

# THE PUBLIC LAW CENTER

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## Capability Statement

The Public Law Center (TPLC) has operated since January 1988 as a joint venture of the Loyola and Tulane Law Schools—their first experience in joint administration of a single educational program. TPLC was founded by David Marcello, who still serves as the Center's Executive Director. The Center's Assistant Director, Idella Wilson, is a native speaker of Spanish who also has capabilities in French. (See Attached Resumes.)

As discussed more fully below, the Center has conducted successful international training events in the following subject areas:

Legislative drafting and legislative process  
Agency rulemaking under the administrative procedure act  
Public participation and citizen advocacy  
Judicial reform and judicial disciplinary procedures  
Law revision and codification  
Alternative dispute resolution

By drawing upon the faculty resources of its two host law schools, Tulane and Loyola, the Center also has the capability to provide training in a wide variety of substantive legal areas:

- civil procedure
- criminal law and procedure
- constitutional law
- commercial law
- environmental law
- international trade
- intellectual property law
- urban law and zoning
- admiralty and maritime law
- clinical legal education

The Public Law Center also has access to an extensive network of law school alumni and public officials who can provide training in other areas of expertise:

- court administration
- judicial associations
- bar associations

### **International Training Activities**

In 1991, TPLC initiated a **Scholar-in-Residence Program**. The first Scholar-in-Residence was Mr. Abbas Bello, who received training in preparation for his assumption of duties as the head of the legislative drafting office in Niger State, Nigeria. Since 1991 scholars from Croatia, Cyprus, the Dominican Republic, Eritrea, Hungary, Pakistan, and Papua New Guinea have trained with the Center for periods of up to three months in residence.

In response to increasing demand for training of legislative drafters, TPLC launched the **International Legislative Drafting Institute** in 1995. The Institute is a two-week summer program that responds to the worldwide demand on legislative drafting personnel for new laws supporting the emergence of free market economies and democratic forms of government. See the Institute's homepage at <http://www.law.tulane.edu/ildi/> for a description of the curriculum, tuition and accommodations. The Institute has graduated approximately 450 legislative drafters from more than 85 nations around the globe.

The Public Law Center has also organized several successful **Distant Training Events** in the following locations:

(1) South Africa—In August 1997, TPLC conducted a four-day **"Workshop in Legislative Drafting"** in Johannesburg, South Africa for legislators and drafting personnel from various provincial parliaments, the Ministry of Justice, and law schools. TPLC returned to South Africa for presentations on legislative drafting and transparency laws as part of an October 1997 **workshop on legislative drafting** in Bisho, South Africa for members of the Eastern Cape Legislature, legal advisors, and law school faculty.

(2) Dominican Republic—The Public Law Center co-hosted in March 1997 a two-week **judicial reform conference** in New Orleans and Washington, D.C. for a delegation of nine judges and judicial reformers from the Dominican Republic. A follow-up visit took place in March 1998 in Santo Domingo, where judges, law professors, and TPLC staff from New Orleans made presentations to a conference of approximately 150 judges and judicial reformers on such topics

as **judicial disciplinary procedures, public defenders, alternative dispute resolution, and citizen participation in the judicial reform process.**

In December 1998, in response to a request from the Comisionado de Apoyo a la Reforma y Modernización de la Justicia of the Dominican Republic, TPLC conducted a four-day conference on **law revision and codification** for eight members of the Comisionado. The conference, which took place in New Orleans and Baton Rouge, allowed the participants to meet with law professors at three different law schools—Tulane, LSU, and Loyola. The participants also met with the U.S. Attorney, two Federal Bankruptcy Trustees, a U.S. Magistrate Judge, several state Criminal Court Judges, representatives of the Orleans Parish District Attorney's Office, members of the Louisiana Law Institute, and numerous private practitioners.

In 1999, TPLC conducted the first segment of a two-part training event on **Alternative Dispute Resolution (ADR)**. A group of twelve participants from the Dominican Republic, representing judges, district attorneys, NGOs, and the Comisionado, visited Louisiana and Texas for a two-week study tour. In phase two of the program, TPLC led a delegation of seven speakers to the cities of Santo Domingo and Santiago, where they conducted two-day conferences on ADR in February and March 2000 with more than 200 people attending in each city. TPLC staff also met with representatives of the Supreme Court and made a presentation to the members of Congress.

In March 2002, in conjunction with the Universidad Iberoamericana and the Santo Domingo Chamber of Commerce, TPLC conducted a two-day **arbitration training seminar** for attorneys in Santo Domingo.

(3) Moldova—In September 1998, the Republic of Moldova hosted a TPLC training event on **techniques of good legislative drafting practice, ethical concerns, and transparency issues**. The four-day program in Chisinau, Moldova was conducted for 45-50 drafters from the Ministry of Justice, the Parliament, and other governmental offices.

(4) Georgia—In December, 1999, TPLC staff conducted a weeklong training event in Tbilisi, Georgia on **public law legal drafting** for legislative drafting personnel from the Parliament, the Ministry of Justice, the Supreme Court, and other offices of government.

(5) Bulgaria—In November 2000, the Center was invited by the Local Government Initiative Program in Bulgaria to conduct training seminars in Sofia and Plovdiv on **techniques of legislative drafting, needs assessment, determining interrelationships between levels of government, and public participation**. The Local Government Initiative Program invited TPLC staff to return to Sofia in November 2003 to work with International Legislative Drafting

Institute graduates in finalizing a **drafting manual** for Parliament and the ministries. During the same visit, TPLC staff also conducted a **training of trainers** workshop in Varna.

In September of 2006, TPLC staff completed **editing the English translation of the finalized version of the Bulgarian Drafting Manual**.

(6) Mongolia—In November 2002, the Mongolian Ministry of Justice and Home Affairs and USAID/Mongolia sponsored a **Legislative and Administrative Drafting training seminar** conducted by TPLC staff in Ulaanbaatar for members of various ministries and the Parliament Secretariat.

(7) Tajikistan—TPLC staff conducted an October 2004 seminar in Dunshabe on **Legislative Drafting Principles**, sponsored by the United States Agency for International Development, for members of the President's Office Law Department, the Ministry of Justice, and parliamentary personnel.

(8) Southern Sudan—In November 2005, TPLC staff traveled to Rumbek, Southern Sudan to conduct a **two-week training program for legislative drafters appointed by the Minister of Justice**. This event was sponsored by the IRIS Center of the University of Maryland, a subcontractor with USAID.

### **The Training Venue**

TPLC's training is valuable and relevant to participants from both civil and common law jurisdictions. Louisiana's Civil Code system, unique among the 50 states, puts us in step with a majority of the world's legal systems. The Center's two host law schools, Loyola and Tulane, are internationally recognized for their comparative legal studies, maintaining both common and civil law scholars on their faculties. The law schools boast combined library resources of more than 700,000 books and over 2,000 periodicals. Their state-of-the-art video and computer resources are also available, as needed, for training.

Louisiana is an appropriate locale for international training because of its rich and diverse mix of culture, races, and ethnicity. Its judiciary may have more judges of African-American descent per capita than any other state in the nation—demonstrated by New Orleans' Civil District Court bench, which consists of a majority of African-American judges. New Orleans has the largest Honduran population in the United States and many other ties to Caribbean and Latin American cultures, arising from its port and the City's lengthy history of trade with Central America. Louisiana's Cajun culture derives from the state's French heritage. In addition, Italians, Germans, Irish, Vietnamese, and many other nationalities have contributed to Louisiana's diverse multi-cultural mix.