

## INTRODUCTION

Dear Readers,

Almost 18 years ago, in 1998, the Center for American Law, was established at the Faculty of Law and Administration of the University of Warsaw. This decision of the Warsaw law faculty and the University of Florida Levin College of Law to create the Center was a consequence of the changes of the political and economic system in Poland which opened more extensive economic, cultural and academic exchanges.

Now over 1,700 students have graduated from the Center for American Law which has made an unprecedented footprint on the Polish legal profession. Many of our graduates hold high positions in law offices, public administration, and NGOs. Study in the Center gave law students the opportunity to learn about the common law system, one of the major world legal systems, but also broadened their horizons and view of legal problems. For many of them, the Center for American Law gave an opportunity to extend their education in American law through participating in the LL.M and J.D. programs at many prestigious universities in the US, including Harvard, Columbia, NYU, Emory, Indiana, and the University of Florida, which received the highest number of LL.M. and J.D. exchange students from the Center.

This issue of **Studia Iuridica** is designed to commemorate the 15th anniversary of the establishment of the Center in connection with the Conference organized at the Faculty of Law and Administration of the University of Warsaw with the participation of scholars from the University of Warsaw and the University of Florida and representatives of the legal profession from both countries. The Conference on *Legal Education and Legal Profession in the Global World – Polish-American Perspectives* took place on June 16, 2014, and consisted of four panels on the following subjects:

1. The Law School of the Future: How We Need to Change-Legal Education to Adapt to the Rapidly Changing World.
2. Foreign Law and Legal Systems: To Teach or not to Teach.

### 3. The Changing Role of Lawyers in the Global World.

### 4. Comparing Polish and American Law Teaching Methods: Lessons from the Past for the Future.

In the four panels the panelists discussed issues concerning legal education and the legal profession. In spite of many differences in the legal systems and legal education, participants came to the conclusion that in both countries educators and lawyers face similar problems such as a smaller numbers of students applying to law schools, the necessity for restructuring legal education, the fact that technology advances faster than law and thus creates a new level of complexity for the legal profession, and the widening gap between legal education and the practice of law. They also discussed problems which are more characteristic for particular countries such as the lack of “market” and “competitive” forces influencing Polish legal education and the need for application those forces in Poland.

The discussion was also concerned with more philosophical problems in regard to what is nowadays the most important role of the law schools in education of future lawyers and which of three pillars – *logos*, *ethos* or *pathos* – law schools are primarily responsible for. Panelists also expressed the opinion that the role of law schools and lawyers today is not only to teach how to analyze and interpret the law, but also to teach how to accomplish certain missions by lawyers – to be good citizens, leaders, and defenders of the rule of law. Lawyers are in a privileged profession and their ability to learn law and how to interpret it also means that they have an obligation to use it to serve those who are less unfortunate and to provide “justice for all”. As leaders, the obligation of lawyers is not only to know the law but also to have the ability to influence law and change it.

On the issue of foreign law, the panelists expressed their opinions that teaching foreign law is not only important because of globalization, but also it is the best way for lawyers to understand their own legal system. Knowing other legal systems, gives a better understanding of the legal issues and allows lawyers to understand better not only legal but also cultural differences. The rapid changes of the global world, caused by rapid communication, trade, and exchange, create more complex legal issues. In the context of the education of “new lawyers”, comparative law courses and foreign law courses, such as the one offered by the Center for American Law, play an important role and fulfill the goals of legal education giving students broader perspectives for interpretation of their own law as well as knowledge of the foreign law system.

Globalization was also the topic of a broad discussion in the context of the role of law schools and the legal profession. In spite of the fact that many participants agreed that at present there is a need to educate global lawyers who have different skills necessary to adapt to different legal systems and the ability to deal with trans-border transactions, at the same time there is still a necessity for experts in national law. Participants discussed the role of lawyers in the modern world and

whether that role is actually different from what lawyers did in the past. Most expressed the opinion that because of the rapid changes the legal profession faces more challenges. Before, lawyers were lawyers, business people were taking care of business. Today more knowledge is required from lawyers and they need to have broader expertise besides the law, since they are more heavily involved in the decision making process. This change also causes many ethical issues. Additional challenges for lawyers come from new technologies, more complex cases, digitalization and internationalization of law. However, some panelists expressed the opinion that in some sense the role of a lawyer still is the same – the lawyer is someone who interprets the law, provides advice to his clients or represents them in court.

Participants also discussed different teaching methods which may be applied at law schools, for example the Socratic method of teaching which is a widely used method at American universities. They also talked about innovative methods of teaching through participation of law students in moot court competitions which gives them an opportunity to improve their skills in legal writing and research and prepares them for team work on one hand and the competitive world of the legal profession on another. One of the panelists presented also a unique class designed at the Warsaw law school called CSI Warsaw whose goal is to introduce students to the practical aspects and issues of criminal investigations, forensic techniques, and criminal procedure.

The transcripts from the dynamic panel discussions at the Conference are enriched by several articles written by US and Polish scholars on related topics. I am confident that the interesting panel discussions of legal experts from both countries during the Conference, as well as the articles published in this issue of **Studia Iuridica** will enrich the discussion of the role of legal education and the legal profession globalization and will be an important voice on that problem worldwide.

I wish you inspiring and rewarding reading.

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