



# NACLE Research Project



# NACLE

- North American Consortium on Legal Education
- Established in 1999
- “Promote increased understanding within North American countries to promote better understanding of the legal systems of our neighbors”



# NACLE

- “To increase the capabilities of each member to provide quality legal education and research appropriate to the demands of the [legal] professional environment in North America.”
- Works across the full legal spectrum



# Members

- Canada
  - McGill University Faculty of Law
  - Dalhousie University Faculty of Law
  - University of Ottawa Faculty of Law
  - University of British Columbia Faculty of Law



# Members

- Mexico
  - Instituto Tecnológico de Estudios Superiores de Monterrey, Escuela de Derecho (ITESM)
  - Universidad Nacional Autónoma de México, Instituto de Investigaciones Jurídicas
  - Universidad Panamericana, Facultad de Derecho
  - Centro de Investigación y Docencia Económicas



# Members

- United States
  - University of Houston Law Center
  - University of Arizona, James E. Rogers College of Law
  - The George Washington University Law School
  - Suffolk University



# Activities

- Student Exchanges
- Faculty Exchanges
- Curricular Development
- Expanded use of distance learning and information technology



# Activities

- Research
- “The members shall promote common research and publication opportunities:
- At least every 24 months organize a conference for the purpose of gathering faculty and students to facilitate the exchange of information on research projects





# Activities

- 2011 conference at GWU to focus on national security issues
- Submissions research—first significant environmental research project

# Submissions Process Research



- Goal of the Consortium Administrator, Stephen Zamora to expand research work that has more direct real world application
- Discussion between Stephen and CEC staff led to the decision to begin work on a project related to CEC
- Planning meeting in June in Montreal focused on submissions process



# Submissions Research

- Three topics
  - The process of narrowing submissions and other methods of limiting submissions
  - Evaluation of other analogous international mechanisms similar to the submissions process
  - Use of the process and public engagement in the submissions process



# Narrowing

- University of Houston and UNAM
  - What is the history and the basis for narrowing submissions?
  - Does narrowing affect the willingness of organizations to file?
  - Are there trends or patterns in narrowing?



# Narrowing

- What are the issues associated with withdrawal?
- How, if at all, does the submissions review process fit into the development of an “international administrative law

# Other International Mechanisms



- University of Arizona and McGill University
  - CAFTA-DR
  - Korea, Columbia, Panama
  - Aarhus Convention
  - Evolution of the SEM process since 1994
  - Other possible models for citizen review of enforcement

# Use and Public Engagement



- University of Ottawa, ITESM. And GW
  - Who is using the process and why or why not (coordinate with the JPAC survey)
  - What is the level of awareness of the SEM process
  - What would make the SEM process more attractive



# Public Engagement

- Timeliness of the process
- Access to information
- Transparency of the SEM process





# Process

- Students involved from each participating law school in September
- Currently preliminary background research
- Opportunity to get the JPAC perspective by attending the meeting today
- Meeting of the participating faculty and student researchers on November 12 at NACLE meeting



# Process

- Preliminary report outs and discussion on focusing research
- Research through early next year
- Draft research papers circulated for comments
- Final research papers April or May 2012
- Possible follow up in person meeting



# Conclusion

- Recognize a lot of work has been done on the submissions process and expect to draw on this work
- Bring a unique three-country academic perspective to the research
- Bring the perspectives of several leading academics to thinking about the future of, or the alternatives to the submissions process