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Joint Degree Programs

Dean Charles Cramton*

Most of us will agree that the practice of law has become more global in scope. Today it is virtually impossible for our graduates not to be involved in international legal matters. They have foreign clients wanting to work or do business in the United States, United States clients wanting to work or conduct trade overseas, or clients from various countries who are parties to disputes. This occurs not only in large firms in large cities, but also in small cities and in smaller firms. All of us, therefore, need to be concerned about the issues that we are discussing today. We need to broaden our views of legal education and the increased global culture must also be recognized.

What I am going to talk about are two unique programs that we are undertaking at Cornell. They are programs that I believe should be used more broadly within legal education today in the United States. I am referring to joint degree programs with non-United States law schools. What I am describing here are not the traditional cooperative exchange programs which many United States law schools now have. I am talking about true joint degree programs. Cornell and Columbia now have ABA-approved joint degree programs. Columbia currently has one; Cornell has two. At both schools students receive two law degrees from two different universities in two different countries at the completion of four years of study.

The concept for the programs is not new or unique. Our colleagues in Europe have been doing this for many, many years. We will hear from one of our European colleagues about some of the programs there later this morning. Many United States law schools have joint degree programs such as the J.D./M.B.A., the J.D./Ph.D., or various cross-disciplinary degrees; however, in the United States it is really a new phenomenon to have a joint degree program between a law school in the United States and a school

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abroad. Cornell and Columbia both have programs with the Université Paris I Panthéon-Sorbonne. We also have a joint degree program with Humboldt University in Berlin. Basically, the goal of these programs is to provide U.S. students (and students from other countries as well since the students are drawn from both countries) with rigorous legal training in two legal systems that will equip them to practice in an international legal environment. I will describe the programs briefly. Later on, I hope we can discuss how you can fit these programs into your curriculum. We will also consider some of the advantages and challenges of these programs.

Our program in France was approved in 1995 by the American Bar Association. Our first graduates in the program finished in 1999. Columbia was one year ahead of us. As a side note, we have heard this morning about the necessity of personal contacts at foreign schools. One of the key elements in the development of our program in France was an alumnus of Cornell Law School, Professor Xavier Blanc-Jouvan. Professor Blanc-Jouvan, a long-time faculty member at Paris I, has been directing the joint degree program with Paris I and Kings College, London for almost 25 years. We entered into discussions with him on doing the same thing with a United States law school and a European law school. It made a lot of sense, both to us and to him. I reiterate that it is those key personal contacts, which you develop over time, that can lead to many of these new initiatives.

In our program with Paris I, roughly an equal number of students are chosen from each school. In our case, initially, two students from France and two students from the United States. They all come to Cornell and spend the first two years together. They all complete the regular first year curriculum. Their second year curriculum is pretty much the same as other J.D. students' except that we require that they complete a professional responsibility course and fulfill our writing requirement during the year. We also make sure that their curriculum does not overlap in terms of courses which would be better taken in France. We encourage them to hold off on those courses. For example, we would not generally say that they should take a course on European Union law at Cornell when they are going to spend two years at the Université Paris I studying French and European law. In the first two years, they must complete 62 credits at Cornell. They then head over to France for the final two years of study. Following their two years of study at the Sorbonne, we grant them 22 credits of advanced standing for their studies in France and

award the J.D. degree. At the end of the four years, if they have been successful with their exams in Paris, then Paris I also grants them the "Maîtrise en droit" or first degree in law from Paris I.

The curriculum in Paris is concentrated and is more rigorous than the regular curriculum for French law students. As with the regular curriculum, all the classes are in French. Obviously, all the students in this program are fluent in English and French. Currently, Paris I is working on special sections for all the joint degree students at Paris I. The American students along with the British, Spanish, French and German students who are in the joint degree programs at the Université Paris I will all have certain class sections together. The faculty at Paris I enjoy this aspect of the joint degree programs as it gives the faculty an element of student selectivity that they do not routinely have within the French educational system. They also see that the caliber of students is much higher because of the limited enrollment in these joint degree programs.

Our program with Humboldt University is newer. The American Bar Association approved it last year. It varies slightly from the French program in that there is a different path toward the dual degrees for the German and the United States students. The United States students begin with their first two years at Cornell and then go over to Humboldt where they will complete two years of study. They receive a new type of degree at Humboldt, the "Master of German and European Law and Practice," an M.L.L.P. The curriculum in Germany covers both German and European law and is combined with a series of internships during the summertime and the holiday breaks. The students will be placed in German and European law firms for these internships.

The German students, on the other hand, enter the program after completing their first state examination with a score of "gut" or better. This ensures very strong students. They then complete two years of study at Cornell leading to the J.D. degree. We grant the German students advanced standing under existing ABA rules for their prior work in Germany.

That is a quick overview of the two programs. The main advantage of both of them is that the students are really immersed in hands-on training in two legal systems. It goes much further than the semester abroad programs that are a part of most United States law schools. Additionally, the students are totally immersed in the culture and the language during their two years in each country.

I now turn to some of the challenges for these programs. The initial challenge was to obtain American Bar Association approval. The American Bar Association currently classifies joint degree programs as “cooperative programs” subject to the usual site visits and the annual questionnaires. However, when you are talking about a true joint degree where you have the entire curriculum and entire faculty from each school involved, the cooperative program standards do not make as much sense. Each year you have to sit down and list on the questionnaire the entire faculty teaching the courses and other detailed information. It is a very time-consuming and difficult exercise. We hope that the ABA will address this issue in the near future.

One of the other challenges is the publicity and marketing of the programs, particularly in terms of career paths for the students. Because it is a four-year program, the students are out of synchronization with the usual J.D. hiring timetable. It took a little while to educate legal employers about the nature of the programs; however, what we are now finding is that the challenge is diminishing as more firms are getting to know the students. As they have hired them as summer associates, they have learned more about the program. United States firms with branch offices in France as well as English firms and some of the accounting firms are very interested in these students. The students who are now applying for the program are seeing that there are career benefits to participating in the joint degree programs. We are, therefore, seeing a higher caliber of student applying for these programs. This is one of the results that we were hoping for.

One other advantage is that the students in the French program can take bar examinations in the United States, France, or both following completion of the four-year program. Under the German program, the United States and German students can take United States bar examinations. However, if the United States students plan to have to take the first state examination in Germany (and hope for any real chance of passing it), they will need six months to a year of further study in Germany to prepare for the examination.

That is a quick overview and I will be happy to answer any questions.