

# LSU PAUL M. HEBERT LAW CENTER



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## *The Russell Long Chair and CCLS Newsletter*

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*Journal of Civil Law Studies, Volume 12 Number 1*

Volume 12	Number 1	2019
<b>ARTICLES</b>		
▪ <i>From La Beauce to Le Bayou: A Transsystemic Voyage</i>		Rosalie Jukier
▪ <i>French Jurisdictional Complexity on the Fringe, Acadia 1667-1710</i>		Jacques Vanderlinden
▪ <i>Developing the Civil Law of Incorporeal Things</i>	Ricardo Bethencourt & Aniceto Masferrer	
▪ <i>The Impact of European Private Law Upon the Mixed Legal System of Cyprus</i>		Nicholas Mouttotos
<b>CIVIL LAW TRANSLATION</b>		
▪ <i>Louisiana Civil Code - Code civil de Louisiane Book III, Titles 23-24 - Livre III, Titres 23-24</i>		Center of Civil Law Studies
<b>CIVIL LAW IN LOUISIANA</b>		
▪ <i>Star Financial Services, Inc. v. Cardtronics USA, Inc.</i>		Nancy A. Maurice
▪ <i>Hazing Laws in Louisiana: Criminal Penalty Masquerading Under the Guise of Punitive Damages?</i>		Brittney Esie

Volume 12, Number 1, takes you to Canada for a tour of *la Belle Province de Québec*, the birthplace of transsystemic teaching, and of *l'Acadie française* in times of trouble and legal complexity. It invites you to rethink the concept of incorporeal things, moving it outside the traditional distinction of movables and immovables, and to reflect on the impact of European Union law in Cyprus, an unusual mixed jurisdiction where private law is common law and public law derives from the civil law tradition.

You will then visit two major titles of the Louisiana Civil Code in English and in French, regulating occupancy and possession, and prescription. Both titles 23 and 24 were entirely rewritten in 1982.

Civil Law in Louisiana discusses an interesting case on contract interpretation and new legislation on hazing, making room for punitive damages in a jurisdiction that resists the idea. [Click here to access the Journal of Civil Law Studies.](#)

The Journal of Civil Law Studies welcomes submissions for volumes 13: email [moreteau@lsu.edu](mailto:moreteau@lsu.edu).

## ***Distinguished Foreign Visitors at LSU Law***

Professor Michele Graziadei, University of Turin, Italy, taught a 12-hour (one credit) course on European and Comparative Health Law, from August 26 to September 11. On September 5, he delivered the 42<sup>nd</sup> Tucker Lecture (see below).

Professor David Bosco, University of Aix-Marseille, France, taught a 12-hour (one credit) course on American & European Antitrust Law, from September 30 to October 11. On October 8, he gave a presentation to the faculty on European Antitrust vs. Tech Giants, An Inspiration for the United States?

## ***Professor Michele Graziadei Delivers the 42<sup>nd</sup> Tucker Lecture***

On September 5, at the lunch hour, Professor Michele Graziadei, University of Turin, Italy, addressed an audience of 120 consisting of judges, attorneys, law professors and law students, discussing **The European Court of Justice at Work: Comparative Law on Stage and Behind the Scenes.**



The European Court of Justice (ECJ) has often been hailed as an engine of European integration. Entrusted with the task of securing the uniform interpretation of the law of the European union—among other functions—the ECJ makes use of comparative law for a variety of purposes. The very composition of the Court and its peculiar linguistic regime make the Court a major comparative law laboratory. Under the Treaties, the Court is explicitly authorised to resort to comparative law as a method of judicial interpretation with regard to certain aspects of European law. But comparative law is an essential tool for the Court in several other contexts as well. This lecture will be the occasion to take a closer look at the role that comparative law plays in the development of the jurisprudence of the Court, and to showcase some salient applications of it. Quite often, the Court limits references to comparative law arguments to a few lines in its judgements. Nonetheless, comparisons that go far beyond the merely technical aspects of the law are part and parcel of the everyday business of the Court. Even when the language of comparative law is not overtly spoken, those comparisons define the ethos of the European union, and show how the Union sets out to challenge, and change, the laws of the member states.

To [view the introduction, lecture, and discussion, click here.](#)

## ***National & International Outreach***

Professor Olivier Moréteau gave three presentations in the past three months:

“Differences and Preferred Teaching Methods in Legal Education from Around the World,” Discussant, Southeastern Association of Law Schools (SEALS) Annual Conference, Boca Raton, Florida, August 2, 2019. He participated in all sessions of the Global Legal Education Associations Consortium (GLEAC).

