

**Final Report: STINT Teaching Sabbatical at
Moritz College of Law, the Ohio State University,
Fall Semester 2017**



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Introduction

During the fall semester of 2017, I held the STINT Teaching Sabbatical Fellowship, and I spent the semester at Moritz College of Law, the Ohio State University, Columbus, Ohio, USA. This document constitutes my final report.

I would like to express my gratitude towards STINT that gave me the grant and the possibility to get this unique experience. It has had a significant impact on me as this experience enables me to develop further as a teacher, enhance my teaching skills and competence. I have returned with new ideas, viewpoints, knowledge, skills, expertise and new networks and I am convinced this will contribute to quality enhancement in higher education at the Department of Business Law, School of Economics and Management, Lund University. I also want to express my gratitude to all my colleagues at Moritz College of Law, The Ohio State University. Thank you for being so professional and friendly hosts. Finally, I will express my gratitude to my university and home department. Firstly, thank you for recommending me for the grant, secondly, thank you for covering for me during the fall semester.

As a clarification, the views expressed in this report are my reflections and impressions and do not represent my home or host institutions in any way. All comments about legal education in the US and Sweden are based on my experiences with, and impressions of, legal education at the host and home institutions.

All photographs in the report are taken by me.

The Ohio State University¹

The Ohio State University is a public university, and it was founded 1870. It is the 16th best university among public universities in the U.S. There are 66.046 students enrolled and 50 percent of each gender. They have approximately 7.000 academic staff and 25.000 administrative and professional staff. The university consists of in total six campuses in Ohio: Columbus, Lima, Mansfield, Marion, and Newark. Columbus Campus is the biggest with 59.482 students. The university's motto is "Education for Citizenship." The Ohio State University is a land-grant university.

The university offers undergraduate programs with over 200 majors. There are 52.349 undergraduates, and 78 percent of the freshmen are from Ohio. They also offer Masters programs, Doctoral Degree Programs and Professional Programs and Special Programs. There are 10.529 enrolled in the graduate's programs and 3.168 in the professional programs.

¹ Information from www.osu.edu.

Moritz College of Law²

The Ohio State University Moritz College of Law was founded in 1891. The law school has approximately 570 students and 54 full-time faculty members.

Moritz offers Juris Doctorate program (J.D.). The law program is a three-year education, with mandatory courses during the first year (1L), and mainly elective courses on the second and third years. All applicants for this program must possess a bachelor's degree from an accredited college or university before enrollment. Moritz offers programs in dozens of areas of law and certificate programs in: International Trade and Development, Dispute Resolution, and Children's Studies. They also offer many clinical programs, where actual practice of law is combined with classroom education. Students work in the clinics with expert faculty to provide essential representation to real clients. The American Bar Association recognizes clinical programs as an essential component of legal education.

The law schools LL.M. program is designed for foreign lawyers who wish to deepen their knowledge of U.S. law and legal systems. It is possible to take a general LL.M. or an LL.M. in one of the following subject groupings: Corporate Law, Criminal Law and Procedure, Dispute Resolution, Intellectual Property and Information Law, International and Comparative Law, Labor and Employment Law. There are around 40 LL. M. students enrolled at the law school.

Moritz College of Law also offers a Master in the Study of Law Degree (M.S.L.). It is a program for professionals in other disciplines that want a legal education. To receive the M.S.L. degree, a student must satisfactorily complete 30 semester hours at the Moritz College of Law, and as a full-time student, it can be achieved in one-year. To be able to apply for this program the student must hold a Ph.D. or other doctoral degree in a discipline other than law or completed a program of study amounting to 45 quarter hours (or 30 semester hours) toward the doctoral degree.

Preparation and planning

Planning trip

After receiving the wonderful news that I got the grant. I contacted my academic host, Associate Professor Guy A. Rub and my administrative host Laura Fernandez, Assistant Dean for International Affairs at OSU Moritz. Fernandez provided me immediately with information on housing, and she also sent me the Housing Guide that they provide their incoming international students and scholars. She also recommended areas to live in if I decided to bring my youngest son (13 years old), as he had to go to a school in the area we were planning to live in. She also informed me briefly on Ohio's school system. My son was at the moment a bit reluctant to spend a semester in Columbus.

