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Making the Right Connections: Developing Contacts for International Legal Exchange

The Honorable Paul Magnuson*

I would like to extend a heartfelt “thank you” to Professor Fine and Mr. Monk and to all of you at the AALS for inviting me and Judge Bright to speak at this conference. It has been a great way for us to showcase the Judicial Observation Program, but also a wonderful learning experience for us and a great way for us to explore our common interests in this ever-shrinking world.

A decade ago, I doubt that any of us had ever heard the term “rule of law.” We knew nothing about “globalization.” By now these expressions have become commonplace.

And it is very interesting to see that these terms and other issues relating to internationalization of the law and legal processes are at the core of much of what is taking place at this conference. As academicians, you are at the front lines in educating law students from the US and abroad to deal with this new and very different world. I applaud your efforts and am grateful to have the opportunity to learn from you.

First, I would like to tell you a little about the International Committee on Judicial Relations. The third branch of government that you hear about once in a while—the judiciary—is also involved in the international world. Our involvement of course is not in a policy-making role—we leave that to the executive branch. Federal judges are involved in the international arena through the mechanism of the International Committee on Judicial Relations, a committee of the Judicial Conference. This committee, which I chair, responds to the needs of judiciaries and judges around the world on matters of common interest. For example, judges outside

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the US are interested in learning about the way we administer cases, the way we move decisions through the judicial process.

Judges love to get involved in this process both for intellectual stimulation and for the opportunity it provides to talk to other judges, both in the US and especially on an international level. Judges can communicate with judges better than other people can communicate with judges; I don't know why but it seems to be true.

A wonderful booklet has just come out, entitled *The Federal Court System in the United States: An Introduction for Judges and Judicial Administrators in Other Countries*. We encourage you to get copies of this booklet from us—you can email me or call Louise Williams at the Administrative Office of the US Courts and we will gladly provide copies of this publication. We think it is very useful for your foreign law students, especially in the way that it explains our crazy system of federalism.

I believe that most of you heard Judge Bright's presentation on the Judicial Observation Program this morning. I do not want to repeat the substance of his comments, other than to give you an additional perspective on the program: The Judicial Observation Program can be seen as a methodology for connecting foreign law students in the US with the judicial chambers of state and local courts.

It is important to give foreign-trained attorneys access to the judicial system. Doing so allows them the opportunity to see how the process functions and how different constituents of the judiciary work together and interact. It allows them to see up close and personal the rule of law that we promote. And it allows them to put into context the case law that they read and discuss in class. You can talk until the cows come home about the judicial process, but there is simply no substitute for actually seeing it.

One of the specific elements of the judicial process that is very important for the students to experience is the level of judicial professionalism in the courts. The issue of judicial corruption is one that we see highlighted in the papers from time to time. But the truth is that the US judiciary is remarkably professional and free from corruption and bias. Foreign attorneys seem to find it quite illuminating to see US judges do their job.

Through osmosis, the judicial process becomes very real to the students in a way that they cannot appreciate without a firsthand view of the courts. The hope, of course, is that these students return to their countries and assume leadership positions in their respective fields and be able to work in their countries to improve the judicial system and enhance the rule of law. In this way, the

Judicial Observation Program serves as a methodology for reaching future world leaders and improving justice around the world.

