St. Mary’s University Institute on Chinese Law and Business: Remarkable Success in the First Ten Years

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ARTICLE

ST. MARY’S UNIVERSITY INSTITUTE ON CHINESE LAW AND BUSINESS: REMARKABLE SUCCESS IN THE FIRST TEN YEARS

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I wish to take this opportunity to thank Charles E. Cantú, Dean Emeritus of St. Mary’s University School of Law, whose vision, leadership, and tireless support made the law school’s China studies program a reality. I am grateful to my colleague and friend, Vincent R. Johnson, professor of law and Interim Dean of St. Mary’s University School of Law, who served as co-director of the China Institute with me over the first ten years. Dean Johnson’s excellent teaching, in-depth administrative knowledge and skills, as well as his insightful counsel to me personally, have proven invaluable to the smooth operation of the China Institute. I also wish to thank my colleague and friend Chenglin Liu, professor at St. Mary’s University School of Law, who taught in the program from the very beginning and for eight years in a row. His presence as an excellent and popular teacher made the program attractive to many of our students year after year. Thanks must go to my assistant, Elizabeth Cadena, who ably and tirelessly takes care of endless details of running the program, such as making housing reservations for students, ordering food for meetings and events, getting students to sign many kinds of forms, and securing visas for students and the teachers. Without her assistance, the China Institute would not be as successful. Finally, I must thank the law library staff for putting up with me during my long absences from the library while managing the China Institute in Beijing each summer.

This Article attempts to give an accurate picture of the program during its first ten years with many details, tales, and reflections. All the opinions are mine, and any errors are my responsibility.
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I. INTRODUCTION

“Law schools, at their core, educate students to face the world as talented and trained legal minds—and today’s world is a globalized one.”1 St. Mary’s University School of Law is no different, and endeavors to prepare its students for this global reality through practical legal training in the most business-centric country in the world—China.

The St. Mary’s University School of Law Institute on Chinese Law and Business is a new program of legal studies that prepares law students for the challenges of representing clients doing business with Chinese partners. Through an array of business-related courses, field trips, and guest speakers, the inaugural program will introduce students to the Chinese legal system and the instruments of international and domestic law governing cross-border sales of goods, protection of intellectual property and investments. Participants will learn about the practical realities of doing business in China, as well as the dispute resolution mechanisms that play a large role in enforcing private agreements between enterprises in China and the United States.2

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In the summer of 2019, the *St. Mary’s University School of Law Institute on Chinese Law and Business* (hereinafter “China Institute” or “China Program”) marked its tenth anniversary of operation, an important milestone in the law school’s history. The study abroad program—offered by St. Mary’s University School of Law in Beijing, China, in cooperation with Beihang University—launched in July 2010 and has run annually throughout the last decade. During this period, the China Institute has made significant progress in establishing itself in a competitive market, educating law students, and creating intellectual and cultural connections between St. Mary’s and Chinese universities and legal institutions. In the past ten years, one primary achievement of the China Institute has been its enrollment and education of nearly two hundred law students—not only from St. Mary’s University, but also from universities around the world. Specifically, 164 law students from St. Mary’s University, other American law schools, and schools abroad participated in the China Program with approximately fifty law students from Beihang University. At least two American attorneys took part in the program for continuing legal education credit. Additionally, eighty-nine students from St. Mary’s University received an internship

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3. *See China Summer Study Abroad Program, St. Mary’s U. Sch. L.,* [https://law.stmarytx.edu/academics/special-programs/china/](https://law.stmarytx.edu/academics/special-programs/china/ [perma.cc/VQ65-Q4J7]) (mentioning “funds for a scholarship on [the program’s] 10th anniversary”).

4. *See Andrew Fields, Yale, St. Mary’s, Columbia, LEGAL MINUTE* (St. Mary’s Univ. Sch. of Law, San Antonio, Tex.), Oct. 2010, at 1 (reporting the inaugural China Institute in 2010); 2010 China Institute Brochure, *supra* note 2 (describing the annual China program).


6. *See Fields, supra* note 4, at 1 (stating the inaugural China Institute hosted law students from Mexico, Europe, and China).

7. *See St. Mary’s Univ. Sch. of Law Inst. on Chinese Law & Bus., China Institute Student Enrollment Summary (as of May 2020)* [hereinafter China Institute Student Enrollment Summary] (on file with author) (listing law students who have participated in the China Institute).

8. The nine American schools represented by visiting students in the China Institute included: Michigan State University, Western New England University, John Marshall Law School at Savannah, University of Houston, University of Texas at Austin, Texas Tech University, Texas Southern University, University of South Carolina, and Western State College of Law. China Institute Student Enrollment Summary, *supra* note 7.


10. Each year, Beihang University selects up to five Chinese law students to sit in on classes offered by the program. Some years, law students from Russia and Bangladesh—studying at Beihang University—were chosen to sit in on our classes. Beihang students neither pay tuition to St. Mary’s University School of Law, nor receive academic credits. Nevertheless, the Beihang students’ presence in the classroom enriches the experience for the students from St. Mary’s and other U.S. schools.
through the China Institute, which provided practical work experience in China.\(^{11}\)

While the majority of the internship employers were Chinese law firms, others were Chinese and American corporations.\(^{12}\) Moreover, nearly forty thousand dollars in scholarship money was raised and awarded to St. Mary’s law students, which supported thirty-five students’ studies in China.\(^{13}\) It is reasonable to say that the China Institute’s impact on St. Mary’s University students and the law school was very positive and widespread, and such impact went beyond mere academics, as further explained in this article.\(^{14}\) Andrew Fields, a participant in the inaugural program, offered this observation:

The Institute on Chinese Law and Business allows St. Mary’s students the opportunity to engage the world’s second largest economy in classes that are rarely available this side of the globe. . . .

. . . . With so much to offer a student interested in international business or international law, St. Mary’s Institute on Chinese Law and Business is a must. It is an opportunity that will enrich a student beyond what most law schools in America can offer, even more than many Ivy law schools offer. It is an opportunity that places St. Mary’s students at the forefront of the fastest growing legal market in the world. The exotic Asian cities, the cultural cuisines, and the opportunities of a lifetime are calling . . . .\(^{15}\)

In celebration of this significant milestone of the tenth anniversary, the 2019 China Institute Brochure included a special red banner on the front cover. Additionally, St. Mary’s University and the Law School of Beihang University organized and held an international conference on June 2, 2019, in Beijing to mark this special occasion. The conference was titled *China–U.S. Summer School Program Conference & 10th Anniversary Celebration of Joint*

\(^{11}\) See St. Mary’s Univ. Sch. of Law Inst. on Chinese Law & Bus., China Institute Student Internship Summary [hereinafter China Institute Student Internship Summary] (as of May 2020) (on file with author) (listing the students who obtained internships in China); see infra Appendix 1.

\(^{12}\) Some of the internships offered include Chinalawinfo Co., Ltd. in Beijing and Mary Kay China Inc. in Shanghai. See infra Appendix 1.

\(^{13}\) See infra Appendix 2 (providing a year-by-year breakdown of Charles E. Cantú China Pioneer Scholarship awards); see also China Institute Student Enrollment Summary, supra note 7 (indicating the students who received scholarships for the China Institute).

\(^{14}\) See infra Part V.

\(^{15}\) Fields, supra note 4, at 1.
Summer School Program of Beihang Law School and St. Mary’s School of Law. This festive event was well-attended by both institutions’ faculty, administrators, and students. Vincent Johnson, Interim Dean; Robert Hu, director of the China Institute; and Grace Walle, law chaplain; represented St. Mary’s University School of Law.

Invited guests and speakers from leading Chinese law schools and several law firms in Beijing attended the conference and delivered speeches. Besides congratulatory notes, some speakers made thoughtful comments about the program, and one speaker remarked that the summer program could be an effective bridge for growing deeper relations and academic exchanges between Chinese and American law schools.

The tenth anniversary presents an opportune time to reflect on the China Institute’s past success and achievement and to ponder its future path. This Article is my personal account of the China Institute’s inception, development, and resulting experiences. It will shine a light on some interesting facts, moments, and tales about people and events that were important to the success of the program—and will conclude with a few personal thoughts and observations about the program’s future.

II. CONCEPT TO REALITY: A BRIEF HISTORY OF THE CHINA INSTITUTE

A. In the Beginning: A Dream and a Bold Initiative

St. Mary’s University School of Law has had a wildly successful study abroad program in Innsbruck, Austria, since the 1980s. For over twenty years, the Institute on World Legal Problems at the University of Innsbruck, Austria (Innsbruck program) was the only summer study abroad program St. Mary’s University offered. In June 2007, Charles E. Cantú, a professor at the law school for more than four decades, became the interim dean of the law school. Among Dean Cantú’s three overarching goals, one was

16. Chinese law schools that spoke at the event included Peking University, Renmin University, Beijing Normal University, and Beijing Foreign Studies University. Several law firms from Beijing also spoke at the event, including JunHe Law Offices, Jingzh Law Firm, Weibo Law Firm, Yiyou Tianyuan Law Firm, and the China Global Fund Watch Initiative—a non-profit entity.
17. See generally Vincent R. Johnson, Rehnquist, Innsbruck, and St. Mary’s University, 38 ST. MARY’S L.J. 1 (2006) (providing a good historic account of the Innsbruck program).
19. Id. at 315, 383.
the China initiative—intended to lead St. Mary’s law students to China.\textsuperscript{20} The idea behind the China initiative is to educate and prepare St. Mary’s students for future legal careers in a global environment increasingly dominated by Chinese businesses and law.\textsuperscript{21} As Dean Cantú states:

I realized that China was an economic power, possibly \textit{the} economic power in the world. I thought what a wonderful opportunity it would be for our students if they could go to China and learn how to do business in China with the Chinese.\textsuperscript{22}

At this point in 2007, I had served two years as Director of the Sarita Kenedy East Law Library at St. Mary’s University School of Law.\textsuperscript{23} I was tapped by Dean Charles E. Cantú to help him launch the China initiative due to my personal background. I was born and grew up in Zhangzhou, China, went to Peking University Law School, and earned an LL.B. degree before coming to the United States for graduate studies on a Fulbright scholarship.\textsuperscript{24} Although I had become a United States citizen and settled in Texas, my parents and sister remained in China, so I would regularly travel between the two nations for family visitation. Additionally, I kept contacts with my Peking University classmates and friends, many of whom held senior positions in the Chinese government, top law firms, and academia. Those contacts and relationships would prove valuable in outreach for the law school’s China initiative. When Dean Cantú approached me about launching this initiative with him, I accepted the task with some hesitation, knowing what the project might entail; however, I was excited about the idea and started to work right away.

\begin{itemize}
  \item \textsuperscript{20} See \textit{id.} at 383, 386–88 (“One of my big initiatives as dean was to start a summer program in China.”).
  \item \textsuperscript{21} See \textit{id.} at 386 (indicating Dean Cantú’s impression of China as a “financial and economic titan” was, at least in part, the impetus behind the creation of the China Institute).
  \item \textsuperscript{22} Id.
  \item \textsuperscript{23} See \textit{id.} at 387 (indicating when Dean Cantú approached Professor Robert Hu about the China initiative, Professor Hu “had recently [been] hired as the director for the Sarita Kenedy East Law Library”); see also Robert H. Hu, ST. MARY’S U. SCH. L., https://law.stmarytx.edu/academics/faculty/robert-hu/ [https://perma.cc/3AX5-8255] (“[Robert] Hu is a Professor of Law and Director of the Sarita Kenedy East Law Library at St. Mary’s University School of Law . . . . [Professor] Hu joined St. Mary’s University School of Law on June 1, 2005.”).
  \item \textsuperscript{24} The Fulbright Program, with more than 160 participating countries, provides opportunities for accomplished and passionate students, professionals, teachers, and artists from all backgrounds to engage in cultural and educational exchange programs. Fulbright scholars teach, study, and pursue professional projects and research. \textit{The Fulbright Program}, BUREAU EDUC. & CULTURAL AFF., https://eca.state.gov/fulbright [https://perma.cc/L3DR-5G4Y].
\end{itemize}
B. *The Journey Had Just Begun*

As the old Chinese saying goes: “A journey of a thousand miles begins with a single step.” Upon conducting some preliminary research on Chinese universities and making contact with my friends in China, Dean Cantú and I decided to take a trip to China together for further investigation. In September 2007, we embarked on our journey to find a suitable Chinese law school partner, which turned out to be more complicated than we had imagined.