Laura Fernandez also wanted us to plan dates for a visit during spring so she could arrange meetings with people at the law school. She also informed me on everything I needed to know

² Information from www.moritzlaw.osu.edu.

regarding my visa. After that initial contact with Laura Fernandez who provided me with concrete and relevant information, I felt even more inspired to spend a semester at The Ohio State University.

We went on a planning trip during the children's Easter holiday in April. It was me, my partner and two out of three sons that visited Columbus. My academic host Laura Fernandez, Assistant Dean for International Affairs at OSU Moritz, had arranged an extensive program that included meetings with some people at the law school and at the central university. During this planning trip I met with her; Cinnamon Carlarne, Associate Dean for Faculty at OSU Moritz; Guy A. Rub, Associate Professor at OSU Moritz (my academic host); Gifty Ako-Adounvo, Assistant Vice Provost for Global Strategies, OSU; Joanna Kukielka-Blaser, Programs Director of International Relations at the Office of International Affairs, OSU; her assistant Danielle White and Carina Director, International Students and Scholars, OSU.

I also briefly met with Alan C. Michaels, Dean of The Ohio State University Moritz College of Law and Barbara A. Lang, Executive Assistant to the Dean.

I also met Paul Rose, Associate Dean for Academic Affairs, Moritz College of Law, to discuss and plan my tasks during the fall semester. He had already in March been in contact with me when they were building their Fall 2017 curriculum. We started already at that point (March) the discussion on what kind of course I could teach during the fall semester. After some discussion, it was decided that I would offer an elective course, available for the students on the second and third year of the law program, on Entertainment and Media Law. When we went on the planning trip, it was already decided that I should teach a three-credit course in Entertainment and Media Law.

Recommendation for future STINT-fellow at the planning phase

For future STINT-fellows I have the following recommendations concerning housing. If you do not want to hire a car and you do not have children with you, look for an apartment on Campus, Short-North or German Village. It is close to Campus and you can walk or bike to work. If you have children with you, you must be aware that your child is only allowed to go to a school where you live. There are excellent public schools in Upper Arlington, Grandview Heights, Dublin or New Albany. In this case, you have to hire a car and take an American driving license. You cannot rely on public transportation!

It is difficult to find somewhere to live in Columbus if you search on the internet. If you go to Columbus, you will see signs everywhere on possible places to rent and phone number to renting companies. The difficulties lie in finding something furnished. Though, I would recommend not to be stressed over the living situation before the planning trip. I would try to solve the problem with finding somewhere to live during the planning trip instead of trying to solve it from Sweden.

We lived on Campus. Our big problem was that we had difficulties finding a public school that accepted an international student for only one semester. We ended up choosing a private school, The Wellington School, <https://www.wellington.org>. It was an outstanding school but

quite expensive. There is also another private school that I was recommended Columbus Academy, <https://www.columbusacademy.org>. When it comes to the planning phase and preparation for the trip, I would recommend the Office of International Affairs at The Ohio State University homepage. It has excellent information for visiting scholars with a pre-arrival checklist and a post-arrival checklist, see <https://oia.osu.edu/int-scholars/j-1-visiting-scholars.html>.

A brief description of how the activities at the foreign institution were planned.

What course I was going to teach was already decided in March, and I had to come up with a course description so the students could read about the course in the catalogue. I had also to provide the faculty with information on what textbook I wanted to use throughout the semester. Next contact was on my planning trip when I met Paul Rose, Associate Dean for Academic Affairs, Moritz College of Law. We discussed formal requirements as syllabus, books, etc. but also practical information as how many other courses the students are reading and how much material they can cover per course/ week, etc. It was primarily information on how their education is arranged and what expectations I could have on my students. I also met with my academic host Associate professor Guy A. Rub who provided me with me additional information on the faculty, course, pedagogical methods etc. I returned home, and in May I was offered different possible days and times for my class during the fall. I chose Monday, Tuesday, Wednesday 10-11. I was working on the syllabus during the spring, and I sent in the first draft in the end of June to Paul Rose and continued to work on the lesson plan during the summer. I had the Syllabus ready when I arrived at the beginning of August.

Arrival

My son and I arrived in Columbus around 7th of August. I think it would have been good to come one week earlier. It was a lot of practical issues that had to be solved, and it was quite stressful to arrange all these things and also getting to know a new workplace, people and finalize the planning of the course. As I was giving an entirely new course, it was a lot of preparation work.

