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Global Outlook

Study abroad program hits home for law students

By Taryn Hartman
Legal News

The words “study abroad” often invoke mental images of coeds frolicking in European tourist destinations rich in culture and history but lacking academic rigor.

Not so at the University of Detroit Mercy, which last fall developed a study abroad program for its law students.

For student Traci Buchalski, not traveling abroad during her undergraduate years at the University of Michigan was a decision she had come to regret after starting law school and meeting fellow students who had spent time overseas. She saw the International Opportunities Program, as it is known at UDM, as her chance to make up for experiences she’d missed out on as an undergrad. She quickly found her graduate study abroad program to be much more rigorous and heavily focused on school than those her friends had attended prior to law school, which seemed to be more social in nature.

And this is an experience that Dean Mark Gordon said is expected of the program.

“This is not supposed to be lying on a beach in Greece while you take an ‘Introduction to American Law’ course,” he said.

The idea for the International Opportunities Program stemmed from the school developing a requirement for all law students to take a course in a non-U.S. legal system. The law school has long taken advantage of its proximity to a different legal system by offering a joint degree program in partnership with the University of Windsor. After completing the program, students receive two law degrees, the first step in their eligibility to practice in both the U.S. and Canada.

Like many of its other programs, the international law requirement puts UDM at the forefront of law schools implementing innovative programs designed to better respond to the changing legal landscape. Gordon said UDM is in the minority of law schools that require an international component as a course requirement, and that the school recognized that because the practice of law is becoming increasingly globalized, it’s necessary to make sure students are prepared to deal with at least some international law. The program “opens people’s minds to the fact that there are other legal systems out there,” Gordon said, adding that students often go beyond the single-course requirement. But it’s not lost on the school that one course cannot totally prepare students for international law. That’s where the IOP comes in, for students who want more experience in international law.

Through the IOP, UDM law students are able to apply to already-established summer study abroad programs offered by law schools at other universities. The credits students earn in

these courses are then applied to their work at UDM. In addition, the university offers students a \$1,000 loan to help defray their travel costs, but the loan is forgiven as long as the student returns to UDM having passed his or her classes while abroad. A student's UDM financial aid package can also be applied to the costs of studying overseas.

IOP participants have a wide range of programs and international destinations to choose from, including common study abroad locations like Paris, London, Rome and Madrid to more far-flung countries like China, Japan, Hungary, South Korea and South Africa. The number of courses a student enrolls in and the number of credits he or she receives depends on the specifics of the university's summer program.

Gordon said many students choose to go abroad after their first year of law school, leaving the summer between their second and third years open for positions as summer associates at law firms.

"It so far seems to be a smashing success in terms of student experiences," Gordon said.

In its initial year, 15 UDM law students took advantage of the experiences offered by the IOP. Four of these students, all currently second-year students at UDM who studied abroad after their first year of law school, shared their experiences with The Legal News.

Traci Buchalski

Buchalski took two courses—International Business Law and International Public Law—through the London Law Center at the University of Notre Dame. The Notre Dame program was originally not included in the list of programs approved by UDM, so Buchalski did her own research on programs in London since that was her destination of choice. Once she decided on Notre Dame because of the length of its program (seven weeks) and its relatively less expensive cost when compared to other schools that offered shorter programs, she presented her findings and the program materials to Associate Dean Kathleen Caprio for approval. Notre Dame's London Law Center is now listed as one of the IOP's approved programs.

In addition to the program's cost value, Buchalski was drawn by its class selection and professors, all of whom are currently practicing international law or had practiced it in the past. One of her favorite professors was a Belgian lawyer who had practiced law in his home country, France, England, and Australia and is now dean of an Australian law school but returns to the London Law Center year after year.

"I don't think you could have gotten better-quality professors anywhere else," she said.

Buchalski's time in London and visits to Brighton, Bath, Stonehenge, and Paris were not only her first study abroad experiences, but also her first international travels. A planned trip to Germany was disrupted by a flight cancellation.

An avid tennis player, Buchalski said her most memorable experience didn't occur within the walls of the classroom, but rather on the grass courts of Wimbledon. Buchalski loved being able to watch tennis matches in person instead of on television.

But that doesn't mean she didn't come away with valuable legal experiences as well. While studying international law, she found it most striking that international cases don't have to adhere to any sort of precedent, which Supreme Court cases establish in the United States. Although she's not sure what her legal aspirations will be once she finishes her career at UDM, the Bay City native is sure that her experiences with the IOP will benefit her once she enters the legal profession.