1. **Shanghai University of Finance & Economics School of Law**

Our journey in the fall of 2007 took the dean and me to two prominent Chinese cities: Shanghai and Beijing. For the first stop, we flew into Shanghai—then the most populous city in China—which sits on the east coast of the country. Shanghai has always been China’s economic, commercial, and financial center. In the 1990s, Pudong—a brand new section of Shanghai—rose a gleaming new city from farmlands due to rapid growth fanned by Chinese and foreign investments. Skyscrapers that would grow to parallel those of New York City filled the skies of Pudong.

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26. See Baruch Boxer, *Shanghai*, ENCYC. BRITANNICA, [https://www.britannica.com/place/Shanghai](https://www.britannica.com/place/Shanghai) (indicating Shanghai is located on the coast of the East China Sea). In 1997, Chongqing city replaced Shanghai as the most populous city in China when Chongqing became the latest municipality directed under the administration of the Central Government. See Ping-chia Kuo & Mingye Wang, *Chongqing*, ENCYC. BRITANNICA, [https://www.britannica.com/place/Chongqing](https://www.britannica.com/place/Chongqing) (“In 1997 [Chongqing] was separated from the [Sichuan] province and designated a provincial-level municipality under the direct administration of the central government . . . . At that time the entire eastern portion of Sichuan was incorporated into the municipality, which greatly expanded Chongqing’s overall land area and population.”).

27. See generally Boxer, *supra* note 26 (describing the importance of Shanghai to the economy of China).


We imagined Shanghai’s modern cosmopolitan outlook and fast economic progress could be a draw to St. Mary’s students.

On September 20–21, 2007, Dean Cantú and I visited Shanghai University of Finance and Economics (SUFE), a well-established academic institution of higher education in China. The leaders of the law school and officials of SUFE warmly welcomed us to their campus.

As we began the visit, Dr. Li Qingwei — professor and doctoral supervisor at the law school — met with us in the school’s conference room and presented a comprehensive introduction to the University’s history, mission, various disciplines of research, students, and faculty. Dr. Ma Hong, dean of the law school, joined us later in the day for an amicable conversation. Dean Ma gave us a tour of some classrooms and the library, and we saw a student dormitory. The leaders hosted a fancy luncheon and an exquisite dinner in our honor. Dean Ma assured us of his enthusiastic support for the prospective summer study program in cooperation with St. Mary’s. He voluntarily offered to arrange internships for St. Mary’s students with a local law firm, so we asked if we could see the firm.

One of the professors drove us to see Shanghai’s Jiang San Jiao Law Firm, which specializes in labor and employment law practice. We spoke to some partners and got a tour of their office. The law school colleagues also made a special arrangement for us to take a private tour of the Shanghai Stock Exchange, which was becoming a regional stock trading center in China and Asia. The head of the Shanghai Stock Exchange’s legal department served as our tour guide and gave us an insider’s perspective on the country’s stock market. The visit to SUFE left us with an excellent impression of the school as a potential partner. However, the city’s over-commercialization and crowding, without enough cultural attractions, made
us a bit uneasy. Additionally, the cost of living in Shanghai was above average among Chinese cities—a negative for our students—and there were few direct flights. So, we wanted to keep an open mind and see other schools.

2. Chinese Academy of Social Sciences (CASS) Institute of Law

On September 24–25, 2007, Dean Cantú and I visited Beijing for the second leg of our trip. Beijing, the capital of China, is a sprawling city of twenty million people, with a history spanning 700 years and several dynasties. The city is the center of Chinese politics, government, law, education, culture, and arts—not to mention its world-class historical sites, including: the Great Wall, the Forbidden City, the Temple of Heaven, and the Summer Palace. Our mission was to visit the Chinese Academy of Social Sciences (CASS) Institute of Law. The CASS is a government think-tank and research center—one of the most prestigious institutions of higher education in China. By my imperfect analogy, the CASS is the combination of Brookings Institution and the Hoover Institution of Government in the United States. The Institute of Law at CASS is a school granting doctoral degrees and a legal research center. It is one of the most competitive law institutions of higher education for Chinese students to be admitted. The Institute’s location in the heart of the city, right


40. CHINESE ACAD. SOC. SCI., supra note 38.
across the street from the northern entrance to the Forbidden City,\footnote{Driving Directions from the CASS to the Forbidden City, GOOGLE MAPS, https://www.google.com/maps (search “Chinese Academy of Social Sciences” in search box; then follow “Directions” hyperlink; then place “Forbidden City” in destination field).} would be of great appeal to St. Mary’s students and visiting faculty alike.

Our visit to the Institute of Law seemed to go smoothly. The Institute’s complex was tucked away inside a traditional Beijing courtyard surrounded by ivy-covered walls, old trees, bushes, and flowers. The compound included a conference and classroom building, as well as a separate library. The Institute was led by Dr. Li Lin, who holds a Ph.D. in law and directs doctoral students in the Institute’s programs.\footnote{Li Lin, CHINESE ACAD. SOC. SCI. INST. L., http://www.iolaw.org.cn/global/EN/show News.aspx?id=33202 [https://perma.cc/Q82B-9JGK].} Some professors of the Institute of Law, as we were told, had either received their educations or conducted research in Europe or the United States and would be able to teach courses in English. Director Li had just returned from a business trip to Europe the night before our visit, but he insisted on meeting with Dean Cantú and me in the morning—at which time we gathered at their carefully-appointed reception hall with several CASS officials. Some of the antique furniture in the room caught Dean Cantú’s attention, which sparked a conversation about the history of ancient Chinese furniture at the CASS.

We toured the Institute of Law and saw its large conference room upstairs—which we recognized might be suitable as a classroom for our summer program. Upon asking to see potential student housing, they led us to a three-star hotel half a block away from the office. It was a western-style hotel with a Chinese restaurant and gift shops with a very convenient walk to the Institute of Law. At the end of the visit, we were taken to lunch at a nearby restaurant whose specialty was Peking roast duck—a local delicacy. On the walls of the dining hall hung a portrait of former Chinese Premier Zhou Enlai toasting President Richard Nixon and Henry Kissinger at the restaurant. Feasting on roast duck and sipping a glass of wine named the Great Wall, we negotiated further details of a summer program at the Institute of Law. A sense of satisfaction from both sides was very real.

We returned to San Antonio confident that we had found a suitable partner in the CASS Institute of Law—a highly prestigious institution with a great location in central Beijing—and we wanted to move forward quickly. I took the lead in negotiating with my CASS counterpart, Ms. Li Xixia\footnote{See generally Seminar on the Convention on the Rights of the Child and its Domestic Implementation (working report), https://www.childrights.org/documentspublications/wr/wr}—
Vice Director of the Department of Research Administration—working out all the details and logistics covering the course schedule, facilities, use fees, and so forth. By July 2008, we had drafted and agreed to a preliminary document specifying that the first session of the summer program would commence in July 2009, subject to approval by the CASS and St. Mary’s University.

C. Faculty and University Approvals at St. Mary’s

Assuming we secured a partner in the CASS Institute of Law, we embarked on the lengthy, exhaustive process to obtain the approval of the law faculty and the central administration. On November 27, 2007, the law school’s International Studies Committee gave the green light for the China Institute. The law faculty’s approval followed on December 10, 2007. Afterwards, St. Mary’s University’s Committee on Strategic Initiative in International Education approved the China Program on January 21, 2008. Finally, on February 13, 2008, the Academic Council of St. Mary’s University unanimously approved the program. We filed an application to the ABA for approval. As a result, Dean Cantú announced the news to our students and the University. LawNotes, the St. Mary’s University School of Law Newsletter, even published a feature article on the new China study abroad program. The entire community became aware that the China Institute was to begin in summer 2009.

D. The Chinese (Would-Be) Partner School Fell Through

Nobody could have predicted the events were about to take a dramatic turn. In July 2008, St. Mary’s University dispatched a draft agreement to the CASS Institute of Law. Afterwards, we anxiously waited to hear from the CASS regarding their approval of the agreement. I followed up with my Chinese counterpart, Ms. Li Xixia, by phone and email. She told me that we should be patient since they were navigating multiple layers of organizational bureaucracy. After weeks of waiting, one afternoon I decided to give Director Li Lin a call to find out the status of the matter. He was in the middle of a meeting, so I had to wait for him to finish. When I called

44. See The China Connection: St. Mary’s Partners with China’s Top Law School, LawNotes (St. Mary’s Univ. Sch. of Law, San Antonio, Tex.), Spring 2008, at 1–3 (announcing the would-be partnership between St. Mary’s and the CASS).
him again that day, he surprised me in expressing his regrets that the CASS had declined to approve the agreement. He explained the CASS leaders felt St. Mary’s China Institute would not fit the Institute of Law’s work priorities; therefore, there could not be a summer study program at the CASS. I was shocked beyond belief and went to tell Dean Cantú right away. To say that we were very surprised by, and disappointed in, this setback would be an immense understatement.

E. Starting Over with the Law School of Beihang University

When Dean Cantú reported the setback to President Charles Cotrell, Dr. Cotrell expressed his understanding and continued support for the law school seeking a suitable partner school in China. It was reassuring to receive that kind of commitment from the central administration of the University. After all, it had taken the law school considerable time and resources to travel to China.

Incidentally, I was to attend a planning session in Beijing in October 2008 concerning the inaugural Chinese and American Forum on Legal Information and Law Libraries scheduled for the spring of 2009. With Dean Cantú’s approval, I took a side trip from October 30 to November 4 after my China meeting and went to explore more partner school possibilities. On this expedition, I visited four Chinese law schools in Beijing—Renmin University, Peking University, China Foreign Affairs University, and Beihang University.


47. Peking University is probably the most prestigious institution of higher education in China, and its law school is consistently ranked at the top of Chinese law schools. See generally PEKING U. L. SCH., http://www.law.pku.edu.cn [https://perma.cc/9MR6-BHE2] (providing general information about Peking University Law School).


49. Beihang University is an institution that has received priority for development and, as a result, has excelled among the surrounding sixteen universities in China. See generally LAW SCH. BEIHANG U., http://fxy.hua.edu.cn [https://perma.cc/R5LG-KYM] (providing background information about Beihang University and its law school).
Upon my return, I wrote a lengthy memo to Dean Cantú about my impressions and evaluations of each school’s advantages and disadvantages, and I recommended further contact with Renmin University and Beihang University. Subsequently, Dean Cantú and I traveled to Beijing to visit both schools and ultimately decided to partner with the Law School of Beihang University.

Selecting Beihang University was a strategic, rational decision. Beihang University is a pre-eminent Chinese university in education and research in the science, engineering, aviation, and space technology fields. Beihang University offers fifty-nine undergraduate programs, thirty-eight Master’s programs, and twenty-one doctoral programs to over 28,000 students. The Law School of Beihang University offers LL.B., LL.M., and Ph.D. programs. In 2017, Beihang’s law school ranked fifteenth among more than six hundred Chinese law schools. Both Dean Weiqiu Long and Professor Xinqiang Sun were integral in our decision to partner with Beihang University. Both parties were Fulbright scholars, have spoken at St. Mary’s campus, and are published authors in the St. Mary’s Law Journal.

I had previously met Professor Sun in 1995 when he was speaking at a United States symposium on Chinese intellectual property at the University of Baltimore in Maryland. Beihang’s law school treated Dean Cantú and me like old friends and royals. Dean Long invited us to meetings with Beihang University officials and hosted an exquisite luncheon and dinner in our honor. We saw foreign student dorms, the cafeteria, and the guest house—Beihang Training Center—which is located right next to the law school building.

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50. Memorandum from Robert H. Hu, Professor of Law & Dir. of the Sarita Kenedy East Law Library, St. Mary’s Univ. Sch. of Law, to Charles E. Cantú, Dean, St. Mary’s Univ. Sch. of Law (Nov. 11, 2008) (on file with author).
52. 2010 China Institute Brochure, supra note 2.
53. Id.
Upon returning to San Antonio, I worked with Dr. Liu Hao, a young law professor in Beijing, in drafting a framework agreement of cooperation. We reached an agreement on a draft rather quickly since both parties wanted to move forward. For the official signing ceremony, Dean Cantú and I flew to Beijing and gathered in Dean Long’s office in the law school. Beihang professors and administrators attended the ceremony. Finally, the Framework Agreement on Exchanges and Cooperation with Beihang University was executed on November 12, 2009—a momentous day.