My son started immediately to train with his soccer school team and trained 2 hours per day. It was perfect for him to arrive almost two weeks before the school was starting, as he when it started at the 23rd of August, already knew a lot of kids. The fall term at University started the 21th of August.

Tasks and responsibilities

My responsibility and task were to give a three credits course in Entertainment and Media Law. I had to design a new course and write a short description of the course, select a book and other materials, write a syllabus, give the course, be available during office hours, make a course evaluation, correct papers, and finally grade the papers and the oral presentations during the course.

The students in the US has the opportunity to dropout from the course during the first week. This was a new experience, and I was quite nervous that a considerable part of the students that had selected the course would drop out. I ended up with one student that choosing to drop out. That meant that I had 15 students attending my course.

The course focused on the legal aspects of European, US and International Media and Entertainment Law. The course started with an introduction to Entertainment Law and Media Law. It was followed by lectures and workshops on Copyright and Trade Marks Law. After we looked at the Intellectual Property, Digital Distribution and Cross Boarder Problems for Entertainment and Media Law. After that, I had an introduction to Fundamental Rights and principles such as Freedom of Speech and its limits, Personality rights, Publicity rights and Right to Information. It was followed by some weeks about Freedom of Expression in Media and Entertainment and restriction on Freedom of Expression and also Ethical issues. The course was covered Personality and Privacy, Data protection, Transborder Data Flow and Data Privacy, Media Competition law, the Right to Own Image Protection, Advertising law, Contractual agreements and Jurisdictional problems. Finally, the course covered Regulatory Authorities in the Media and Entertainment Industry and Entertainment and Media on Internet. The course was given from a European and International Law perspective with a comparison to US Law. One of the challenges with this topic is that it consists of a lot of different legal areas that is applied on specific phenomena, in this case, Entertainment, and Media.

The course combined problem-based learning with traditional lectures. I had two traditional lectures and one workshop a week. At the end of every week, the students got the following week's task in the form of a simulation case. The aim of the simulation case/s was to enable the students' exploration of the subject and development of specific knowledge with the aid of research. The case/s also presented different kinds of methodological problems. The week started with two more traditional lectures covering the themes introduced in the simulation case/s. The lectures were followed by a workshop where the students presented answers to the problems introduced in the simulation case/s. After the presentation, students received feedback from me.

I also had to plan for Office Hours, which I had every day between 1 pm-2 pm. I also stated to my students that I always was available for questions after class. They were also informed that I had an open-door policy so that they felt feel to stop by my office any time they saw the door open.

The examination of the course was based on a paper they worked on throughout the semester and oral performances in workshops. I graded the student's performance in class on ten workshops, each corresponding to an important aspect of Entertainment and Media Law, and that counted for fifty percent of that student's grade (10 points per workshop). I also graded the student's performance on the final paper, and that counted for fifty percent of that student's grade (100 points). The paper was on 7000 words.

When it came to the paper they had to select the topic of the paper after two weeks. They also had to hand in drafts during the semester two times. The paper was also presented in class in the middle of October. At this meeting, students were required to do a 5-7 minutes

elevator speech in a smaller group and feedback was given by other students in that group. They also got written feedback from me. A draft paper was due at the end of November and presented in class and they could after that presentation book a 30 minutes feedback session with me. The final paper was due in December.

I was responsible for all the grading. The grading scale was A, A-, B+, B, B-, etc. Students received both a letter and number grade. The faculty provided me with a scale based on their grade distribution policy.

Reflection on my teaching experience

The primary teaching challenge was the topic. Entertainment and Media law consist of different legal areas applied to these specific phenomena, and it is difficult to give an in-depth, advanced level course to students without general knowledge of the specific legal areas. This is a challenge in Europe, but my students in the US had, in addition, no previous knowledge of European Law or legal method. To be able to get to the depth I wanted I decided to start the course with an introduction to European Law in general. The course was also designed to have two lectures a week when I could draw up the landscape of the legal problems in the area and go through the subject more thoroughly. I combined this with the Case Study method where the students were presented with a complex problem to solve in a group. The learning process involved independent preparation when the students read the books and articles provided, discussed the issue with the team and came up with a legal analysis that was presented orally at the workshop. I think this method inspired, challenged and got the students to think out of the box and I could see that they developed their problem-solving skills, critical and analytical thinking. I would say that this method focuses on real-life application rather than memorization and leads to deep learning and retention. It also encourages in-depth discussions. I was impressed of their engagement and the presentations they held at the workshops each week.

