

International Arbitration, LAW7930
Professor Lisa Bench Nieuwveld
Spring 2012
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SYLLABUS AND CLASS INFORMATION

This course meets for two credit hours in the spring.

The text for this course is:

Redfern & Hunter on International Arbitration, Oxford University Press, Fifth Edition, Authors: Nigel Blackaby, Constantine Partasides, Martin Hunter and Alan Redfern.

CLASS ATTENDANCE

Class attendance is required for this course. I will be taking attendance according to an attendance sheet that will be circulated during class. In accordance with the Law School's accreditation requirements, if you miss more than 20% of the scheduled class meetings (3 classes), you will not receive credit for this course. Be in class on time. It is disruptive for students to walk in late, and in any event you are entering a profession where habitual lateness is unacceptable.

CLASS PARTICIPATION

I expect that each student will be prepared for each class. The reading load is not particularly heavy; this is so that you can read the material carefully and give it some thought. I intend to call on students to discuss the assigned materials. If you are not prepared and are called on, your lack of preparation will be noted and, if this happens often enough, your final grade may be affected.

GRADING

Your grade will be based on the following:

Assignments: 50%

Final Paper: 50%

ASSIGNMENTS

Although I reserve the right to modify the form and content of the assignments without notice, it will most likely consist of three take-home written documents which replicate those commonly drafted in international arbitration proceedings. The assignments will be "open book" which means you may use outside sources to complete the assignments.

FINAL PAPER

Although I reserve the right to modify the form and content of the assignments without notice, it will most like be a take-home essay which mirrors a document typically drafted for an international

arbitration proceeding. The final paper will be “open book” which means you may use outside sources to complete it.

FSU HONOR CODE

Cheating, plagiarism or any dishonesty in your work is not tolerated at this university. Please refer to your student handbook for more information about FSU’s academic honor system, and come to see me if any part of the code is unclear.

STUDENTS WITH DISABILITIES

Students with disabilities needing academic accommodations should register with and provide documentation to the Student Disability Resource Center (SDRC). The Center’s phone number is 644-9566. Please bring a letter to class from the SDRC indicating you need academic accommodations. This should be done within the first week of class. Please talk to me if you have any questions or concerns.

CLASS OBJECTIVES

The objectives of the class are for the students to learn the framework principles in international commercial arbitration and investor-state arbitration.

OFFICE HOURS AND GENERAL ADMINISTRATION

I do not maintain official office hours, but I am generally available during regular office hours as I will be on campus working. However, if you want to guarantee I will be there it is best to make an appointment. I do ask that students not come by during the hour or so before class except to attend to pressing matters. Questions are welcome by email at any time, of course, and in my experience forcing oneself to write out a question succinctly can be of great benefit. Not only will I be able to give you a more helpful answer, the exercise of writing the question itself may clear up much of your misunderstanding. That said, I encourage you to ask questions in person when needed.

CLASS ASSIGNMENTS

The assignments are numbered below by class meeting. **Each assignment is tentative**, and may be changed by prior announcement in class. Indeed, since we are meeting several times over only 3 weeks, the schedule is likely to change based on the pace of each class meeting. At times we may slow down on particular topics, and at times we may add in problems or cases to give us extra practice in an area. You should see these assignments as merely a rough approximation to be clarified later.

Class Meeting

Assignment

1	Chapter 1: An Overview of International Arbitration;
2	Chapter 2: The Agreement to Arbitrate, First Assignment Distributed;
3	Chapter 3: Applicable Laws;
4	Chapter 4: Establishment and Organization of an Arbitral Award, Second Assignment Distributed;
5	Chapter 5: Powers, Duties and Jurisdiction of an Arbitral Award;
6	Chapter 6: Conduct of the Proceedings, Third Assignment Distributed;
7	Chapter 7: The Role of National Courts during the Arbitration Proceedings;
8	Chapter 8: Investment Arbitrations;

9	Chapter 9: The Award;
10	Chapter 10: Challenge of Arbitral Awards;
11	Chapter 11: Recognition and Enforcement of Arbitral Awards, Final Paper Distributed;
12	Third-Party Funding in International Arbitration.