This trip did not go by without a little drama, however. A snowstorm hit Beijing the night of our arrival, and snow blanketed the entire city. Dean Cantú became very worried about being stuck due to the snow, but I was not too concerned. Fortunately, the snowstorm passed overnight, and a sunny day came along the next morning. From the windows of my hotel room, there was a beautiful view of magnificent pine trees covered by a thick layer of fluffy, white snow. After signing the agreement, we went with my Chinese friends to a dinner hosted by Xiao Wei—my former classmate at Peking University and a founding partner at the JunHe Law Offices in Beijing. While they served us delicious food and champagne, I mentioned the idea of the law firm hiring St. Mary’s students as interns. Without hesitation, Mr. Xiao agreed to hire four students the following summer. We accomplished this (normally very difficult) task over dinner without much effort—this goes to show what friends and connections in a foreign country can do for you.

III. MANAGING THE CHINA INSTITUTE: COMPETITION, AND KEY FACTORS FOR A SUCCESSFUL PROGRAM

Managing the China Institute requires careful planning, coordination, and execution as summer programs in foreign countries contain several moving parts: classes, professors (from St. Mary’s and other institutions), internships, field trips, excursions, and travels. Communicating and dealing with our Chinese partner is a key element in running a seamless operation. Coupled with hard work and luck, all elements must fall into place at the
right time to make the operation a success. Fortunately, there have been no major issues with the China Institute. Sure, we have had our share of illness and minor injuries, but by and large, we have been very lucky and blessed.

A. A Competitive Market in China

Today, nine American law schools offer ABA-approved summer abroad programs in China, including: Brooklyn Law School, Indiana University - Indianapolis, Inter American University of Puerto Rico, Mississippi College, Santa Clara University, St. Mary’s University, University of Montana, University of Nebraska, and Whittier Law School.\footnote{59. See infra Appendix 5; see also Foreign Programs, A.B.A., https://www.americanbar.org/groups/legal_education/resources/foreign_study/foreign_programs/ [https://perma.cc/QXA4-AMKD] (providing the original source of the compiled data in Appendix 5).} Seven of the ten programs have locations in Beijing, while some also offer placement in Shanghai, Nanjing, Chengdu, Chongqing, and Xi’an.\footnote{60. See infra Appendix 5.} Having multiple programs concentrated in one city unavoidably results in competition among the programs. This is good from a student’s perspective because it offers many options to choose from; however, it is a tough challenge for the law schools since they all want to attract students to their own programs.

The competition in China was even worse ten years ago. To plan for the China Institute, we had to analyze the market and come up with a “business plan” addressing all the relevant issues, according to St. Mary’s law professor, Gerald Reamey.\footnote{61. Professor Gerald Reamey was the faculty director of the Innsbruck Program of St. Mary’s University School of Law for over twenty years. He served as the chairman of the law school’s international program committee when the China Institute was under consideration. Gerald S. Reamey, ST. MARY’S U. SCH. L., https://law.stmarytx.edu/academics/faculty/gerald-reamey/ [https://perma.cc/R8XX-SZMZ].} We conducted surveys and collected data from the ABA website, the National Jurist magazine, and via personal phone calls and emails. Study abroad in China must have been a fad in those days as our research found that in 2009, there were twenty-five study abroad programs offered by American law schools in Beijing, Shanghai, Hangzhou, Suzhou, Tianjin, Xiamen, Zhuhai, and Hong Kong.\footnote{62. See infra Appendix 4.} In Beijing alone, there were twelve American law school programs.\footnote{63. Id.} The law schools running the programs included big names, such as Cornell, Duke, and Minnesota.\footnote{64. Id.} Many schools had begun years earlier with a well-established
Some schools, such as Indiana University–Indianapolis, charged lower tuition because they were state institutions receiving government funding. The standing programs offered diverse courses ranging from the Chinese legal system, Chinese business law, international business transactions, human rights, environmental law, to comparative law. So it was a highly competitive environment. St. Mary’s University School of Law had to compete with better-known schools with mature programs already in place.

Competition aside, to successfully run a study abroad program in a country like China can be a tall order. To begin with, study abroad programs are highly regulated by the ABA, which sets high standards and complex rules for approving such programs. A law school may only grant credit towards a Juris Doctorate for courses taught in a foreign country approved under Standard 307 of the ABA’s Standards and Rules of Procedure for Approval of Law Schools. Getting the ABA’s approval is a complicated, time-consuming process, and it takes at least several months to accomplish. Once the program receives the ABA approval, it can be a hard sell to law students, which poses a challenge in enrolling a sufficient number of participants to cover the operational costs of the program.

Students have many choices when it comes to summer study abroad, and there are many programs in attractive European locations—for example, in London, Paris, and Rome—where English-speaking students find it easier and less intimidating to navigate through in comparison to the language

65. Compare 2020 China Summer Study Abroad Program, IND. U. ROBERT H. MCKINNEY SCH. L., https://mckinneylaw.iu.edu/focus/international/study-abroad-china/program-details.html [https://perma.cc/BHX9-SP7E] (providing an overview of the launch of the university’s first China Program in 1987 which has attracted students from over 100 law schools in the United States since its inception), with Cantú, supra note 18, at 386 (describing the start of the St. Mary’s China Institute in 2010).


barrier and cultural differences encountered in Asia. Given the tough market in China, it is unrealistic to measure success only by the cost of sales to revenue ratio. It is also challenging to sustain a study abroad program without a strong institutional commitment. The mere fact that St. Mary’s China Institute has endured over the first ten years is testimony that there has been strong institutional commitment and support. Additionally, a persistent, innovative approach to recruiting students has made a difference as well.

B. *Competition with Innsbruck?*

From the outset, there was a concern among some law faculty that the China Institute might compete with—and negatively affect—enrollment of the law school’s other program, the Institute on World Legal Problems in Innsbruck, Austria. The St. Mary’s faculty was concerned we would not be able to sufficiently supply two foreign summer programs simultaneously because the law school is not a large institution with an enormous student pool. St. Mary’s has not conducted a systematic study to compare the two programs and see how they influence each other. Anecdotes and stories seem to suggest that there is no real competition between the two programs. From the curricular standpoint, the two programs appear to draw different types of students. Whereas the Innsbruck program focuses on contemporary world legal issues, the China Institute aims at providing a solid introduction to Chinese law and international business. The China program also appears to attract a different kind of students by personality and focus than those who wish to go to Innsbruck—many in the China program tend to be more mature, whether by age or outlook, and more motivated by a certain career path. Some students coming to China have had extensive work experience or have a business law interest in developing professional connections in China.

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70. St. Mary’s University School of Law established the Innsbruck program in 1986 at the University of Innsbruck, Austria—which has been consistently in operation for the last three decades. *Innsbruck, Austria Summer Study Abroad Program, ST. MARY’S U. SCH. L.*, https://law.stmarytx.edu/academics/special-programs/austria/ [https://perma.cc/HV7U-X962].

71. See id. (stating the Innsbruck program offers courses such as Cryptoeconomic Systems, International Insolvency, and Stolen Art and Artifacts).

For instance, there have been students who served in the military for decades before coming to St. Mary’s law school and wanted to gain firsthand experience and insights into China and Chinese law by studying in Beijing. We have had several participants, such as St. Mary’s law student Jeffrey Diles, who were business owners in Texas or China wanting to establish or grow their business networks in China.73 Jeffrey is a cattleman and owner of a beef bull business in Hondo, a small town east of San Antonio.74 In summer 2012, Jeffrey joined the China Program.75 During a study break, Jeffrey flew to Lanzhou in Gansu Province—a far western region of China—and met with Chinese beef researchers and industry officials.76 That trip laid the foundation for his future business expansion into the Chinese market.77

Another student, Kevin Faherty, came to the China Institute mainly because he owned a factory in southern China’s Guangdong Province. Taking advantage of his time in China, Kevin took a side trip to visit his factory. Many students attracted to the China Program have a strong interest in gaining practical work experience through an internship with a Chinese law firm or employer. Another sign that the China and Innsbruck programs are not in direct competition is that in the past ten years, there have been multiple students who participated in both programs either in the same year or in different years.78 The schedules of the two programs do not overlap for this purpose. Finally, after the China Institute came online, the Innsbruck program has kept a very healthy enrollment despite a decline in recent years,79 which demonstrates the China Program did not draw students away from Innsbruck.

73. See, e.g., Jeffrey J.B. Diles, *A World of Opportunity*, LAWNOTES (St. Mary’s Univ. Sch. of Law, San Antonio, Tex.), Fall 2012, at 2–3 (discussing how the China Program would assist the author in facilitating “trade in the beef cattle business between the U.S. and China”).
74. Id.
75. Id.
76. Id.
77. See id. (contemplating a future business relationship regarding the Chinese beef industry).
78. Multiple students participated in both the China and Innsbruck Programs in both 2018 and 2019.
79. The fact that a Justice of the Supreme Court no longer teaches in the Innsbruck program may explain the decrease in enrollment. Historically, the presence of a United States Supreme Court Justice teaching in Innsbruck drew many students of St. Mary’s and other law schools. Johnson, *supra* note 17, at 13 n.45.
C. A Rigorous Curriculum and Some Innovations

At the inception, the China Program envisioned having rigorous courses focused on doing business with China and international clients. Students needed to learn in China—not just enjoy a fun vacation. The curriculum has changed over the years, but the focus remains on Chinese law and international business. Taking solid courses, combined with attending class-related field trips, has made a good package of classroom study and experiential learning in China. Students may also enhance their experience by interning in China.

In July 2010, St. Mary’s University School of Law held its inaugural China Institute at the Beihang campus. The program offered a slate of five courses—The Law of Doing Business in China (2 credits), International Intellectual Property Law (2 credits), Introduction to Chinese Law (2 credits), International Commercial Arbitration (1 credit), and Lawyering in China (1 credit). Students were allowed to choose which courses to take. Over the years, the course offerings have changed from year to year because of professor availability, number of students enrolled, and cost considerations.

Several people played a key role in starting the program and seeing its continued success. Vincent Johnson, my co-director of the China Institute from the start, is a meticulous teacher of excellence. He has taught International Business Transactions and China and co-taught Comparative Torts for many years. Chenglin Liu—a popular teacher educated in China, Sweden, and the United States—has taught Introduction to Chinese Law eight summers in a row. Xinqiang Sun, a Beihang law professor, is a master teacher of Chinese law on several subjects and taught five different courses in successive years, including: The Law of Doing Business in China, International Business Transactions and China, International Intellectual Property Law (co-teacher), International Commercial Arbitration, and Introduction to Chinese Law. Professor Sun is very popular with

80. Professor Xinqiang Sun of the Law School of Beihang University taught this course.
81. Professor Robert Hu of St. Mary’s University School of Law co-taught this course with Professor Ann M. Bartow of the University of South Carolina.
82. Professor Chenglin Liu of St. Mary’s University School of Law taught this course.
83. Professor Xiuwen Zhao of Renmin University in China taught this course.
84. Mr. Weining Zou, a partner with the JunHe Law Offices in China, taught this course.
85. See infra Appendix 3.
students. He is not only a talented teacher but also fun to be around. He would host after-class happy hours at Beijing’s popular local bars, where he would treat students to free Chinese craft beers. Other St. Mary’s professors who taught in the summer program included John Teeter,87 who taught the International Commercial Arbitration course in 2011; the late John Schmolesky;88 and Richard Durbin,89 who in 2012 co-taught a course on United States Enforcement of International Business Crimes.