"I think it's interesting because everything is becoming much more globalized right now," she said.

For the time being, she's finding her international experiences are coming in handy on her Moot Court team, which is presently dealing with an international issue.

Lynda Taylor

For Detroit native Lynda Taylor, the opportunity to study abroad was too alluring despite any opportunities to gain legal experience that she might have missed at home during her time in Rome as part of Temple University's study abroad program.

Taylor's interest in Italy was sparked by the experiences of her sister Nicolle, who studied there in 2000 as an undergraduate in UDM's School of Architecture. Lynda and her sister Marlana, also a second-year law student at UDM, studied abroad together this past summer. While abroad, Lynda took an Introduction to European Union Law course and a course in International Human Rights, which inspired her interest in how the international legal community handles people who are harmed as well as those who harm others in foreign countries and then come to the U.S.

In addition to viewing famous landmarks like the Roman Colosseum and Sistine Chapel up close, Taylor said some of her most poignant memories of her time in Rome were the communication difficulties she often faced due to the language barrier.

"The biggest major lesson that I took away from my experience is not to be judgmental of people who come to this country who might not be able to speak English," she said.

Her own communication struggles taught her the importance of listening and trying to reach a mutual understanding with others and that all people have the same basic needs.

Learning alongside classmates from UDM and students from many other law schools also enhanced Taylor's global understanding.

"It was an experience that showed me how other people in other countries live," she said.

Taylor believes these lessons will benefit her as a lawyer by enabling her to put herself in other people's shoes and consider how she would like a given situation to be handled if she were in that position. Taylor's short-term career goal is to secure a clerkship for the coming summer and eventually work in probate law.

The pace of both the European legal system and daily life also stick out in Taylor's mind since her return to the U.S. She said she was surprised at how slow the legal system moves in Europe, explaining that the lag time between when cases are filed and when they're actually heard is so long that laws can actually change during this period. She also said that cases are much costlier in Europe simply because they drag on for so long.

"The case backlog in their system is ridiculously long. If you don't have the money to sustain a case for that long, it's not even worth it for you," Taylor said.

Taylor said the cause of this delay in the hearing of cases is partially due to the fact that there are not enough practicing attorneys in Europe to make the system move more quickly. She was surprised to learn that after completing law school, European students must complete an apprenticeship before they can become practicing lawyers, differing from the fact that in the U.S., students are licensed and ready to practice law once they receive their J.D.s and pass the bar exam.

"To Americans, that's just mind-blowing," she said, adding that she and her classmates had many questions about this practice when they learned about it.

She said many European law professors also practice law full time to make up for the small number of attorneys there.

Differences between how lawyers are compensated in Europe and the United States were also shocking to Taylor. The apprenticeships that students are required to complete before they can practice are not compensated, and Taylor said lawyers who are appointed to cases by the court system are not always compensated, but are still expected to perform as the same level they would were they being paid.

"In America, we're so concerned with deadlines. We want things done now, we wanted it done yesterday," Taylor said of the differences between daily life in the U.S. and Europe.

She said that Italy's daily siesta—between the hours of 4-7 p.m., when people go home and spend time with their families—indicates the different values held by Europeans that respect

family and personal time. She thinks the U.S. has departed from these values because of citizens' preoccupation with the bottom line. Despite the vastly slower pace of life in Europe, Taylor said things still get accomplished, but in order to get things done they have to be planned and mapped out accordingly in advance.

Joel Wisniewski

For Joel Wisniewski, spending time abroad didn't mean giving up his entire summer and missing the birthdays and weddings of friends and loved ones. He just found a shorter program that would allow him to do both and studied from early June to early July at Fordham Law School's program in Ireland, where he took courses in International Human Rights and International Property.

Wisniewski selected the program—which allowed him to study in both Dublin and Belfast—based on the experiences of some of his family members who had visited Ireland. He said he wanted to go to a country where he wouldn't experience intense culture shock or couldn't communicate in the event that he got lost.

His abridged time in Ireland also allowed him time to gain some legal experience here at home. Before and after going abroad, Wisniewski worked as an aide to Third Judicial Circuit of Michigan Judge Richard Skutt.

Wisniewski's current legal interests lie in family law, which he experienced first-hand in his externship with Judge Skutt, and immigration law as a result of a class he's currently taking at UDM.

