

A TEACHING EXPERIENCE IN MÉXICO

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I have had the opportunity to teach Law classes for more than five years to different generations of students of the Law School, Business and Marketing School, and Business and Finance School of the Universidad Panamericana in Guadalajara, Mexico. Each class has had its own characteristics, but I have learned more than I could possibly imagine from each experience.

Being professor in front of a group of students forces one to update one's knowledge in the subject area and to continually be ready to solve the problems and questions that the students might have. One can never know what they will ask you and what level of knowledge will be required to answer any specific question.

As part of my academic formation, I had the opportunity to obtain a Master's of Law (LL.M.) from the University of Pittsburgh School of Law and that has allowed me, besides acquiring teaching methodology in different areas of the law, to have the opportunity to gain a global and complete vision of the practice of my profession, including my particular specialization in intellectual property law at the international level and to develop the way I teach my students. I have had the opportunity to experience two completely different legal systems and to take from them the best issues in order to offer my students a pedagogy system with improved characteristics. The result is classes with a higher academic level, including theory and practical issues, where the students pay attention, participate, and even have fun.

The present paper will be divided in two parts: my experience teaching law in business schools and teaching in law schools. The reason is that the techniques used are different as the profile and characteristics of the students who are taught are quite unique.

A) TEACHING LAW IN BUSINESS SCHOOLS

In Mexico, law students are not the only ones required to study law. The business schools have in their course of study legal subjects like constitutional

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law, labor law, commercial law, including commercial contracts, intellectual property, banking law, foreign investment, and consumer law, and civil law, including family law and civil contracts. The reason for this is that the students are better prepared to become professionals if, at the time they are seeking employment, they have basic knowledge in areas that are indirectly related to the practice of their profession.

For example, a finance director of a company, besides his purely business-related functions, needs to know his rights and obligations under the Mexican Constitution. Also, he will need to know the main clauses that a credit contract must have at the time his company forms a contract with a bank, or the benefits of hiring a person paid by commission, or opening an independent commission merchant. In all these cases, this finance director would most likely consult a lawyer that will explain to him his rights, obligations, benefits, and damages in each case. However, he will perform better if, as a professional, he understands what law will be applicable in each case, and the advice from legal counsel is correct.

In the case of students of business administration and marketing, their careers are usually related to copyright and intellectual property law, which is why offering basic knowledge of those topics gives them a real competitive advantage in the marketplace, as they are in the position to offer more comprehensive services when dealing with these areas of law.

Teaching students with a business focus can be a personal and professional challenge because one as a lawyer can have a completely different mental structure. The classes on legal subjects have to be complete, practical, dynamic, and focused directly on their profession, and should include theory and fundamental topics, but should not be as complex as if being taught to law students. Most of the business students enter the course asking themselves why they are required to study and pass the subject in order to graduate. They believe that the course will be completely theoretical and that it has no connection to their profession. In most cases, the students are not wrong, as many law professors in the business school are bored and teach the classes on a completely theoretical level.

In contrast to those professors, and because I had the experience of being taught by professors at the University of Pittsburgh School of Law, where the classes are practical and based on real cases, and where the theoretical principals are learned and extracted from the resolutions of those cases, I have introduced in my classes a completely new teaching dynamic. This dynamic includes a brief theoretical reference to law concepts that the students should know and understand for each topic. Those concepts are exemplified with a practical case focusing on their profession or in light of how they will have to

deal with and resolve the issue in their profession. In classes we introduce a topic and later on we propound a problem, the resolution of which is based in the theoretical concepts that they should know.

In the Panamerican University, we have four evaluations per semester. Three of them are monthly and will average 50% of the semester grade for a student. The other 50% is a global evaluation at the end of the semester. From my point of view, this number of evaluations is acceptable as the schedule requires the students to study throughout the semester and not just for their next class, hopefully avoiding a heavy load of studying at the end of the semester. Evaluations of my students are divided in two parts: The first part is completely theoretical, while the second one requires students to solve legal problems presented from a businessperson's point of view.

Using this type of teaching method in the business schools has given me significant professional satisfaction as the students seem to truly enjoy and value the knowledge they acquire. In fact, at the end of the course, many express a desire to explore the possibility of majoring in law, while others marvel that they will remember a law class as one of the best in their schools.

B) TEACHING LAW IN LAW SCHOOLS

I had the opportunity to be invited as a professor of law in corporate law, an area I truly enjoy. In the Universidad Panamericana, the subject of corporate law includes the topics of intellectual property, copyright, foreign investment, and consumer protection. Most of the professors in the Law School use a teaching system where the classes are based on the exposition of theoretical concepts. Occasionally the students bring questions from a real case. However, most students complain that these classes make even interesting topics boring and say that they find it hard to concentrate. Also, many students, after joining the workforce, discover that the classes failed to adequately prepare them for the task of applying the theoretical knowledge they gained in classes to practical situations.

Most of the teachers do not require students to study before their classes and because of that, most of the students arrive at their classroom not even knowing the topic for discussion that day. Consequently, student performance and knowledge is low, as well as classroom interaction and discussion. My personal experience as a student in Mexico gave me the feeling that law schools were missing more practical professors, and more should be demanded of students in the classroom and not just during the evaluation period.

Following the opportunity I had to pursue my LL.M. at the University of Pittsburgh, and with the great professors I had there, I decided to return to my home city and seek to change some of the structure and the dynamic of teaching in modern law schools, taking practical concepts that I had enjoyed during my time at Pitt Law and applying them to theoretical concepts used in the system of law schools in Mexico.

The method I use in my courses begins with the distribution of a written syllabus to the students in the class. Students are then asked to study prior to each class the topic that the professor will discuss that day. At the beginning of class, at least five students are orally evaluated from the topic studied in the previous class and the topic that will be studied during the current class. Also, at least once per month, I evaluate the students with a surprise test that will be part of their monthly grade. This forces students to study every day and raises the level of learning and understanding of each topic presented throughout the course.

Each class begins with the theory of the law, as I believe that it is very important that each student know and understand the concepts that will form the basis of their profession. At the end of this theoretical exposition, there is an illustration with a real or hypothetical case, which has to be solved at the moment for one or more students. Teaching with this method allows each student to have both the theoretical basis needed to understand the law and the practical tools necessary to perform successfully in their professional life and be competitive with other lawyers.

My in-class evaluations measure two different abilities for each student. The first part tests the theoretical knowledge of the student and permits no outside assistance from any source, such as books, codes, or computers. This ensures that key theoretical elements are clearly understood by the students. The second part of the exam is the resolution of real or hypothetical cases where the students may use any tool except for interaction with each other. This second part sometimes involves more than one topic and helps students to shape a mental structure that a lawyer needs in the exercise of their profession.

The application of this system has resulted in higher grades, students that enjoy being in class and participating, and students that become lawyers well-trained in the area of law studied in class. I enjoy this new system of teaching and the results it has on my students' performance. I remain convinced that a careful balance of teaching systems from the U.S. and Mexico makes for a good class. I have seen the results in myself and in my students' performance.