In addition, we have had the good fortune of having visitors teach in the summer program as well. Professor Ann Bartow, a nationally known scholar on copyright and trademark law at the University of South Carolina (and now at the University of New Hampshire),90 co-taught International Intellectual Property Law with me in 2010 and 2013. Professor Craig Joyce of the University of Houston Law Center, and a nationally recognized expert on copyright law,91 co-taught International Intellectual Property Law with me in 2011 and 2012. Several Chinese professors taught in the China Institute, too. Zhao Xiuwen, a professor at Renmin University and a well-known scholar and practitioner in international commercial arbitration,92 taught International Commercial Arbitration in 2010. Professor Zhu Yan of Renmin University, a scholar who studied both in China and at Yale University,93 co-taught Comparative Tort Law with Vincent Johnson in 2011 and 2013. Jia Ping, a leading Chinese human rights lawyer and practitioner,94 taught International Human Rights: Business-Related Issues from 2017 through 2019. Zou Weining, a senior partner of JunHe Law

Offices,95 taught Lawyering in China in 2010. These Chinese teachers have greatly enriched the learning experiences for our students.

Beijing is a city populated by talented lawyers, judges, and scholars—both Chinese and American.96 Utilizing guest lectures is naturally incorporated by some teachers in the China Institute to enhance students’ learning and experience. For example, in my International Intellectual Property Law class, I occasionally invited Paul Schmidt, an American lawyer working in a Beijing law firm—JunHe Law Offices,97 to talk to my class about his trademark practice in China. His lecture using real trademark cases was always fascinating and well-received by students. One year, I contacted a couple of officials from the United States Embassy in Beijing. The officials were responsible for monitoring the intellectual property rights situation in China, so I invited them to come to my class as guest speakers. Unfortunately, it did not work out due to schedule conflicts. In the class Introduction to Chinese Law, Chenglin Liu once had an official of the Ministry of Commerce of the People’s Republic of China give a lecture, and she was a big hit with students. To my knowledge, Professor Jia Ping, who taught International Human Rights in the program,98 regularly invited researchers of the Chinese Academy of Sciences to discuss current issues, such as epidemic diseases and health policy in China.

As an experiment, I tried something bold in the summer of 2019 and conducted an entire session of my international IP law class at the JunHe Law Offices. The firm is one of the best law firms in China,99 and one of the firm’s partners, Mr. Tao Sun, is a trademark law specialist.100 We sat in

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96. See Peng Wu, Note, The Good, the Bad and the Legal: Lawyering in China’s Wild West, 21 COLUM. J. ASIAN L. 183, 184 (2008) (“China has approximately 150,000 lawyers. However, one-third of them are concentrated in Beijing, Shanghai, Jiangsu, Guangdong, and Zhejiang, and they account for two-thirds of the national income earned by lawyers.”).
99. See JunHe Law Offices, HG.ORG LEGAL RIS., https://www.hg.org/attorney/jun-he-law-offices/62499 [https://perma.cc/A4XV-X2MV] (stating JunHe is “widely recognized as a leading full-service law firm in China, uniquely positioned to provide superior legal services in commercial transactions and disputes.”).

https://commons.stmarytx.edu/thestmaryslawjournal/vol51/iss4/2
the firm’s conference room on the twenty-ninth floor, and Mr. Sun described a real lawsuit he handled—a trademark invalidation case involving his American client as plaintiff. Mr. Sun spoke fluent English, and his slide show was easy to follow. Students asked many questions, and the discussion was lively. Afterwards, students were led on a tour of the law firm, and we ended up sipping freshly made coffee with Mr. Sun in the firm’s lounge. The experience was both educational and fun! Another time, I taught the class at the China National Intellectual Property Administration (CNIPA). The busiest patent office in the world, the CNIPA handles millions of patent applications in China each year and plays a key role in shaping China’s policy and law on intellectual property protection. Working with Ms. Huang Jia, a staffer of the CNIPA’s International Cooperation Department, we set up a schedule for the class and office tour. In the CNIPA’s grand conference room, I gave an introduction to Chinese patent law followed by a short video shown by Ms. Huang discussing the office’s work, activities, and history. Students asked pointed questions, and Ms. Huang answered them with crisp English. At the conclusion of the class session, we took a guided tour of the CNIPA’s facilities, including its history exhibition and the invention display hall. In the application reception hall, students observed in real-time how ordinary Chinese lawyers and staffers submit patent applications to the government.

D. Internships at Chinese Law Firms: Life-Changing Experiences

Internships are experiential learning, a critical aspect of legal education. From the outset, we envisioned to work with Chinese law firms to provide internships for St. Mary’s students to get practical experience. Students in the China Institute not only study the law in the classroom but also get practical experience by working with Chinese lawyers and professionals. Given the huge differences between the United States and Chinese legal systems, it is invaluable for students to see firsthand Chinese law at work.


Fortunately, our network of friends and connections in China’s legal community made it possible to arrange internships for students. Every year since the inaugural program, a number of St. Mary’s students have interned in China. A total of eighty-nine students interned with over a dozen Chinese and American law firms and corporations over the last decade. Interns may work on a variety of assignments, depending on their employer. Tasks could include reviewing contracts for correct English and flow, drafting client letters and communications, assisting with client negotiations, creating legal documents such as invoices, doing research on American law, observing administrative hearings, and preparing and giving presentations on legal matters. Some internships pay a small stipend for the work. Firms often take interns to lunch, dinner, and firm-related social functions, so they feel included in the firm’s life.

The students who interned all had a great learning experience. One intern, Francis Nathan, who worked at King and Wood Law Firm, raved about his work: “The internship was a valuable experience. The exposure to the formal organizational structures of a large firm will help [students] understand how to put together the foundational pieces for a firm setup to become a large multinational law firm.” Another student, David Kilgore, who interned in the legal department of Mary Kay China Inc., in Shanghai, observed: “It was an invaluable learning experience to be hands on inside a very small legal office with very large responsibilities. I will be forever grateful to Wendy and the entire legal resources team for the experience and insight that I gained there.”

Zachary Green, another student who participated in the China Institute, noted: “Interning at Weibo Law Firm in Beijing was an experience of a lifetime and I would highly recommend the position to future law students.”

Managing an internship project in a foreign country faces a few challenges. To begin with, the language barrier is substantial. Very few

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104. See infra Appendix 1; China Institute Student Internship Summary, supra note 11.
St. Mary’s students know Chinese, and most Chinese lawyers do not speak English or speak it well enough to carry out a regular conversation. This makes communication challenging between the intern and the law firm. To minimize the language issue, we intentionally choose firms that have English speakers on the staff, and interns are assigned to work with English-speaking attorneys. Another challenge is that interns must be mindful of cultural differences between China and America, such as dress code, office etiquette, work ethic, and privacy. Knowing and respecting cultural differences helps students set reasonable expectations, leading to a more meaningful experience. Moreover, logistics like scheduling and transportation present a challenge as well. Beijing is a sprawling city and is very hot in the summer.108 Beihang campus is on the northwestern corner of the city,109 whereas several internships are located on the far southeastern part of town.

It takes about forty-five minutes to travel on two subway lines (with one free transfer) and another ten minutes of walking to reach these internships. To ensure interns know how to get to work, I travel with them to their place of employment each summer for introductions during the first week of the program. Along the way, interns are encouraged to take photos of the subway and street signs to help them remember the directions. This has worked out to everyone’s satisfaction.

E. Charles E. Cantú China Pioneer Scholarship

Traveling across the world to China and living in Beijing for five weeks of study is a significant expense for students, though financial aid can cover the cost.110 Most students would welcome the opportunity to obtain free money in the form of scholarships if available. For some students, obtaining a scholarship can be a determining factor when deciding whether to attend the China Institute at all. At the beginning of the China Institute, the law school offered no scholarship funds to support its students in China. Working with Sister Grace Walle, the law school chaplain, we reached out to alumni and friends with the hope of raising money for scholarships. It


110. See China Summer Study Abroad Program, supra note 65 (outlining important information about St. Mary’s China Institute, including dates, tuition, and financial aid opportunities).
occurred to us that it would be fitting to name the scholarship the *Charles E. Cantú China Pioneer Scholarship* in Dean Cantú’s honor; after all, it was his vision and initiative that started the St. Mary’s China Institute. For students interested in the scholarship, it is necessary that recipients be in good academic standing and submit a simple application by answering a few questions, such as: “How do you reflect the values of St. Mary’s University including academic integrity?” “[w]hat are your intentions for study in China?” “[w]hy do you want to participate in the China Program?”, and “[h]ow will studying in China benefit your legal studies and future career goals?”111 Sister Grace Walle, in consultation with the program director(s) at times, decides who should receive the scholarship.

For the program’s first year, the Asian Pacific Law Student Association at St. Mary’s University School of Law did great work in raising $1,000 in scholarship funds. This allowed us to award two scholarships—$500 each—to two participants. In subsequent years, we continued to collect gifts and donations from alumni and friends. For example, in 2012, we received a generous gift in the amount of $7,500 from a local law firm, Strasburger & Price, LLP, due to the leadership of Mr. David Cibrian—a partner of the firm.112 That same year, the San Antonio chapter of the Federal Bar Association also made a contribution of $1,000 to the scholarship funds. This contribution was made possible due to the wonderful effort of Susan Kilgore, who accompanied her husband, David Kilgore, to China in 2011 when he participated in the China summer program.113 Despite our best efforts to raise scholarship money, sometimes these efforts are not successful.114 However, over the past decade, we have been able to raise substantial amounts of money from alumni and friends. Such scholarship money is awarded to two or three students each year in


112. See Kilgore, supra note 106, at 7 (“There are scholarship funds available to help students with the costs. The Strasburger law firm here in San Antonio has set up three $2,500 scholarships . . . .”).

113. Susan Kilgore was an L.L.M. student at St. Mary’s University at the time. See Susan Kilgore, St. Mary’s LLM Program Students Meet and Greet, LEGAL MINUTE (St. Mary’s Univ. Sch. of Law, San Antonio, Tex.), Spring 2012, at 1. David Kilgore, Susan’s husband, was a J.D. student the same year. See Kilgore, supra note 106, at 7–8.

114. For example, over a couple of years, I—along with another colleague of the law school—unsuccessfully attempted to work with an alumnus who was a senior executive at Mary Kay to get a gift from the corporation.
the amount of $500 or more per student. For the past ten years, we have
awarded the Charles E. Cantú China Pioneer Scholarship to approximately thirtyfive students for a total sum of over $37,000.115

IV. TALES, STORIES, AND OBSERVATIONS

Participation in the China Institute offers St. Mary’s students and professors a unique, life-changing experience on more than one level—academically, professionally, and personally. Over the past decade, there have been nearly two hundred participants—many with fond memories, personal stories, tales, and adventures. In the following pages, I would like to share a few tales based on personal experience.

A. The Great Wall of China and a Weekend Excursion

Without a doubt, location is a big contributing factor to a study abroad program’s success. Our China Institute is situated in the capital of Beijing, a beautiful city with so much to offer by way of Chinese culture, history, arts, cuisine, and more. The campus of Beihang University—where classes are held—is in a well-known district in Beijing surrounded mostly by prominent Chinese universities (e.g., Peking University), research centers (e.g., the Microsoft Company), and cultural institutions (e.g., the Summer Palace).116 The Yuan Dynasty City Wall Relics Park, located just a short walk from the campus, is a scenic destination with a tree-lined canal running through it.117

The 798 Art District—situated in the northeastern side of the city—features dozens of art studios and craft shops exhibiting and selling Chinese and Western artworks and artifacts in an abandoned industrial complex.118 The Lama Temple, which is a more than 300-year old Tibetan Buddhist

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115. See infra Appendix 2.
The Lama Temple—A Lively Tibetan Buddhist Lamasery

Among the many cultural and tourist attractions in Beijing, the China Institute organizes an annual weekend excursion to see the most popular landmarks the city has to offer. The excursion takes place during the first weekend following the beginning of classes. Working with a Chinese travel agency, we arrange for a bus and a tour guide to take students to see some world-renowned sites. This tour package includes transportation, admissions, and lunches—all covered and paid for by the program. The tour often starts by going to the Great Wall on the first day. On the second day, we often visit the Forbidden City and the Temple of Heaven, or—alternatively—the Forbidden City and the Summer Palace. The Great Wall is always a big hit with students. We have gone to different sections of the Great Wall over the years—usually one of the three segments of the Great Wall located north of Beijing: Badaling (八达岭), Mutianyu (慕田峪), or Simatai (司马台). Badaling is the best-preserved segment—and, therefore, the most visited by tourists. By contrast, Simatai is the most authentic section being the least-preserved, very rugged, and—as a result—not visited by many tourists. Between Badaling and Simatai lies Mutianyu, which is reasonably preserved and offers an authentic appearance. Plus, Mutianyu is not overly crowded by tourists.

