawson/> (last visited

So without further ado, I will turn it over to Dean Rawson who will make a few remarks and then we will sign our Structure and Operational Guidelines.

REMARKS BY DEAN RAWSON

Robert Rawson, Jr.

DEAN RAWSON: Thank you, Dan, and thank you all. If Ian is the longest-serving Canadian dean, I may be the most temporary of United States deans. I have been honored and privileged to be the Interim Dean here for sometime now and to have been involved with this conference a couple of times already.

It is my pleasure on behalf of our law school to add my welcome to all of you scholars, business leaders, government officials, and practicing lawyers who participate with this important Conference. We are delighted to have you here and delighted to be able to host this event.

I want to add a special welcome to my colleague, Ian. It is delightful to have him here representing the partnership that has long existed between The University of Western Ontario and Case Western Reserve University. I want to also add my welcome to Chios, who is the Canadian Director, and our thanks to Michael Scharf, who handles that on behalf of the United States side of the equation.¹³ And in welcoming and thanking both of them, there is a large staff and support mechanism group that stands behind them in supporting the work of the Canada-United States Law Institute. I also want to add my welcome particularly to the Executive Committee of the Canada-United States Law Institute and to the Advisory Board members who are here. We are grateful to you for adding your energy and your expertise, and a particular welcome to Governor Blanchard¹⁴ and to the Honorable James Peterson¹⁵ who are leading that effort at this point.

It was the inspiration of one of our Emeritus law professors here at Case Western Reserve—I believe it was Sidney Picker—who made a proposal that

Jan. 5, 2012). Mr. Rawson acted as the Interim Dean at Case Western Reserve University School of Law from October 2008 until May 2011. He is currently a partner at the Cleveland office of Jones Day.

¹³ *Chios Carmody—Biography*, *supra* note 6; *Michael Scharf—Biography*, *supra* note 5.

¹⁴ *James Blanchard—Biography*, DLA PIPER, http://www.dlapiper.com/james_blanchard/ (last visited Jan. 5, 2012).

¹⁵ *James Peterson—Biography*, FASKEN MARTINEAU, <http://www.fasken.com/lawyers/detail.aspx?professional=8eab55ff-0dc4-4a3f-aff9-bcbe6ec1e89e> (last visited Jan. 5, 2012).

there be an organization like this in 1976.¹⁶ Since that time, this organization, the Canada-United States Law Institute, has made it possible for students on both sides of the border to study in real depth what is the most important bilateral relationship in the world—that between Canada and the United States. That has been done through courses, exchanges and internships, the Niagara International Moot Court Competition, and conferences, the most important of which each year is this one. So we are delighted that this tradition continues and delighted also that the effort put in by many of you in the room, to whom Dan has already alluded, that is the updating of the governing guidelines of this important organization. I want to add my thanks to Dick Cunningham and to Michael Robinson for their particular contributions to getting this done.

I have reviewed the guidelines. I want you to know I am a careful lawyer. I do not sign something that I have not read, and I think it is a wonderful road map for guiding this organization into the future. I will happily endorse and sign these guidelines in just a few minutes but now let me turn the podium over to my esteemed colleague, Ian, for his remarks.

REMARKS BY DEAN HOLLOWAY

Ian Holloway

DEAN HOLLOWAY: Thank you very much, Bob. Thanks for your kind words and thanks for your continued hospitality.

Today is an important day, both for Bob and me. It is important in a poignant way because this is the last time that both of us will be attending this Conference in our present capacities. We are both halfway out the door in terms of our deanship. And in that vein, let me echo what Dan said, and say that this project of revitalizing what one might describe as the legal core of our organization has been a project of long standing. At least on the Canadian side, it began in August of 2000. Shortly after I arrived in my current job, I had a lunch meeting at the University Club in Toronto with our—and my—dear friends, Michael Robinson, Larry Herman, and Jim McIlroy, and thus began the discussions regarding the document that we are about to sign this afternoon.

I have been privileged to do a lot of things during my time as Dean at Western Ontario. Come what may, I have no doubt that this is going to be a highlight of my professional career. But I can say with conviction that in that role I have done nothing more important than lend support to this Institute.

¹⁶ Can.-U.S. L. Inst., *supra* note 7.

In Canada, we are wedded to a description of ourselves as two solitudes. That expression is usually used to describe the French and English speaking populations of Canada, but I have always thought that the expression is equally apt to describe the relations between most Canadians and most Americans.

At one level, it is perhaps more understandable to use it to describe the relations between French-speaking and English-speaking Canadians because we cannot understand one another. But it is not at all excusable, I think, for two peoples sprung from the same constitutional root, and whose histories, economies, and societies are so, so deeply intertwined to be walking around in such blissful ignorance of the realities of the other. That is why I think that this Institute is just so terribly important. It brings together academics, lawyers, politicians, business people, the media . . . people of influence from virtually every walk of life. Truly, to the extent that I am proud of anything in my time as Dean of Law at Western, it is the support that I have given to the Canada-United States Law Institute. So thank you very much. And publicly I want to acknowledge the debt that I owe to my colleague, Chios Carmody, for all that he has done as the Canadian Director of the Institute. It has been a treat to work with him on this over the past decade. Thank you.

So Dan or Bob, we are ready to sign.

DEAN RAWSON: We are committed.

MR. UJCZO: Thank you.