Another reflection is that my students were very general knowable. It might be the result of having a bachelor before you read a law degree. When it comes to academic writing, my students were very skilled, with focus on the subject matter. But they were not used to write a paper from an objective angle. They had previously to my course only been trained in writing papers from a specific angle. On the other hand, my Swedish students often complain over their lack of training to argue from one angle.

Other activities during the semester

My course took a lot of time and effort to prepare for each week, and that gave me limited the time for other activities. Even if that was the case, I tried to participate in the different seminars and pedagogical events that came up during the semester.

On the October 19th, I participated in a seminar in “Universal Design for Learning: Improving Achievement Through Accessible and Inclusive Education” held by Margo Vreeburg Izzo, Ph.D. Professor Emeritus, Psychology, Ohio State University. It presented the basic UDL principles

and gave examples of how OSU Professors integrates UDL strategies into the classroom. It was beneficial thoughts, and I will incorporate universal design for learning principles into my teaching.

I visited the OSU National Security Simulation 2017 on Nov 3-4. The simulation's public webpage was <http://moritzlaw.osu.edu/national-security-simulation/>. It is a two-day national security simulation that involves students from law, policy, intelligence, military, communication and business students (graded and volunteer), faculty, alumni and experienced Washington practitioners. It puts the students their respective roles (law students as governmental lawyers, communication students as journalists and so on), and they play alongside practitioners to create solutions for real (but made up) problems. It simulates decision-making involving government at the intersection of law and policy regarding security under crises condition. The simulation was guided by an expert control team controlling to present the players with problems they had to address. The simulations goal was to test the knowledge of students and build practical skills and also doing the work with ethical courage, professional independence, and integrity. The simulation was led by Professor Dakota Rudesill at Moritz College of Law, and I had the opportunity to observe it. It was a very impressive simulation and fascinating pedagogical experience.

I also participated a brown bag lunch speech on the 4th of December arranged Teaching Innovation Group at Moritz College of Law. Katherine Kelly, Doug Berman and Dakota Rudesill, all faculty members, lead a discussion on the topic: "Where we teach: creating the optimal space for learning." It was interesting perspectives on the physical space we are teaching in.

Teaching Innovation Group were usually arranging an Open Classrooms Week, where all participating faculty members are invited to visit each other's classrooms. The participation is voluntary. The goal is to be inspired and during one week focus and discuss different pedagogical methods. It was planned to take place this fall, but unfortunately, it was cancelled as they were in the process of hiring a lot of new staff and that took a lot of meeting time.

I was also invited to take part in all of the official Faculty meetings. I attended some of them and I gave me an insight into the workings of the law school.

Comparison between the foreign and the home institutions (in Sweden)

The Faculty

The Faculty holds another position than in Sweden. The faculty in Sweden is led by a board, but at Moritz College of Law, all actions of the College faculty shall be decided by a majority of those voting either in person or by proxy. Faculty held regular meetings on Thursday afternoons at least once each month in accordance with a schedule established by the Dean.

Student population

J.D. is a post graduate degree in the US. All students have a Bachelor before coming to the law school. This means that they have been reading other courses at university level for several years. In Sweden, they can come directly from Upper Secondary School.

In Sweden, we strive towards more diversity and have an ongoing discussion on how to attract different kind of students, when it comes to ethnicities, gender, age, educational and work backgrounds of students, etc. I experienced that the same work was conducted at Moritz to reach out and attract different kind of students.

The relation between teacher and student

The relationship between teacher and student are more formal than in Sweden as the students always call the teacher professor and surname. But the personal engagement and distance are less between teachers and students in the US. One explanation for this might be that these students pay for their education and have other expectations. When the students start their education at the law faculty, they also know what year they will graduate. This is not the case in Sweden as a student can take an exam over and over again until he or she passes. I also noted that assistant dean of students was informed if a teacher identified a student that for some reason started to perform less good. Another explanation to the close relationship is that the groups on the advance level in the US are quite small and that you are alone teaching a course for one whole semester, instead of being one of the several teachers in a team for a ten-week course.

When it was exam period, staff put up encouraging post-it messages all around the building.

The institution's view of breadth versus specialization in education

When it comes to breadth versus specialization in legal education one must remember that the law degree in Sweden is not on a graduate level from the beginning. This also has the effect that Swedish students have three years of mandatory courses and only one year of elective. So, in comparison the Swedish students read more compulsory courses can also note that the US students do not write a thesis the last semester. In that sense, it seems like the Swedish education is more focused in the end on academic skills.