After considering all three sections, we settled on visiting Mutianyu due to its authenticity and the lower amount of crowding. Additionally, this section is a one-and-a-half-hour bus ride from the Beihang campus. A chairlift on the green foothill of Mutianyu takes you up to the bottom of the

122. Id.
123. Id.
124. Id.
wall where you begin a climb through rugged, brick surfaces and tall watchtowers.125 Some parts of the wall are so steep and harsh that you begin to tire and become more breathless with every step. Finally, you reach the peak of the wall—sweaty and exhausted. Looking down, you see the big wall crawl through the lush mountains in the sky like a giant dragon; it is a wonderful feeling to conquer the Great Wall of China. As the Chinese saying roughly translates: “You turn into a hero once you have climbed the Great Wall.”126

Our Beijing weekend excursion also includes a trip to the Forbidden City, the official residence of Chinese emperors of a few dynasties.127 Located north of Tiananmen Square, the magnificent Forbidden City is a walled-off complex consisting of groups of palaces and delicate courtyards—a world-class site.128 This attraction is always popular and crowded with tourists, and, in recent years, one must make a reservation for a ticket. The Summer Palace is one of the most beautiful imperial gardens in China. One of its highlights is the Long Corridor, where portraits of Chinese fables and tales are carved out on the colorful ceilings stretching a mile long.129 The Temple of Heaven is another major attraction in China.130

Students are awed by the experience. In some

128. Tang, supra note 127.
131. See Tang, supra note 130 (“[E]mperors of the Ming and Qing dynasties… worshiped the god of heaven and prayed for good harvests.”).
years of the summer program, we arranged for students to see a Peking Opera show, the Lao She Tea House, and a performance of Chinese acrobatics.

B. *The Silk Market in Beijing*

Shopping in China is a lot of fun and can offer students a unique experience seeing the Chinese way of commerce and competition at work. Beijing offers plenty of shopping centers, malls, and old-fashioned markets.¹³² The Silk Market on the eastern skirts of the city is one of the students’ favorite shopping venues.¹³³ A ride on the Metro takes about forty-five minutes to get there from our campus. The market is a huge, multi-level shopping mall, with tens of thousands of products—shoes, clothes, electronics, jewelry, fashion items, artifacts, and everything you can imagine.¹³⁴ It is exciting just to be there and see the plentiful things on display. Both authentic, brand-name products and counterfeits can be bought here—a sore point of complaint by some American and foreign companies of brand-name products.¹³⁵ Prices of merchandise are not always clearly marked there, and people expect bargains.¹³⁶ For example, a pair of Nike shoes priced for $200 could be sold for $80 or less if you negotiate forcefully and smartly. Some students just enjoy haggling with

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¹³³. *See Marion T.D. Lewis, To China with Love*, LEGAL MINUTE (St. Mary’s Univ. Sch. of Law, San Antonio, Tex.), Spring 2012, at 5 (emphasizing how popular the Silk Market is for tourists).

¹³⁴. *See id.* (“Anything you might imagine that you might want to buy in Beijing, you can get it at the Silk Market—from iPhones, to Nike Sneakers, to cultured pearl necklaces, Chanel handbags, and more.”); *see also* Mao-Ying Wu et al., *Shopping Experiences: International Tourists in Beijing’s Silk Market*, 41 TOURISM MGMT. 96, 98 (2013) (describing the six-story shopping center).

¹³⁵. *See Wu et al.*, supra note 134, at 104 (“[M]ore than one third of the international tourists rated their Silk Market experience as ‘average’, ‘poor’ or ‘terrible’, in part because of their lack of comfort with bargaining as well as the prevalence of fake products.”). For many years, the Silk Market has been designated by the United States government as a place of serious concern for violating intellectual property rights of American owners. In response, the Chinese government has cracked down on vendors selling fake items and counterfeits there, but the result is a mixed bag. *See Lewis, supra* note 133, at 5 (explaining the quality concerns with knock-off products that are mass-produced in the Silk Market); *see also* Wu et al., supra note 134, at 99 (“The Silk Market was once very well-known for high quality fake international [products], especially clothes, watches, and bags. The management team has now grasped the issue of intellectual property and is working hard to transform the market into an upscale tourist market with its own brands.”).

¹³⁶. *See Wu et al.*, supra note 134, at 98 (“[B]argaining is a prominent part of transaction in the Silk Market.”).
Chinese vendors, who may speak only broken English; nevertheless, negotiations can go undeterred with the aid of gestures and a calculator. Some students loved to share their successes with each other and sometimes even the professors. I jokingly told them they became better negotiators after visiting the market. What makes the shopping more fun is the Texas barbecue joint across the street from the Silk Market—the owner of the restaurant is from San Antonio.137 Some students would dine at the restaurant on a shopping trip. I once had lunch at the barbecue joint, and to my delight, I met three St. Mary’s law students dining there.

C. Bullet Trains and Getting Around China

Many students visiting China desire to travel and see the country while studying in Beijing. The program is designed with short and long breaks between study weeks; students can leave Beijing to see the country during their study breaks. Over the years, students have visited cities such as Shanghai, Suzhou, Hangzhou, Nanjing, Tianjin, Guilin, Yangshuo, Qingdao, Hong Kong, and Xian. Shanghai was the most-visited city by our students by far because it is very modern and easier to navigate than other cities; it also boasts the latest Disneyland (opened in 2016)138 and the largest Starbucks in the world.139 In 2010, we organized and led a group of students and faculty to see the World Expo in Shanghai. For the first few years at the China Institute, we took planes to travel around China. As the Chinese bullet train got more advanced and safer over the last decade, it has become a favorite mode of transportation to Chinese and foreign travelers.140 The bullet train network now covers the entire country.141

137. See Kyle Mullin, A Few Words with: Tim Hilbert, Owner and Manager of Tim’s Texas Bar-B-Q, BEIJINGER (Mar. 8, 2015, 5:00 PM), https://www.thebeijinger.com/blog/2015/03/08/few-words-tim-hilbert-owner-and-manager-tims-texas-bar-b-q [https://perma.cc/4H76-AVAH] (providing an interview with the owner of Tim’s Bar-B-Q).


The bullet train is clean with an amazing, smooth ride. It runs at nearly 200 miles per hour. A trip to Shanghai from Beijing takes about five and a half hours. The train is punctual and never arrives late. Compared to air travel, the train ticket price is much lower. Every time we ride the bullet train together, some students wonder aloud why we could not have a similar train back at home!

Seeing China is only part of the adventure. Since China is centrally located in Asia, some students plan their trips to visit other countries, like Korea, Japan, India, Laos, and Thailand. One year, a small group of three took a true adventure to see faraway places—Australia and New Zealand! They were thrilled by the journey and experience—I am just not sure whether they saw any kangaroos.

D. Handling Technology, Big and Small

Americans traveling to China face special issues and challenges as far as technological gear and communications go. There are plenty of small matters to fret over. For example, the Chinese electrical outlet is different in design from the American make, so an adapter is necessary for charging your computer and cell phone in China. China uses 220 voltage outlets, whereas the American counterparts use 110 voltage. Without a converter, a hair dryer made in the United States may burst into flames once plugged into a Chinese outlet. Those are just some examples of small issues.

145. Id.
146. Id.
147. See id. ("[I]f you try to plug . . . an appliance in using just a plug adapter, you [will] ruin your appliance and might destroy the socket and cause an electrical short.").
1. To Tame the Internet

American students are used to having reliable and fast Internet access at home, so they take this for granted. However, that is not so easy in China. The Chinese government desires to control access to information over the Internet. It restricts certain communications and blocks search engines deemed harmful. For instance, Google and YouTube have been blocked and are not available in China. Beihang University—an institution specialized in research and development in aviation and space technology that can be used by the military—is super sensitive to network security and has set up very burdensome protocols for Internet access.

When the China Program began in summer 2010, access to the Internet was hard and there was no Wi-Fi in the guest rooms of the Beihang Training Center where our students lived. The only way to connect was through an Ethernet cable. Guests would have to open the network access setup on their laptop and type in an IP address assigned to their room; however, the instructions for doing so were written in Chinese.

Since students could not read the instructions, I helped a couple of students set up their computers first, who then assisted their fellow students. You are not able to use certain sites, such as Google, Facebook, and YouTube, which are blocked by the government. Some students took it upon themselves to set up their own VPN to get around the firewall, which

149. See Bin Liang & Hong Lu, Internet Development, Censorship, and Cyber Crimes in China, 26 J. CONTEMP. CRIM. JUST. 103, 105 (2010) ("Given China’s single-party political system and its heavy intervention in Internet development, its Internet censorship and regulation has evolved into comprehensive, multidimensional system that governs Internet infrastructure, commercial and social use as well as legal domains."); Zhong & Mozur, supra note 148.
150. See Liang & Lu, supra note 149, at 107 (listing the different search engines that are restricted by Chinese laws); Zhong & Mozur, supra note 148.
152. See Beihang at a Glance, BEIHANG U., https://ev.buaa.edu.cn/About/Beihang_at_a_Glance.htm [https://perma.cc/N7NB-P2FN] ("[Beihang U]niversity and its alumni have contributed the most to the country’s aeronautical, astronautical, and other relative industries."); see Zhao Yue, China Cybersecurity Week: By the People and for the People, BEIHANG U. (Sept. 17, 2018), https://ev.buaa.edu.cn/info/1081/1711.htm [https://perma.cc/YX8E-S7TK] (discussing the success of the School of Cyberspace Security).
is technically illegal. In the last two years, Wi-Fi became available in the
guest rooms, but a user must go through a multi-layered authentication
process to enable initial permission. Authentication requires a Chinese cell
phone number, which most students do not have. To solve this issue,
the Beihang Training Center staff must create a separate protocol for foreign
guests. The wireless network in the guest house is not always reliable, and
it can sometimes cut off without notice. One summer, a student was so
frustrated by the Wi-Fi connectivity issues in her room that she went to
another hotel on campus to do her assignments.

2. Making a Good Call

Cell phone use is another challenge in China. Since American phones do
not work in China, students can either choose to purchase an expensive
international roaming plan from their U.S. carrier or buy a cheap, prepaid
Chinese cell phone. Several faculty members, myself included, bought a
Chinese cell phone. There was a tiny electronics shop in the underground
mart right next to the Beihang Training Center, and students could buy a
cell phone there. The store owner did not speak English, so I often had to
set up appointments with students to buy a cell phone. When students ran
out of the prepaid funds loaded into their Chinese cell phone, I would have
to take them back to the electronics shop to add more funds. Doing the
cell phone dance was a regular duty for me for several years. In recent years,
mobile data units can be purchased or rented in Beijing, providing a
convenient way for students to make calls via the network.

154. Josh Ye, China Tightens Great Firewall by Declaring Unauthorized VPN Services Illegal, SOUTH
155. Pete Marchetto, Internet Access in China—Wi-Fi and Internet Censorship, CHINA HIGHLIGHTS,
9K6W-CZZP].
156. Liz Smith, How to Set Up a Cell Phone in China & Get a China SIM Card, CAREER CHINA
B6WG-V3MS].
157. Id.
158. Id.
3. Adopting WeChat: A Life Saver

WeChat is a free cellphone application (“app”) created by a Chinese tech company—Tencent Holdings.\textsuperscript{159} WeChat is capable of sending texts, photos, videos, and voice recordings.\textsuperscript{160} There is no limit to the number of chat groups a person can set up for team communications. WeChat supports translations between Chinese and English.\textsuperscript{161} It is Wi-Fi-based and free of charge.\textsuperscript{162} There are over 900 million monthly users of WeChat internationally.\textsuperscript{163} By 2018, we decided to make WeChat an official medium of communication within the participants of the China Institute. Students are required to install WeChat on their phones, and I invite students to connect with me through the app. We make a group chat each year and invite all students to join. This way, we have instant communication between the students and the program manager(s). Some students’ families also install WeChat on their phones so they can keep up with the students in China without paying fees. WeChat is truly a Godsend! On my phone, I can see student messages in the group chat and how someone responds—instantly. They share photos, taxi directions, good eats, and plan outings with ease.