“Meeting the Otherness of the International Student,” AALS Teaching Methods Section, Fall Conference Call on Best Practices for Teaching Foreign-trained Attorneys, September 12, 2019.

“Two Centuries of Legal Translation in Louisiana: Development and Promotion of the Civil Law in English,” Symposium on Law and Language, organized by the International Association of Legal Science and the Netherlands Comparative Law Association, Maastricht University, The Netherlands, September 26-27, 2019.

## ***Juris Diversitas General Conference, Call for Papers***



**JURISdiversitas**

**The Dark Side of the Law**

Is law inherently good, reasonable, just? Has it always been associated with positive values in all cultures, at all times? Has it always had that distinctive flavour of soundness/seriousness that we commonly associate with all things legal? Juris Diversitas invites you to a journey across the entire spectrum of uncommon legal epiphanies, seeking instances when the law has been or was believed to be evil, odd, bizarre, fantastic or absurd, ridiculous, esoteric, psychoactive or psychotrope – exploring the dark side of the law in time and space, to observe its many hidden facets.

**La face cachée du droit**

Le droit est-il intrinsèquement bon, raisonnable et juste? A-t-il de tout temps et dans toutes les cultures été associé à des valeurs positives? Se caractérise-t-il toujours par cette saveur saine et sérieuse que l'on associe communément à tout ce qui est juridique? Juris Diversitas propose un voyage à travers le spectre des épiphanies juridiques qui sortent ou commencent à la recherche de situations où le droit s'est manifesté ou s'est ressenti comme mauvais, étrange, bizarre, fantastique ou absurde, ridicule, esotérique, psychoactif ou psychotrope. Une exploration du côté sombre du droit, dans le temps et dans l'espace, pour observer ses multiples facettes cachées.

7th General Conference  
Catania (Italy), 3-5 June 2020

7ème Congrès Général  
Catane (Italie), 3-5 juin 2020

### **The Dark Side of the Law**

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## Submissions

Panel proposals and interdisciplinary presentations are strongly encouraged, as is the participation of doctoral students and scholars from outside of the discipline of law. While parallel sessions featuring three presentations of twenty-minute each will be the pattern, more creative arrangements are encouraged.

Proposals should be in *English* or in *French*. Proposals of circa 250 words (or 1000 words for panel proposals with three or more speakers) should be submitted to Professor Salvatore Mancuso at: [smancuso63@yahoo.it](mailto:smancuso63@yahoo.it) by **December 31, 2019**, with a short biography paragraph listing major or relevant publications. Make this a single Word document with minimal formatting, so that proposal and biography can be copied easily into the conference program.

## Registration Fees

€200 or €125 for *Juris Diversitas* members who paid their 2020 dues. Special rate for young scholars under the age of thirty coming the first time and for scholars in developing nations: €150 or €75 for *Juris Diversitas* members who paid their 2020 dues. Note that fees *do not* cover travel, accommodation, or the conference dinner (€50).

## **LL.M. Recruiting Season: Why Choose LSU Law?**

### **Our LL.M. in Comparative Law is your Gateway to U.S. Law and Practice**

#### A WORLD CLASS PROGRAM IN A WELCOMING ENVIRONMENT

- Top 10 budget LLM programs in the U.S. (LLM Guide)
- Top 10 worldwide LLM in Energy Law program for 2019 (LLM Guide)
- Generous merit-based scholarship opportunities
- Eligibility to sit for the New York State Bar Exam
- Opportunity to work in the U.S. for up to 18 months (for J-1 students)
- A rigorous, yet personable learning environment
- Affordable housing and low cost of living
- Flexibility to tailor your course work to match your professional plans
- Full immersion with J.D. Students, as most LL.M. courses are J.D. courses
- A personable, small-group learning environment
- Experience Louisiana's unique and vibrant culture

#### OUR LL.M. IN COMPARATIVE LAW IS THE BEST VALUE AMERICAN LL.M. PROGRAM

- On average, the **cost of tuition & fees** paid by our LL.M. candidates is below **\$10,000 for the entire year**. This makes our LL.M. program one of the most affordable in the United States.
- While the average passage rate of foreign educated test-takers on the **New York Bar Exam** is less than 50%, in the past eight years, **our LL.M. passage rate has been close to 100%**. Our passage rate for the Louisiana Bar Exam is also 100%.

## Contact

Visit the [LL.M. Program Website](#) and our new [LL.M. Facebook page](#). Email [LLMadmissions@lsu.edu](mailto:LLMadmissions@lsu.edu)

*For the 2020-2021 academic year, we will only accept applications submitted online through the Law School Admission Council ([LSAC.org](#)) website. Our LL.M. application will go live on November 6, 2019. We no longer accept paper applications.*