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CAPABILITY STATEMENT

The Public Law Center (TPLC) at Tulane Law School has operated since January 1988 as a clinical legal educational program for second and third year law students. In addition to its clinical instruction program, the Center drafts legislative instruments and agency rulemaking initiatives for clients, nongovernmental organizations, and government officials. 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 curriculum vitae.)

International Training Activities

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 intellectual resources of law school faculty colleagues, the Center can also provide training in a wide variety of additional 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, including such matters as the administration of courts, judicial councils, and bar associations. Those interested in particular subject areas are encouraged to direct inquiries to the Center.

The Public Law Center conducts three types of international training programs: (1) **US-Based Tailored Training** events specially designed for delegations visiting New Orleans or other U.S. cities; (2) a two-week **International Legislative Drafting Institute**, is held each June in New Orleans; and (3) **Distant Training** events. All three types of training are discussed more extensively below.

(1) US-Based Tailored Training

In 1991, TPLC initiated a tailored training program with a three-month course of study for our first international participant from Niger State, Nigeria. Since 1991 scholars from Croatia, Cyprus, the Dominican Republic, Eritrea, Hungary, Pakistan, and Papua New Guinea have received tailored training with the Center for periods ranging from several days to as much as six weeks in sessions that were conducted in Louisiana, Texas, and Washington, D.C. Discussed in more detail below are two examples of TPLC's tailored training events.

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 (discussed below under Distant Training events).

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 took place in New Orleans and Baton Rouge, allowing participants to meet with law professors at three different law schools—Tulane, Loyola, and Louisiana State University. 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. The second segment consisted of follow-on training in Santiago and Santo Domingo (discussed below under Distant Training events).

Nigeria—In November 2007, five members of the legislative drafting staff of the Nigerian National Assembly attended in New Orleans a five-day training program specific to their interests and needs. Participants met with professors from both Tulane and Loyola Law Schools and with the Inspector General of the City of New Orleans.

(2) International Legislative Drafting Institute

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 drafters for new laws to support the emergence of free-market economies and democratic forms of government. The Institute draws together diverse domestic and international faculty members experienced in the legislative process.

Institute training is designed for both lawyer and non-lawyer drafters—the people who actually research and write legislative instruments. Many members of legislative bodies and representatives of non-governmental organizations who have attended the Institute also found the training helpful.

Countries entering the global marketplace and adapting to democratic influences at home and abroad often need new laws regulating the environment, economic development, labor relations, and other aspects of the free trade regime. The Institute meets these needs with a curriculum of lectures, readings, drafting exercises, site visits, computer research, and “roundtable” discussions. The training emphasizes the importance of public participation and describes an appropriate role for interest groups and individuals in the legislative process.

The Institute has graduated over 500 legislative drafters from more than 95 jurisdictions around the globe. In addition to their classroom learning, participants often cite their interaction with other participants in encounters outside the classroom as a very rewarding aspect of the overall Institute experience. More information about the Institute may be found at <http://www.law.tulane.edu/ildi/>, which discusses the curriculum, tuition, and accommodations.

(3) Distant Training Events

The Public Law Center has also organized several successful Distant Training events in Africa, Asia, Europe, and Latin America.

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.

Dominican Republic—After co-hosting a two-week judicial reform conference in New Orleans and Washington, D.C. (discussed above under Tailored Training events), TPLC conducted follow-up visits to Santo Domingo and Santiago in March 1998, during which judges, law professors, and TPLC staff from Louisiana 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 phase two of the Alternative Dispute Resolution (ADR) program (discussed above under Tailored Training events), 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.

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.

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.

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 fostering 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.

Mongolia—In November 2002, the Mongolian Ministry of Justice and Home Affairs and USAID/Mongolia sponsored a Legislative and Administrative Drafting seminar conducted by TPLC staff in Ulaanbaatar for 45-50 participants from various ministries and the Parliament Secretariat.

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

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.

Kosovo—TPLC staff conducted two one-week training programs for over 80 legislative drafters in Kosovo. The training, conducted in September-October 2009, was sponsored by the United States Agency for International Development's Kosovo Justice Support Program.

New Orleans, Louisiana: An Exceptional International Training Venue

Louisiana's Civil Code system—which is unique among the 50 states—puts us in step with a majority of the world's legal systems and makes TPLC's training valuable and relevant to participants from both civil code and common law jurisdictions. The Center's host law school, Tulane, is internationally recognized for its comparative legal studies, maintaining both common law and civil code scholars on its faculty and in its environmental and maritime law programs. The Library has a collection of more than

560,000 volumes in print and other equivalents, including standard sources on U.S. federal and state law; foreign, international, and comparative law; legal commentary on a variety of topics; civil law, maritime materials, and resources of other disciplines of interest to legal researchers. In addition, state-of-the-art video and computer resources are available 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. 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.