4. Mobile Pay and Easy Shopping

If you think China is backwards when it comes to technology and modern business, you would be so wrong—as our students find out very quickly. China is far more advanced than the United States in terms of e-commerce

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\item \textsuperscript{160} See Alex Heath, \textit{An App You’ve Probably Never Heard of is the Most Important Social Network in China}, BUS. INSIDER (Nov. 1, 2015, 2:28 PM), https://www.businessinsider.com/what-is-wechat-2015-10 [https://perma.cc/KBQ2-NFNS] (“WeChat users can do just about anything, including play games, send money to people, make video calls, order food, read the news, book a doctor appointment, and more.”).
\item \textsuperscript{161} Jenkin Xia, \textit{New WeChat Feature Lets You Scan and Translate Text on the Fly}, TECHNODE (May 31, 2016), https://technode.com/2018/05/31/wechat-ar-translation-feature/ [https://perma.cc/7VBZ-RCA3].
\item \textsuperscript{162} \textit{What is the Difference Between WeChat and SMS?}, WECHAT, https://help.wechat.com/ [https://perma.cc/4678-FC5H] (follow link to “All Questions” for either iOS or Android; then follow link to “What is the difference between WeChat and SMS?”).
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Take mobile pay, for example. There are at least two major mobile pay providers in China—Alipay and WeChat Pay—dominating the mobile pay industry nationwide, pushing the rapid rise of a cashless economy. Especially in large cities like Beijing and Shanghai, Chinese consumers can pay for almost everything with a scan of their cell phones. You can pay a cab driver by phone with mobile pay. You can use your cell phone to order food delivery and pay with mobile pay. You can buy groceries and pay with mobile pay. Even the elderly use their cell phones to pay for daily necessities. As American tourists in China, we pretty much rely on cash for daily consumption since many local businesses do not accept foreign credit cards. This can lead to awkward moments at times. Once, I was in line at a campus grocery store to check out. While everyone else simply flashed their cell phones to pay, I had to take out cash and count the exact amount for the purchase, holding up the line behind me. Everyone looked at me, wondering why I could not pay by phone.

E. Dealing with Sickness and Accidental Injury

It is a blessing no catastrophe has happened during the China Institute thus far. However, sickness and accidents, sometimes severe, befell students and faculty occasionally. In the summer of 2012, the late John Schmolesky was outside walking on the street when he fell on the sidewalk and broke his foot. He visited Beihang’s clinic on campus and had an X-ray examination. Unfortunately, he fractured a bone and had to use a crutch for the rest of the program. Nevertheless, he kept teaching and completed his class. Another summer, Sun Xinqiang, a Beihang professor teaching in the program, suddenly fell ill because of severe stomach bleeding. He was hospitalized in the middle of teaching International Business Transactions. We scrambled to find a backup teacher for his course. Luckily, Vincent Johnson stepped in to teach the course for the rest of the program. Another year, Chenglin Liu was to teach a course in the beginning of the summer program, but a shocking discovery of mold in his house right before his scheduled departure to China threatened to disrupt the entire program.


Fortunately, we rescheduled to allow him to teach the same course in a compressed fashion toward the end of the program.

It is not just teachers who fell ill in China—students had their share of illnesses as well. In the summer of 2018, a student fell ill, ran a high fever, and had an uncontrollable cough. I was very worried about his condition, so another student and I accompanied him to see the doctor in Beijing’s International SOS Clinic. It turned out that he had acute bronchitis. While we waited for hours in the clinic, the doctor and nurse examined him, applied treatment, and released him the same day. He recovered quickly and stayed healthy for the rest of the summer. An earlier year, a St. Mary’s student was walking through Beihang campus when, suddenly, she got hit by a ball out of nowhere and was knocked out. She was taken to the campus clinic for examination, and, fortunately, there was no serious injury to her head or brain. The doctor ordered her to rest in bed for some time. When I found out about this accident, I rushed to her hotel room to make sure that she was taken care of. Thankfully, she turned out to be fine and finished her studies successfully.

F. Sarah Lost Her Passport

One of my tasks in managing a summer abroad program is to help students recover their lost belongings. A few summers ago, Sarah participated in the China Institute and accidentally lost her passport while attending a friend’s wedding in Shanghai during a study break. Without a passport—the only acceptable form of official identification—Sarah could not travel back to Beijing to continue the study. Very stressed, she called me from Shanghai to tell me the news and asked me what to do. Fortunately, there is an American consulate in Shanghai, and Sarah was able to get a temporary ID rather quickly and fly back to Beijing.

However, getting a replacement United States passport in China turned out to be a nightmare. It required several affidavits and forms to be signed by the Chinese Ministry of Public Security and other government departments before the U.S. Embassy would be able to issue her a temporary passport. To obtain the forms and get the papers signed, Sarah had to visit some of the Chinese government offices multiple times, partly due to the language barrier and resulting miscommunications. At the end of each day, I met with Sarah in the lobby of the Beihang Training Center.

166. While the story is completely true, the name “Sarah” is fictional to protect the student's privacy.
and we discussed the day’s progress and planned for the next step. She was very tired and worried, sometimes tearful. She became sleepless and constantly worried that she would be stranded in China. Slowly, she progressed as we learned more about the process. Beihang friends provided valuable tips and insights, and a Chinese professor offered to drive Sarah to her appointments. We were all relieved and grateful when Sarah finally secured her temporary passport. Interestingly, when I saw her in the library once we returned home, Sarah told me she missed China very much despite her passport nightmare! To help others avoid her sad experience, Sarah wrote up a guide on how to get a temporary passport in China and gave it to me to share with future students in the China Institute.

G. Paul’s iPhone Went Missing

In a mobile-driven, digitally connected world, it is hard to imagine a life or work without our phones. So, losing your phone is almost like losing half of your life. Paul, a St. Mary’s student, came to study in the China Institute a few years ago when he lost his iPhone while out on an excursion. This was a considerable loss and caused an incredible headache for Paul. This also stressed out his family in Texas as they were unable to reach him. I emailed Paul’s mom in Houston and let her know that Paul was okay even though he could not be reached by phone temporarily. I told her she could contact me about her son, and I could relay messages to him. Paul’s mom immediately ordered him a new iPhone. I gave her the mailing address in both English and Chinese, and she quickly shipped the phone to Paul by FedEx. I did not know, nor did she realize, the delivery would take weeks to reach Paul in Beijing due to China’s complicated customs clearance for electronics imports like cell phones.

While Paul was anxiously waiting, the phone was stuck in Beijing’s customs office for days. Each day after class, I would call FedEx’s Beijing office to find out the phone’s progress and then give Paul and his mom an update. Finally, the phone was cleared by Beijing customs and was ready for delivery. To everyone’s shock, however, Paul had to pay a tariff of several hundred dollars (in Chinese currency) because the phone was treated

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167. While the story is completely true, the name “Paul” is fictional to protect the student’s privacy.
168. See Smith, supra note 156 (“Staying connected is critical in today’s world.”).
as an import. FedEx would not release the phone unless the money was collected. We had to scramble to get the cash together so that Paul could get his new phone!

H. “Professor of Spirituality”

Sister Grace Walle, our law school chaplain, does much more than her job title would suggest. She came to visit China during the first year of the summer program and fell in love with the country—its people, culture, landscape, and food. She has since come to visit the China Institute every summer, and she actively works to help promote the program to law students by sponsoring activities such as the Chinese New Year celebration, Chinese Moon Festival, and other events. Because of her popularity among students, her presence in the China program is a plus.

Sister Grace’s travels to China were not without hiccups, however. Traveling to China with an American passport requires a visa granted by the Chinese consulate. My assistant in the law school program, Elizabeth Cadena, helps students and the faculty get their Chinese visas. One year we helped the Sister fill out her Chinese visa application. A question on the application asked for her job title. Knowing the Chinese government is suspicious of foreign religious workers, we struggled to provide a proper title conveying the true nature of her work without provoking unnecessary suspicions of consular officials. Then I recalled Dean Charles E. Cantú once jokingly referred to the Sister as a “Professor of Spirituality.” The nickname is appropriate because it captures the essence of what she does for students and the community: providing spiritual guidance and advice. So, we chose “Professor” as her title, convinced it would truthfully describe her work without misleading people. Luckily, the consulate approved her visa without asking any questions. We were thrilled. “Professor” would remain Sister Grace’s title on her visa applications and when introduced to Chinese colleagues.

When Sister Grace visits, she often sits in on our classes, socializes with faculty, and mingle with students after class. She also joins students on Beijing weekend excursions to the Great Wall, the Forbidden City, and the Temple of Heaven. When we hold functions and parties together, she offers prayers, to keep St. Mary’s tradition. After a few visits to the country, she

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felt so comfortable traveling by herself that she began leading students on intercity trips to Tianjin and Shanghai on bullet trains. However, her trademark event in China is hosting an annual dinner in honor of students at Annie’s Italian Restaurant on the western side of Beijing. The restaurant is located in a pleasant, tree-lined neighborhood of foreign embassies, where trendy shopping centers abound. The food is usually delicious, served by Chinese waitstaff who speak decent English. When weather permits, we eat on the outdoor terrace of the restaurant, surrounded by flowers and greenery growing on the edges of the rooftop. Often, someone proposes a toast for a good time.

I. The Inspectors Came to Town

The American Bar Association (ABA) has standards and rules for approving a foreign study program. One of the rules is to have an initial inspection of a new program, and then the program must be inspected again after five years of operation. There have been two inspections to our program—one in 2010 and the other in 2015. The first ABA inspector was the Honorable Michael A. Wolff, then a Justice of the Supreme Court of Missouri and former Chief Justice of the court from 2005 to 2007. He would later become the dean of St. Louis University School of Law. After he visited Beijing, Justice Wolff joined us for a trip to the Shanghai Expo. The second ABA inspector was the Honorable Rebecca W. Berch, then Chief Justice of the Supreme Court of Arizona, who sat on the court.

172. Annie’s Italian Restaurant is located in Chaoyang Park, a neighborhood popular with expatriate residents due to its location, Western amenities, and short distance from the Beijing embassy area. Chaoyang Park: Guide to Living Here, BEIJING ABODE, https://www.beijingabode.com/area-guides/chaoyang-park [https://perma.cc/7RCU-Z7YW].
173. The current standards and guidance memos—as well as those archived from prior years—are available on the ABA’s website under the Section of Legal Education and Admissions to the Bar. See generally, e.g., Standards, supra note 69 (including a subsection titled “Criteria for Programs Offered by ABA-Approved Law Schools in a Location Outside the United States”).
from 2002 to 2014.\textsuperscript{177} We hosted Justice Berch, along with her husband, Michael Berch—a retired law professor at Arizona State University—during the inspection trip.\textsuperscript{178}

Hosting a visiting ABA inspector is a significant amount of work because it involves international travel to China. To begin with, we must help them get a Chinese visa. This process begins with securing an invitation letter from our partner school, Beihang University. Justice Wolff came as an ABA official during a time of controversy between the ABA and the Chinese government, so we were afraid he might not get a visa. Fortunately, our relationship with Beihang law school paid off, and they provided an excellent invitation letter. This resulted in a smooth process, though it still took many emails and phone calls with his secretary to coordinate this matter. For Justice Berch, there was no similar controversy.

The inspection by Justice Wolff went smoothly. Beijing was hot in the summer—and not everywhere had air conditioning—but he did not complain. We arranged for him to visit the classes. He also had a meeting with Beihang administration and faculty, met with students without any faculty present, and toured the grounds. For entertainment, we hosted a dinner at a nice, traditional Chinese restaurant. We helped arrange excursions for him to see the Great Wall and other historical sites in Beijing. He joined us on a field trip to Beijing’s International Commercial Arbitration Center. In his site visit report to the ABA, Justice Wolff stated in his “Summary of Observations”:

I was very impressed with the high quality of this program. The teaching, as I observed and as reflected in the evaluations I reviewed, was terrific. The directors and faculty were involved on a day-to-day basis making sure that the students were getting the best experience possible. The Chinese faculty members from Beijing were very accomplished lawyers and teachers. This is a program that St. Mary’s can be very proud of.\textsuperscript{179}

Similarly, the 2015 inspection went smoothly. In her site evaluation report to the ABA, Justice Berch stated:


\textsuperscript{179} Michael A. Wolff, Report on St. Mary’s University School of Law, Foreign Program, Beijing, China 15 (July 12–16, 2010) (unpublished evaluation) (on file with author).
The St. Mary’s University School of Law’s summer program in Beijing, China, is functioning well . . . . The classes reviewed were solid, substantive courses, well tied to the geographic location and well-integrated with applicable international trade and IP-protection laws. The professors were knowledgeable and able presenters, and the students were well prepared and engaged in the process. The school provides adequate outside learning experiences to enhance the program.

