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**President's Letter
October 2012**

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Dear Deans of law faculties,
Dear representatives of the ELFA faculty members,
Dear friends of our organization,

The new Board of the European Law Faculties Association has been in charge since March of this year. Together with my fellow Board Members José María de Dios Marcer (Universitat Autònoma de Barcelona), Laurence Gormley (University of Groningen), Halûk Kabaalioglu (Yeditepe University Istanbul), Věra Kalvodová (Masaryk University) and Anne Klebes-Pélissier (University of Strasbourg) I have since taken a number of steps in order to quickly solve several of the problems discussed at the General Meeting in Madrid and in order to initiate a number of new long-term projects for ELFA. After some six months in this position I would like to take this opportunity in this mid-term report to provide you with further information. I would be very pleased to receive, as quickly as possible, your opinion on these activities, your criticisms and your suggestions for further steps that could be taken. In so doing the Board can discuss your views and suggestions and implement possible improvements or additional measures over the course of the next six months.

I. Communication with ELFA Members, other organizations and public institutions.

Over the past months an important task was to improve the communication between the Board and ELFA members as well as the communication with law faculties that are not presently members and also with other organizations and public institutions that are occupied with matters that not only concern legal teaching and research but also the legal profession. What use are our intensive discussions and convincing resolutions adopted at the General Meetings if we do not communicate these to such other associations and institutions – from national and European lawyers' associations to the responsible ministries and persons at national and European level? And could our resolutions passed at the General Meetings have lasting effect if they can be discussed in detail beforehand and afterwards at our member faculties and if other law faculties can also be informed thereof? In order to prevent the present deficits in this respect I have arranged with our secretariat that, since spring of this year, the "ELFA News" is to be sent electronically on a regular basis to our member faculties, to other faculties and to a broad circle of other interested parties. The "ELFA News" reports on a monthly basis (with a pause during the summer) on ELFA's activities – not just with respect to the resolutions that have been passed but also with respect to other events and projects and the Board's current activities. It is available to all member faculties in order for them to make suggestions and give ideas for further activities, to announce projects of general interest or to publish matters concerning the next General Meeting. It would give me great pleasure if this new forum were used intensively by all members (alongside the established forum of our homepage www.elfa-afde.eu).

II. Administrative matters.

The difficult problems that arose in relation to the secretariat (as reported at the 2012 Annual General Meeting in Madrid) have been resolved. As ELFA secretary, Miss Nuria Muñoz is now responsible for the day-to-day matters. She is available for all queries from members or other interested parties (nmmunoz@pa.uc3m.es, 0034-916249797). In addition, Miss Bárbara Díaz Arroyo and Mrs Miriam Boehm, who are based in Münster, Germany, provide support to the Board.

III. Results of the AGM in Madrid.

In accordance with the new concept, which the Board developed last year, the General Meeting in Madrid was not just concerned with the general topic "Unity of Research and Teaching". Instead, great interest was attracted by the three panels which took place on specialist subjects: "Private Law", "Public Law" and "Legal Clinic". A considerable part of the contributions to the General Meeting are now available in an extended written version on our homepage (<http://elfa-afde.eu/annual-general-meeting/agm-madrid-2012/programme/>). Furthermore, the resolution adopted at this year's General Meeting has been sent to a number of interested parties (to the same extent as the ELFA-News, see above). In addition, other Board Members and I have held meetings with representatives of the European Commission and of other organizations during which we drew upon the significance of this topic as well as the subject of next year's congress (see below).

IV. ELFA-Award.

As I announced in Madrid at the General Meeting, a prize will be awarded by ELFA for the best Ph.D thesis in the field of European law (for further information see www.elfa-afde.eu/elfa-award/). The announcement of this award to all law faculties in Europe and further institutions should encourage young scholars to work in those fields in which the European law faculties dedicate teaching and research resources and, at the same time, create more awareness of ELFA. The request for submission has received a positive response; further information on the theses that have been submitted will be given in the next "ELFA News". A jury composed of renowned scholars will take on the task of evaluating the submitted theses. The jury members are: Prof. Dr. Vlad Constantinesco (University of Strasbourg), Prof. Dr. Rafael Illescas Ortiz (Charles III University of Madrid) and Prof. Stephen Weatherill (University of Oxford); the coordination of the jury is conducted by Board Member Laurence Gormley. The award will be given at a public ELFA event, which is being organized by Board Member Anne Klebes-Pélissier and is likely to take place in Strasbourg in May 2013.