Both interests have a strong focus on helping people, which is what Wisniewski will strive to do in practice.

"I want to do my best to be a counselor instead of an attorney," he said, adding that he enjoys being in the courtroom, and as a result would prefer litigation.

"I think I have more of an opportunity to make a difference if I litigate than if I sit behind a desk pushing paper," he said.

His time abroad intensified his desire to do good and make a difference in the world, and he now finds himself applying the principles of his International Human Rights course to his current immigration class.

Wisniewski found the struggles with racism that still occur in Northern Ireland to be the most surprising facet of his journey and compared them to implicit forms of racism that still exist in America. He was also surprised with the pervasive anti-American sentiment he encountered, including several roadside murals that were decidedly opposed to the Bush administration.

The Niles native said the biggest difference between the Irish and American legal systems is the fact that two lawyers handle a given case; one who handles the paperwork pertaining to the case and the barrister who litigates the case in court but has little contact with the actual client. That, and the fact that judges and lawyers wear wigs in the courtroom.

Sante Fratarcangeli

For Sante Fratarcangeli, the summer he spent in South Africa gave him the unique opportunity to experience a country that he described as "very fresh."

"They're taking what they've learned from other countries and trying to incorporate it into their constitution," the Bloomfield Hills native said of the South African constitution that was ratified in 1996. Fratarcangeli was part of the study abroad program offered by the University of Florida's Levin School of Law at the University of Cape Town.

In his Comparative Constitutional Law class—which joined the Introduction to South African Law and Comparative Criminal Justice courses he took during his time there—Fratarcangeli studied the elements that made the South African constitution different from

that of other countries. He found the word dignity was used frequently in the document, and then had to take that term and compare it to the U.S. constitution. He added that while the country is continuously learning from other nations, it still struggles with many of the same issues despite its constitutional differences.

Some of these struggles include the country's inability to implement the constitution in South African townships, poor areas that can hold millions of people. The sheer size of these areas make it almost impossible to collect accurate census information on their populations, Fratarcangeli said. He added that the number of people in the townships, coupled with the fact that there's little money in these areas, make it too difficult to bring the rules of the country's constitution to these areas. As a result, many townships have their own laws and even court systems.

Fratarcangeli and his classmates were able to take field trips into these areas and see the struggles up close, an experience that he found to be most memorable from his time abroad. He said he was shocked to see how people live—often in shacks built on top of one another in the townships—despite the fact that the country has tried to build upon the same principles as the United States and other countries.

“To see what these townships were about, it was just breathtaking,” he said, especially compared to the city of Cape Town and its amenities, including a cityscape of skyscrapers and other urban features.

“The city of Cape Town is not lacking in any way,” he said, but found it especially surprising that the squalor of the townships is only 5 miles away.

Fratarcangeli found studying abroad to be the most attractive option for the summer months. He and a friend from his undergraduate years at the University of Michigan, now a law student in San Diego, studied in Cape Town through the University of Florida's program. These field trips included those that took Fratarcangeli and his classmates into the townships as well as trips to parochial schools to see the county's educational system at work. After the conclusion of his program, Fratarcangeli traveled to Johannesburg where he saw the largest township in South Africa and some of the sites of the riots demanding the end of apartheid. But there was no shortage of legal work, either. The program enabled him to do some job shadowing with lawyers at some of the upper-class Cape Town firms. In his criminal justice class, he studied the country's struggles with the plea bargaining system, court-appointed attorneys and their fight to give their clients the same amount of time as clients who would be paying for representation. And his constitutional law classmates invited law students from the University of Cape Town to sit in on their class, an experience that Fratarcangeli found beneficial because it gave him a chance to hear their views. He gave the example that there's no death penalty in South Africa, and estimated that 90 percent of the South African students don't believe in such a punishment.

Fratarcangeli said the most important things he took away from his time in South Africa were different perspectives regarding how he views the legal system. These perspectives have brought new meaning to learning about the *Miranda v. Arizona* case in his Criminal Procedure class this fall, and he also believes he'll keep his experiences abroad and the lessons he learned there in mind and apply them to his career as a lawyer. He would ultimately like to specialize in criminal law, either as a prosecutor or a defense attorney, an interest that stems from his time abroad. Fratarcangeli will be moving one step closer to this goal this winter, when he will work with the Oakland County Prosecutor's office as part of UDM's externship program.