As one student mentioned, she regrets only that so few of her school-mates are taking advantage of what she called an “opportunity of a lifetime.”

J. Travel Agent, Tour Guide, Food Advisor, Interpreter—the Joy of Wearing Many Hats

The opportunities to travel in and around China are a big appeal to students as they participate in the summer program in Beijing. Most students have not traveled to China or Asia, and many have little knowledge of the country. Language is another barrier to travel planning on their own. As a result, students—and occasionally faculty members—often ask all kinds of tourism-related questions and rely on the program directors for guidance. Vincent Johnson and I offer tips and advice to students for travel ideas in the country. In the earlier years of the program, we teamed up with a local travel agency to organize weekend excursions and city tours around China. For instance, the China Youth Travel Group created three-day packages for us to see Shanghai, Suzhou, Hangzhou, or Nanjing. Other times, tour packages took us to Guilin, Yangshuo, Xian, and Hong Kong. While it is convenient for students to simply show up for a pre-arranged tour, planning requires much work and careful coordination behind the scenes.

It is a simple reality that nearly all of St. Mary’s law students do not speak or read Chinese. This presents very practical problems on a daily basis. For something as minor as ordering food at a Chinese eatery, the language barrier can be huge—meaning frustration or not being able to eat. Of course, there are American fast-food restaurants around the Beihang campus, such as McDonald’s or KFC, which students discover very

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quickly. However, to enjoy authentic and inexpensive Chinese food, you
have to be able to order from the menu. Some students have used an app
or website (e.g., Google Translate) on their phones to translate between
Chinese and English.183 Because of my native Chinese fluency, it is natural
and easy for me to be the interpreter for students and faculty alike. I had
the pleasure of translating simple things like restaurant menus, and for more
formal occasions—such as meetings between the St. Mary’s law dean,
Chinese deans, and vice-presidents of universities during Memorandum of
Understanding (MOU) negotiations. Chinese vendors, businesspeople, and
other vendors regularly took me for the group interpreter since I often
interpreted for our faculty and students. I interpreted in person for sick
students seeing doctors at the hospital. I interpreted over the phone for a
student stuck at the Beijing airport. She would call me on the phone and
give the phone to the airline official, at which point I would speak to the
official and interpret the message to the student—we did this back and forth
five times.

V. SOME SIDE BENEFITS OF THE CHINA INSTITUTE

Running the summer program in Beijing allows St. Mary’s students to
study and experience China firsthand. The program has produced spin-off
benefits beyond academics. Here are a few examples that come to my mind.

A. A Cultural Education

Studying in China offers St. Mary’s students and teachers an unparalleled
opportunity to see and experience China. We see the country’s world-class
historical sites, including the Great Wall and the Temple of Heaven.184 We
participate in traditions and customs, such as communal meals where people

(select languages to translate from and to via the language toolbar near the top of the screen; then type
in the text of the origin language in the left box; then press enter). Google Translate is also available
as a downloadable app from both the Google Play Store and Apple’s App Store.

WNV] (describing the Great Wall as “a global tourist hotspot, . . . known across the world for its
uniqueness, great length, and historical value”); Joseph Kiprop, Temple of Heaven—UNESCO World
Heritage Sites in China, WORLD ATLAS (Feb. 23, 2018), https://www.worldatlas.com/articles/temple-
how the “park is open to visitors daily between 6:00 am and 10:00 pm,” and is accessible via public
transportation).
sit around a table and share their dishes. We observe the competitive spirit of the Chinese people, the richness of Chinese language and culture, and we marvel at the rapidly transforming economy and society. These experiences open the eyes and minds of our students, helping them develop an appreciation of an important part of the world that they would never know without the summer program. As Francesca Di Troia—a University of Texas student in the China Institute—described it: “China was the experience of my life. I learned a lot about myself and what I was capable of [achieving].” Through the China Institute, students are better prepared for a legal career in a global economy increasingly dominated by Chinese entities and players.

B. **Spurring Scholarship**

Teaching in the China Institute presents St. Mary’s faculty members with both intellectual inspirations and invaluable access to Chinese law and collaboration which would otherwise not be available. Some of our faculty and visitors have taken advantage of the opportunity and accomplished much in terms of scholarship. Chenglin Liu studied Chinese law in the Chinese language collections of the Beihang law library while teaching in the program. He did his research in China, discussed his ideas with Chinese scholars and regulators, and eventually published articles and a book on Chinese law. Vincent R. Johnson is a highly engaged scholar with Beihang law school, and he regularly gives lectures and presentations to


186. The bullet train system exemplifies, literally and figuratively, the speed with which Chinese people commit themselves to solving a perceived problem. See Beverly Jiang, *How to Travel in China—Plane VS Bullet Train*, CHINA HIGHLIGHTS (Sept. 26, 2019), https://www.chinahighlights.com/travelguide/transportation/plane-or-train.htm [https://perma.cc/D4NX-3NBA] (“With the rapid development of China’s high-speed railway technology, the bullet train has changed the popularity of train travel.”).


190. See, e.g., CHENGLIN LIU, CHINESE LAW IN CONTEXT (2020).
Beihang students and faculty when he teaches at the China Institute. One of his books on American tort law has been translated into Chinese, published, and adopted by many Chinese law professors. Johnson has also written and published law review articles related to Chinese law, served as a deputy editor-in-chief of the *Chinese Journal of Comparative Law*, and recently became a regular contributor to *Caixin Media*—an online news magazine based in Beijing.

Teaching at and directing the China Institute in Beijing, I found it fascinating how China is rapidly developing its legal system for intellectual property protection. Based on personal observations, I wrote and published an op-ed in the *San Antonio Express-News*. Also, Steve Sheppard, formerly the Dean of the law school from 2014 to 2019, came to visit Beihang and other law schools in China, and he gave several talks and lectures to Chinese law students and faculty. As far as I know, he may be working on converting some of his talks and presentations into publications. Working with St. Mary’s faculty through the China Institute allows Chinese scholars at Beihang law school to do research and writing on comparative

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197. For example, Steve Sheppard once gave a talk on Confucianism and natural law in China at the Law School of Beihang University. On another occasion, he delivered a lecture on *The Concept of the Law*, by H.L.A. Hart, at Shandong Normal University.
law pieces about Chinese-American legal systems. Professor Xinqiang Sun, for example, has used materials provided by our library to publish articles on copyright law and contract law.198

C. Building Chinese Connections

Being in China definitely has advantages. The China Institute has been a bridge to helping the law school and St. Mary’s University engage with Chinese law schools and institutions for broad cooperation beyond the summer study program. I visited several Chinese law schools and universities during the summers, in Beijing and across the country, to explore opportunities and conduct negotiations on behalf of St. Mary’s. Sometimes I visited the schools alone; other times, I went with other faculty such as Vincent Johnson and Chenglin Liu. At times, I accompanied Deans Charles E. Cantú and Steve Sheppard on such trips.199 Each visit was like a diplomatic tour, wherein we met with the deans and presidents of Chinese universities and discussed ideas for establishing academic exchanges and cooperation for both students and faculty. As a result of these visits and subsequent follow-ups, we were successful in signing a number of framework agreements (called memorandums of understanding, or MOUs) with Chinese law schools and universities.200 As a result of these cooperative agreements, approximately a dozen Chinese law professors and students have come to St. Mary’s for research and exchanges. Meanwhile, some St. Mary’s law professors have visited Chinese institutions to deliver lectures.201 The relationships built are not limited to academic institutions. Through the internships and field trips, we were successful in cultivating good relationships with Chinese law firms and government agencies.202


199. Dean Cantú visited China a few times, and Dean Sheppard visited China in 2015 and 2017.

200. These MOU partners are (in chronological order): Beihang University (Beijing), Shandong Normal University (Jinan), Jiangxi University of Finance and Economics (Nanchang), Nanchang University (Nanchang), Southwest University of Political Science and Law (Chongqing), Shandong University of Science and Technology (Qingdao), Guangdong University of Finance and Economics (Guangzhou).

201. Jeffrey Addicott has traveled to China three times and delivered lectures on United States national security law and terrorism law.

202. We developed and continue to maintain a good relationship with the State Intellectual Property Office of China (SIPO), and China International Economic and Trade Arbitration Commission (CIETAC).
in Beijing, entered a formal agreement of cooperation with St. Mary's University School of Law in 2017.203

D. Promoting St. Mary’s, Recruiting Students

Aware of the needs and interests of St. Mary’s University in recruiting foreign students, faculty members teaching in the China Institute actively promote St. Mary’s as a whole to Chinese students and universities whenever feasible. We brought brochures and materials designed to promote St. Mary’s University and the law school on nearly all of our visits to Chinese institutions, and we would promote the St. Mary’s undergraduate program, the School of Business, and the School of Science, Technology, and Engineering. We earnestly promoted St. Mary’s University at our meetings with Chinese administrators and faculty, as well as during lectures and presentations to Chinese students. Through these efforts and activities, we have been able to recruit a number of Chinese students into the law school’s graduate programs.204

I can share a few personal stories. Around 2013, when I learned that Dr. Alfredo Varela—formerly director of the Center on International Programs at St. Mary’s—was coming to China on a recruiting mission, I set up a meeting and introduced him to the leaders of the College of Foreign Languages at Beihang University. The meeting led to collaboration between Dr. Varela’s office and Beihang University, and a group of Beihang students subsequently attended a summer camp on the campus of St. Mary’s.

Also, St. Mary’s signed an MOU with Jiangxi University of Finance and Economics in China (JUFE) about two years ago. I had learned JUFE’s School of Information Management was interested in finding an American university partner. I knew a friend at St. Mary’s School of Science, Engineering and Technology—Dr. Weibin Luo, a Chinese immigrant and a professor and director of the Computer Engineering and Electrical Engineering programs at St. Mary’s. I introduced Dr. Luo to JUFE, and he visited the university and began to develop a relationship with them.

Last summer, Dr. Carol Redfield, chairwoman of the Computer Science program at St. Mary’s,205 came to China on vacation. When she expressed

203. Memorandum Agreement of Cooperation from St. Mary’s University School of Law to the Jingsh Law Firm (June 13, 2017) (on file with author).
204. There have been at least five Chinese students enrolled in our LL.M. program. They came from Beihang law school, Shandong Normal University, and a law firm in Beijing.
an interest in visiting a Chinese university, I made arrangements for her to visit Beihang University, where she met with the dean of the College of New Media, Art, and Design. She gave a lecture to Beihang students on designing computer games and we toured their design labs and studios. The visit was productive and could lead to further ties between Dr. Redfield and Beihang University.

VI. LOOKING TO THE FUTURE

Today the China Institute is a well-established program that has enjoyed significant success in the past decade due to a combination of forces working together, including: the hard work of the teaching faculty, leadership of the law administrations, support of our Chinese partners and friends, and enthusiastic participation by students. Nevertheless, the continued success of the China Institute in the years ahead will depend upon a firm commitment of the law administration and, to some extent, commitment from St. Mary’s University to continue supporting the program.

The participation level in the China Institute, as measured by student enrollment numbers, will necessarily fluctuate from year to year, influenced by a number of factors, such as the course offerings, individual teachers, student interests, costs of travel, and living expenses. The uncertainty of bilateral relations between China and the United States could also affect student participation.206

Sometimes unpredictable events can happen and disrupt our plans.207 I hope that the number of participants will stabilize and grow gradually. More visiting students from other American law schools and abroad are welcome to attend the China Institute because they may be able to help make this program stronger in many ways, both culturally and financially. I look forward to seeing the program thrive for many years to come.