V. Cooperation with the American Law School Associations.

The General Meeting in Madrid placed particular emphasis on the cooperation with the "Association of American Law Schools" (AALS) and the "Southeastern Association of Law Schools" (SEALS). Since the adoption of the resolutions in Madrid I have discussed and substantiated these resolutions in person with the SEALS President, Prof. Patrick Hugg and with the AALS Executive Director, Prof. Susan Westerberg-Prager.

In particular, an exchange of teaching staff between ELFA members and SEALS members was agreed upon. In the meantime the corresponding electronic forum has been initiated and is already in use. I would like to ask that member faculties draw their staffs' attention to this possibility and to develop the use of this opportunity (<http://elfa-afde.eu/exchange-programme/>).

During the meeting with the AALS it was agreed that the respective ELFA and AALS annual conferences should continue with the exchange of views concerning the challenges for law faculties and law schools, respectively. In so doing, particular attention shall be paid to the problems experienced on each side of the Atlantic regarding the maintenance of the level of legal education in light of limited public resources and with respect to the unity of research and teaching. For this purpose the next annual congresses of each organization shall, if possible, incorporate joint sections or panels (involving representatives from each organization).

VI. Structures.

A further important question with which the Board has been occupied with over the past six months concerns the possible improvements to the structural framework of our activities. Experience from past years has shown in different forms that the discontinuation in the Board and in the ELFA presidency can lead to considerable disadvantages. Our articles of incorporation provide that the Board Members have tenure of four years and that the President is elected on a yearly basis. These short periods can lead to a lack of experience in relation to particular tasks or establishing contacts or that long-term plans and projects are not realized.

With respect to the length of the tenure of Board Members, at the next General Meeting the Board will propose a change to the articles of incorporation (as I announced at the last General Meeting in Madrid): After the four year Board membership a one-time extension of a further two years to Board membership shall be permitted. In so doing a degree of continuity can be established for at least six years. Where the presidency is concerned, the Board has received a suggestion from an ELFA member that this should also be extended. However, the Board favours a solution which is not as extensive and which would not involve a change to the articles of incorporation: At the end of the presidency, the previous President should provide advice and support to the new President and the Board (either in the form that the past President is elected as a Board Member for a two year period or that the past President is active in an advisory capacity though not as a member of the Board).

I would like to ask each of you to inform us of your opinion on this matter and to communicate your further ideas and suggestions as to how the structure of our activities can be improved. It would be very helpful if such views could be sent to us over the coming weeks so that they can be presented for discussion in the "ELFA News" in good time prior to the next General Meeting and, if necessary, to allow for decisions to be made at the next General Meeting on the basis of a prior intensive discussion.

VII. "Unity of Research and Teaching" – the next Annual General Meeting.

Discussions with member-faculties, with legal practitioners and with administrative staff from a number of universities have shown that a current, considerable challenge for law faculties is emerging in the threat of restriction or division of their traditional functions. In a number of countries – above all in several of the former communist nations – there is indeed an increase in the number of law schools; however, these schools are in part limited to legal teaching without linking this to legal research and without guaranteeing a high level of teaching through the participation of scholars experienced in legal research. Furthermore, it appears that there is also a tendency in other countries that public funds for law faculties are lacking and/or the responsible political institutions are more interested in a greater number of students than in an education on a high academic level. Alongside this one can observe that there is an increase in the number of institutions – mostly of a private, commercial nature – whose focus is on offering individual elements within the traditional scope of a law faculty, but on a commercial basis (for example a specialized education in a particular area of law or the possibility to obtain a Doctor iuris / Ph.D, though without a complete study of the law). These developments are to be discussed and considered in relation to the profile and the self-image of law faculties in Europe.

The ELFA Board has therefore decided to make this topic of central focus in its future activities. Thus the general theme of the next General Meeting, which is to be held from the 14–15 March 2013 in Münster (Germany), is “Unity of Research and Teaching”. A provisional programme for the next General Meeting will be sent over the course of the coming weeks.

I am already looking forward to our meeting and discussions in Münster and it would give me great pleasure to receive beforehand as many comments and suggestions to the topics discussed above and to all other further questions that are relevant for the European Law Faculties Association.

Münster, 23rd October 2012



Reiner Schulze