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Faculty News and Research Highlights



Constitutional scholar **Sujit Choudhry** has been [appointed as the new Dean of Berkeley Law](#). Choudhry sees Berkeley Law as “among the very best law schools in the nation... [it] is an integral part of one of the world’s great research universities.” Choudhry calls this “the opportunity of a lifetime.” He begins a five-year term on July 1, 2014 and

replaces Acting Dean [Gillian Lester](#), who has accepted an offer to become the next dean of Columbia Law School. In an email to faculty, staff, and students, Lester wrote that her time at Berkeley Law “has enriched me enormously as a scholar and teacher... Serving as acting dean this past year has been a privilege beyond words.” Berkeley Law Prof. and BCLBE Co-Faculty Director [Eric Talley](#), Lester’s husband, will join the Columbia Law Faculty in the summer of 2015.

On [California's climate change policy](#), Profs. [David Gamage](#) and [Mark Gergen](#) support California Senate Leader Darrell Steinberg's proposal to adopt a [carbon tax](#) on fuel suppliers beginning in 2015. Fuel suppliers would pay a tax rather than be covered by the [cap-and-trade](#) program. Two-thirds of the tax would be refunded to taxpayers through [tax credit](#) for low-income workers and other forms of [tax relief](#). The remaining revenue would be earmarked for transit investments. Gamage and Gergen believe that such an approach will benefit both the environment and the State economy and would also be more transparent and provide tax relief to California taxpayers.

At a meeting with the California State Bar’s Task Force on Admissions Regulation Reform last month, Prof. [Eric Talley](#) [emphasized the correlation](#) of technical skills in business and finance, which are not routinely taught in law school, with a corporate lawyer’s ability to serve clients. According to a recent [survey](#) of transactional specialists conducted by [Talley](#), document drafting, professional ethics, and fact development and analysis were among the most crucial skills needed for practice. [Read more>](#)

Upcoming Events

Fundamentals of Banking Law

October 8-10, 2014 | Bancroft Hotel, Berkeley
Berkeley Law certifies that this activity has been approved for 19 hours MCLE credit by the State Bar of California.

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In collaboration with the Boston University School of Law, BCLBE is pleased to announce the sponsorship of Fundamentals of Banking Law (formerly Banking Law Basics), an intensive 2½ day program designed to familiarize participants with the basics of banking law, including the critical policies, concepts and regulations that have shaped 150 years of banking law from the passage of the 1863 National Bank Act to the present. [Agenda>](#)
[Website>](#)

Curriculum Highlights

This Fall, **Shruti Rana** will teach two new courses that aim to improve students’ understanding of and skills in documenting business transactions. [Transactional Drafting Seminar](#) will examine the fundamentals of drafting contracts and deal documents, and provides an introduction to the legal aspects of business transactions. Students will draft contractual documents with an eye towards precision and clarity and their linkage to the fundamental elements of the underlying business deal.

[International Business Transactions](#) will introduce students to the fundamentals of cross-border business transactions and provides a mix of practical skills, theoretical inquiry and contextual knowledge intended as a foundation for the practice of private international law. Typical examples of international business transactions that will be discussed in this course include international sales agreements, acquiring a foreign company, seeking financing from foreign investors, and financing a foreign company through US markets.

This course will also explore some of the financial, cultural, and political forces that shape and influence international business. It will also assess some of the main risks associated with cross-border transactions, such as foreign torts and dealing with foreign sovereigns, and will discuss contractual devices used to limit these risks’ impact.

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The Network Highlights

[The Network](#) blog provides an opportunity for academics, professionals and students to engage in dialogue about the impact of law and regulation on business and the economy.

Recent posts include Skadden's briefing on the [European Court Rejecting UK's Financial Transaction Tax \(FTT\) Challenge](#). The UK was challenging the European Council's Decision to authorize the "enhanced cooperation procedure" (ECP) in the area of FTT. ECP is a mechanism that can be used to implement EU law where there is insufficient support from all EU member states to a proposed law, but more than nine participating EU member states desire to have the law apply to them.

Another post [discusses the outcome of an appeal pending](#) in the U.S. Court of Appeals for the Second Circuit in Manhattan on the question of defining 'tippee-liability' for insider trading. The decision could become a turning point in the prosecution of insider trading cases.

To submit posts and comments [contact BCLBE](#).

Job Opening

BCLBE is currently looking for an Associate Director of Corporate & Foundation Relations to work closely with the BCLBE Executive Director and the Berkeley Law development team to secure grants and gifts to support BCLBE's research, education, and policy activities. This is an exciting opportunity to join a dynamic team at Berkeley Law. Go to [Berkeley Jobs](#) and search #16419.

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Sponsors



Thanks to the following contributors:

[Libby Hadzima](#), J.D. Candidate '15 | [Sreelekha Haridas Maruthur](#), LL.M. '14

Curriculum Highlights [cont.]

Prof. Rana focuses on international and comparative business and commercial law. She also has extensive experience in the policy arena and worked for the United Nations, where she focused on treaty monitoring and compliance issues.

Event Recaps



On April 3, BCLBE, in collaboration with the Impact Law Forum and a group of students interested in social enterprise law, hosted a symposium on [Social Enterprise Financing](#).

The symposium explored issues of incorporation, IP assignment, corporate governance, capital-raising terms and unit provisions in the context of [social enterprises](#). The symposium brought together social enterprise attorneys, investors, entrepreneurs, and academics including Prof. [Eric Talley](#) and [Susan Mac Cormac](#), partner at Morrison & Foerster. Audio recordings: [Panel 1](#) | [Panel 2](#)

On April 15, BCLBE and the BBLJ hosted their Second Annual [Women in Business](#) Law Panel. The evening included a networking reception and a panel discussion among several Berkeley Law alumnae who shared their experiences and perspectives on the challenges confronting women working in a range of transactional and litigation business law practices.



This year, 38 graduating J.D. and LL.M. students were awarded Business Law Certificates in recognition of their completion of a rigorous curricular program that enables students to develop a broad background in fundamental areas of law

while also receiving advanced training in business law practice and skills. The Business Law Certificate curriculum aims to increase critical thinking, effective decision making, and other crucial skills that will make these Certificate holders indispensable legal advisers, managers, executives, and corporate leaders.

To the questions "How does the Certificate tie into your long-term goals?" and "What did you enjoy most about Berkeley Law?", the most common responses were that the Certificate is crucial to succeeding in business law, and that the outstanding and supportive faculty and overall collaborative and congenial atmosphere on campus have been profoundly rewarding!

To view a photostream of the ceremony [click here](#). To learn more about the Business Law courses and Certificate programs click [here](#).