206. As I finish writing this Article, China and the United States have just concluded a phase I trade agreement that temporarily halts the 18-month long trade war between the two countries. Future trade frictions and broader conflicts in Sino–U.S. relations are expected to happen, however, which could affect student participation in the China Institute.

To conclude this article, I will quote a student participant of the China Institute, Jeffrey Diles, on his remarks regarding the China Institute and its influence on his future:

My visit to China was relatively brief . . . . Thanks in large part to the St. Mary’s program, [however,] doors are now open, and a foundation that could support a future venture in China is taking shape. It at least seems plausible that my history in the beef bull business and my future law career might one day amount to some sort of natural ‘yin and yang’ for me in China [thanks to this opportunity].208

APPENDICES

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Photo of the Inaugural China Institute (July 2010)..............................907
INTERNERSHIP EMPLOYERS IN CHINA

I. Law Firms and Intellectual Property Agencies

(1) Advance China IP Law Office (华进联合专利商标代理有限公司)\(^{209}\)

Advance China IP Law Office (ACIP) is a top IP law firm in China that specializes in patent and trademark registration and practice. The firm offered one unpaid internship to St. Mary’s students in the past few years.

(2) Guantao Law Firm (观韬中茂律师事务所)\(^{210}\)

Founded in 1994, Guantao is a multi-office law firm with over 600 lawyers practicing in areas including but not limited to banking, finance, real estate, international trade and business transactions, mergers and acquisitions. The firm hired two St. Mary’s students in the past.

(3) Jingsh Law Firm (京师律师事务所)\(^{211}\)

Established in 1994, Jingsh Law Firm is a full-service, comprehensive practice law firm based in Beijing. The head of the international law practice is a St. Mary’s graduate. The law firm signed a Memorandum of Understanding with St. Mary’s University School of Law in 2017. This firm usually offers two unpaid internships.

(4) JunHe Law Offices (君合律师事务所)\(^{212}\)

Established in 1989, JunHe is one of the most prestigious Chinese law firms serving both domestic and international clients with branch offices across the nation and around the world. It used to offer two paid internships to St. Mary’s law students each year.


\(^{212}\) About Us, JUNHE, http://www.junhe.com/about [https://perma.cc/HC74-ATFR].
(5) Kangxin Partners, P.C. (康信知识产权代理有限责任公司)\textsuperscript{213}

Founded in 1994, Kangxin is one of the leading intellectual property agencies and law firms in China. It used to offer one paid internship to a St. Mary’s student each year.

(6) King & Wood Mallesons (金杜律师事务所)\textsuperscript{214}

Established in 1993, King & Wood Mallesons is the largest law firm in Asia with branch offices around the nation and the world. It used to offer two paid internships to St. Mary’s law students each year.

(7) Liu, Shen & Associates (柳沈律师事务所)\textsuperscript{215}

Founded in 1993, Liu, Shen & Associates is a leading Chinese intellectual property agency and law firm that handles trademarks, patents and other intellectual property matters for Chinese and international clients. The firm offers one paid internship a year to a St. Mary’s student.

(8) Ray & Young Law Firm (睿扬律师事务所)\textsuperscript{216}

Founded in 1990s, Ray & Young is a medium-size, regional law firm that has offices in Beijing, Shanghai, Qingdao and Jinan. Its practices include finances, insurance, securities, and intellectual property. The firm offered one unpaid internship a year to a St. Mary’s student.

(9) SaintBuild Law Firm (山天大蓄知识产权顾问股份有限公司)\textsuperscript{217}

Established in 2001, SaintBuild is a large intellectual property law firm in China. The firm handles application or registrations for patent, trademark, and computer software, among other matters. It usually offers one to two unpaid internships to St. Mary’s students.


\textsuperscript{216} About Us, RAY & YOUNG L. FIRM, http://www.ruiyanglawyer.com/Home/About [https://perma.cc/RXZ2-TPRK].

(10) Wan Hui Da Intellectual Property Agency (万慧达知识产权代理有限公司) 218
Founded in 2003, Wan Hui Da is one of the best intellectual property agencies and law firms in China. The firm focuses on trademark registration and IP litigation serving both Chinese and international clients. It used to offer two paid internships to St. Mary’s law students each year.

(11) Weibo Law Firm (北京市伟博律师事务所) 219
Founded in 2008, this law firm deals with corporate, tax, finance, intellectual property, international trade and investment and other areas of practice. This firm is unique in that it partners with several elite Chinese law schools to be the training office for their students. It offers one unpaid internship to St. Mary’s students.

(12) Y & T Lawyers (益友天元律师事务所) 220
Established in 1995, this regional law firm based in Suzhou deals with corporate, tax, finance, intellectual property, international trade and investment, construction, government procurement and other areas of practice. The head of the Beijing office is a St. Mary’s law graduate. It offers one unpaid internship to St. Mary’s students.

II. Other Organizations and Entities

(13) Chinalawinfo Co., Ltd. (北大英华公司) 221
Established in 1985, this is a leading legal database company in China, the equivalent to Westlaw in the United States. It usually offers two paid internships to St. Mary’s students.

(14) China Global Fund Watch Initiative (中国全球基金观察)

This is a non-profit organization in China working on human rights related research projects. The chief officer of this organization is an adjunct teacher in St. Mary’s summer program in Beijing. The China Global Fund Watch Initiative usually offers two unpaid internships to St. Mary’s students.

(15) Mary Kay China Inc. (玫琳凯中国公司)

This is the Chinese subsidiary of Mary Kay Inc. based in Dallas. The Shanghai headquarters has a large legal department. It has offered one unpaid internship to a St. Mary’s law student each year.

**CHARLES E. CANTÚ CHINA PIONEER SCHOLARSHIP FUNDS**

<table>
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<tr>
<th>Year</th>
<th>Amount Awarded ($)</th>
<th>Number of Awardees</th>
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<tr>
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<td>1,000</td>
<td>2</td>
</tr>
<tr>
<td>2011</td>
<td>1,500</td>
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<tr>
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<tr>
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<td>4</td>
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<tr>
<td>2014</td>
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<td>3</td>
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<tr>
<td>2015</td>
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<tr>
<td>2016</td>
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</tr>
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<td><strong>Total</strong></td>
<td><strong>37,600</strong></td>
<td><strong>35</strong></td>
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2019
1. International Business Transactions and China (2 credits)
2. International Intellectual Property Law (2 credits)
3. Introduction to Chinese Law (2 credits)
4. International Human Rights: Business-Related Issues (1 credit)

2018
1. International Business Transactions and China (2 credits)
2. International Intellectual Property Law (2 credits)
3. Introduction to Chinese Law (1 credit)
4. International Human Rights: Business-Related Issues (1 credit)

2017
1. International Business Transactions and China (2 credits)
2. International Intellectual Property Law (2 credits)
3. Introduction to Chinese Law (1 credit)
4. International Human Rights: Business-Related Issues (1 credit)

2016
1. International Business Transactions and China (2 credits)
2. International Intellectual Property Law (2 credits)
3. Introduction to Chinese Law (1 credit)

2015
1. International Business Transactions and China (2 credits)
2. International Intellectual Property Law (2 credits)
3. Introduction to Chinese Law (1 credit)

---

224. The course information herein was obtained from the annual China Institute Brochures. St. Mary’s Univ. Sch. of Law Inst. on Chinese Law & Bus., Brochures, (2010–2019) (on file with author).
2014
1. International Business Transactions and China (2 credits)
2. International Intellectual Property Law (2 credits)
3. Introduction to Chinese Law (1 credit)

2013
1. International Commercial Arbitration (1 credit)
2. International Business Transactions and China (2 credits)
3. International Intellectual Property Law (2 credits)
4. Introduction to Chinese Law (2 credits)
5. Comparative Tort Law (1 credit)

2012
1. International Business Transactions and China (2 credits)
2. International Intellectual Property Law (2 credits)
3. Introduction to Chinese Law (2 credits)
4. Comparative Tort Law (1 credit)
5. United State Enforcement of International Business Crimes (1 credit)

2011
1. International Business Transactions and China (2 credits)
2. International Intellectual Property Law (2 credits)
3. International Commercial Arbitration (1 credit)
4. Introduction to Chinese Law (2 credits)
5. Comparative Tort Law (1 credit)

2010
1. The Law of Doing Business in China (2 credits)
2. International Intellectual Property Law (2 credits)
3. International Commercial Arbitration (1 credit)
4. Introduction to Chinese Law (2 credits)
5. Lawyering in China (1 credit)
ABA APPROVED SUMMER PROGRAMS IN CHINA
(AS OF NOVEMBER 2009)\textsuperscript{225}

<table>
<thead>
<tr>
<th>Name of Institution</th>
<th>Program Location</th>
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<tr>
<td>American University</td>
<td>Hong Kong</td>
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<tr>
<td>Brooklyn Law School</td>
<td>Beijing</td>
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<tr>
<td>Cornell Law School</td>
<td>Suzhou</td>
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<tr>
<td>DePaul University</td>
<td>Beijing</td>
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<tr>
<td>Duke University</td>
<td>Hong Kong</td>
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<tr>
<td>Duquesne University</td>
<td>Beijing</td>
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<tr>
<td>Franklin Pierce Law Center</td>
<td>Beijing</td>
</tr>
<tr>
<td>Georgia, University of</td>
<td>Beijing, Shanghai</td>
</tr>
<tr>
<td>Indiana University—Indianapolis</td>
<td>Beijing</td>
</tr>
<tr>
<td>Inter American University of Puerto Rico</td>
<td>Beijing</td>
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<tr>
<td>John Marshall Law School—Chicago</td>
<td>Beijing</td>
</tr>
<tr>
<td>Loyola Law School—Los Angeles</td>
<td>Beijing</td>
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<tr>
<td>Loyola University—Chicago</td>
<td>Beijing</td>
</tr>
<tr>
<td>Mercer University</td>
<td>Tianjin</td>
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<tr>
<td>Minnesota, University of</td>
<td>Beijing</td>
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\textsuperscript{225} Foreign Summer and Intersession Programs, A.B.A., https://www.americanbar.org/groups/legal_education/resources/foreign_study/foreign_summer_winter_programs/ (last visited Nov. 24, 2009) (on file with author).
<table>
<thead>
<tr>
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<th>Program Location</th>
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<tbody>
<tr>
<td>Missouri—Kansas City, University of</td>
<td>Beijing</td>
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<tr>
<td>(with U. Kansas)</td>
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<tr>
<td>Oklahoma City University</td>
<td>Tianjin</td>
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<tr>
<td>Pepperdine University</td>
<td>Hong Kong</td>
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<tr>
<td>Santa Clara University</td>
<td>Hong Kong, Shanghai</td>
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<tr>
<td>Stetson University</td>
<td>Tianjin</td>
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<tr>
<td>Thomas Jefferson School of Law</td>
<td>Hangzhou</td>
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<tr>
<td>Touro College</td>
<td>Xiamen</td>
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<tr>
<td>Tulsa, University of</td>
<td>Tianjin</td>
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<tr>
<td>Whittier Law School</td>
<td>Zhuhai</td>
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<tr>
<td>Willamette University</td>
<td>Shanghai</td>
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ABA APPROVED SUMMER PROGRAMS IN CHINA
(AS OF MAY 2020)  

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<td>Beijing</td>
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<tr>
<td>Inter American University of Puerto Rico</td>
<td>Beijing</td>
</tr>
<tr>
<td>Mississippi College</td>
<td>Beijing</td>
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<tr>
<td>Montana, University of (with U. of South Dakota, and Gonzaga U.)</td>
<td>Beijing, Guiyang, Chongqing</td>
</tr>
<tr>
<td>Nebraska, University of</td>
<td>Xi’an, Beijing</td>
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<tr>
<td>Santa Clara University</td>
<td>Shanghai</td>
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<tr>
<td>St. Mary’s University</td>
<td>Beijing</td>
</tr>
<tr>
<td>Whittier Law School</td>
<td>Nanjing</td>
</tr>
</tbody>
</table>

226. *Foreign Programs, supra note 59.*
St. Mary’s University School of Law celebrates its inaugural China Institute in Beijing (July 2010). Photo by Vincent Johnson.