A specific feature of US legal education is Clinics. We do not offer such courses in Sweden, as far as I know. In the Clinics classroom education is combined with practical legal work for real clients. J.D. students take in this course responsibility for their own cases, but they work closely with expert faculty to provide essential representation to the real client. Moritz offers seven different clinics: The Civil Law Clinic, the Criminal Defense Clinic, the Entrepreneurial Business Law Clinic, the Criminal Prosecution Clinic, the Mediation Clinic, the Justice for Children Clinic and the Legislation Clinic. As stated above, the American Bar Association recognizes clinical programs as an essential component of legal education.

Teacher recruitment

As I understood normally a person appointed to a tenure-track faculty position at Moritz shall have obtained a Juris Doctor or equivalent degree. My impression is that Swedish university strives more towards internationalization as we hire personnel from all over the world, even if we sometimes require Swedish as a teaching language. Another difference is that J.D. is a post graduate degree and few holds a Ph.D. as it is possible to proceed directly from J.D. to a tenure-track.

Education, Pedagogy and Pedagogical Merits

Academic freedom is high at Moritz, and it is emphasized frequently. Teaching and teaching administration is significantly less rule-bound and leaves many choices to the instructor. For example, when I asked questions on how to handle a specific issue I often got the answer that I could choose an appropriate solution with a reference to my academic freedom. One concrete example is the Syllabus. In Sweden, the syllabus has to be approved by a board, and the content of the syllabus are more regulated. On the other hand, the syllabus in the US is stated in more detail when it comes to the lecture plan. The lecture plan sets out in detail what will be covered in a specific lecture and what material the student must do, read or use at that lecture.

Teaching is valued higher in the US among the academics, and all faculty seems very interested in pedagogical questions and development. When it comes to the relation between research and education, I can conclude that we in Sweden have almost three times more lecturing in our contracts. I also noted that the administrative support is higher than at my home institution. That also means that the teacher can focus more on teaching than administrative tasks.

In the tenure track, you are not only evaluated on research merits, but you are also evaluated regarding pedagogical merits. For example, in the third-year review, there is a review of the faculty member's student evaluations of teaching and two class visitations by each of two faculty members, who will submit written evaluations of the classes.

Teaching environment and Use of technology

When it comes to using technology, there was not a big difference comparing to my home department. But, as stated previously, there is a big difference that one teacher teaches one course throughout the semester. One other reflection is that the course was running on the same weekdays and time and in the same classroom for the whole semester. The students also sat in the same place for a semester, and that made it quite easy to learn the names quickly.

Important lessons and Action plan

The most important lesson was that even if we have a different legal system, legal traditions and legal cultures and legal education, it is more similarities than differences between the legal education in Sweden and US.

On a personal level, the sabbatical teaching experience has led to time for reflection, and I have developed personally as a teacher as I have gained more profound knowledge about another legal system and different structures of education. This has strengthened my teaching capabilities. All these new skills and competence will have an impact on the student level. I have already started to use some of my new knowledge in a course I have at the moment at the School of Economics and Management. My experience has also led to a new network, and I have started a research collaboration with my academic host Associate professor Guy A. Rub.

On the departmental level my experience, new skills, and competence will contribute to quality enhancement. I am already involved in course development at the Department of Business Law. I will make sure that we now make use of my new experiences. I will hold a seminar at the Department on the 26th of February. We have also invited persons from other parts of the School of Economics and the University. I hope this seminar will inspire and hopefully provoke self-reflection and self-evaluation of our educational structure and teaching methods, which might lead to a renewal of content and structure. I will also suggest that we start with an Open Classrooms Week, where all participating faculty members are invited to visit each other's classrooms. The participation shall be voluntary, and the goal will be the same as at Moritz - to focus on pedagogical questions during one week and discuss different pedagogical methods and to be inspired. I also want us to start using encouraging post-it signs for students during the exam period.

At the University level, I plan to share my new experience and skills to other employees at Lund University and other universities in Sweden by holding a presentation at the annual conference about higher education development arranged by the Centre for Educational Development, Lund University. I also plan to hold a speech and sharing my experience in the network of European Intellectual Property Teachers this summer.



Thank you!

/Ulrika Wennersten