# How I See the World

## Significant Exposures + Experiences
experiences, places, people which have influenced my worldview

## My Culture
My thoughts (good and bad)

## Other Cultures
My thoughts (good and bad)

## My Support Structure

## How I See Myself

Write things that have influenced you over the years (travel, non-travel, life experiences, etc).

Family, work, friends, community, religion, etc.

Can also provide why you might have those thoughts (exper./exposures)
Smooch, Curtsey, or Fist-Bump

Cultural Awareness in Our Day-to-Day Interactions
In the Program Today, participants will...

1. engage in a discussion about news trends in education (undergrad and law) as well as how that will impact the broader legal profession &

1. will learn techniques for maximizing interactions and communication between themselves and people from other cultures (through teaching and business).
I. Setting the stage - Diversity FACTS & TRENDS

In 2015/2016, the number of international students in the U.S. increased by 7.1% to 1,043,839 students totalling >20 million in U.S. Higher Education Institutions.

In 2015/2016, there was a 7.1% increase of int’l students within undergraduate degrees; 6% increase at the graduate degree level.
## What countries are these students representing?

<table>
<thead>
<tr>
<th>World TOTAL</th>
<th>2014/15</th>
<th>2015/16 % of total</th>
<th>% change</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 China</td>
<td>304,040</td>
<td>328,547</td>
<td>31.5</td>
</tr>
<tr>
<td>2 India</td>
<td>132,888</td>
<td>165,918</td>
<td>15.9</td>
</tr>
<tr>
<td>3 Saudi Arabia</td>
<td>59,945</td>
<td>61,287</td>
<td>5.9</td>
</tr>
<tr>
<td>4 South Korea</td>
<td>63,710</td>
<td>61,007</td>
<td>5.8</td>
</tr>
<tr>
<td>5 Canada</td>
<td>27,240</td>
<td>26,973</td>
<td>2.6</td>
</tr>
<tr>
<td>6 Vietnam</td>
<td>18,722</td>
<td>21,403</td>
<td>2.1</td>
</tr>
<tr>
<td>7 Taiwan</td>
<td>20,993</td>
<td>21,127</td>
<td>2.0</td>
</tr>
<tr>
<td>8 Brazil</td>
<td>23,675</td>
<td>19,370</td>
<td>1.9</td>
</tr>
<tr>
<td>9 Japan</td>
<td>19,064</td>
<td>19,060</td>
<td>1.8</td>
</tr>
<tr>
<td>10 Mexico</td>
<td>17,052</td>
<td>16,733</td>
<td>1.6</td>
</tr>
</tbody>
</table>

Seven (7) of the top 10 countries (~60%) are from Asian/Middle Eastern countries!
Top Places of Origin for Int’l Students

The student population from India has increased by 27.1% in the last year.

The biggest increase of any country.
**Schools Welcoming these Int’l Students**

Might have a university-wide diversity initiative, could impact law schools and law alumni (or students seeking employment/internships from these schools).

Note: most are here on personal/family funding (67%). Remaining – university, foreign gov’t, or employer

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**TOP U.S. INSTITUTIONS HOSTING INTERNATIONAL STUDENTS, 2015/16**

<table>
<thead>
<tr>
<th>Rank</th>
<th>Institution Name</th>
<th>City</th>
<th>State</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>New York University</td>
<td>New York</td>
<td>NY</td>
<td>15,543</td>
</tr>
<tr>
<td>2</td>
<td>University of Southern California</td>
<td>Los Angeles</td>
<td>CA</td>
<td>13,340</td>
</tr>
<tr>
<td>3</td>
<td>Arizona State University - Tempe</td>
<td>Tempe</td>
<td>AZ</td>
<td>12,751</td>
</tr>
<tr>
<td>4</td>
<td>Columbia University</td>
<td>New York</td>
<td>NY</td>
<td>12,740</td>
</tr>
<tr>
<td>5</td>
<td>University of Illinois - Urbana-Champaign</td>
<td>Champaign</td>
<td>IL</td>
<td>12,085</td>
</tr>
<tr>
<td>6</td>
<td>Northeastern University - Boston</td>
<td>Boston</td>
<td>MA</td>
<td>11,702</td>
</tr>
<tr>
<td>7</td>
<td>University of California - Los Angeles</td>
<td>Los Angeles</td>
<td>CA</td>
<td>11,513</td>
</tr>
<tr>
<td>8</td>
<td>Purdue University - West Lafayette</td>
<td>West Lafayette</td>
<td>IN</td>
<td>10,563</td>
</tr>
<tr>
<td>9</td>
<td>Boston University</td>
<td>Boston</td>
<td>MA</td>
<td>8,455</td>
</tr>
<tr>
<td>10</td>
<td>University of Washington</td>
<td>Seattle</td>
<td>WA</td>
<td>8,259</td>
</tr>
<tr>
<td>11</td>
<td>Michigan State University</td>
<td>East Lansing</td>
<td>MI</td>
<td>8,256</td>
</tr>
<tr>
<td>12</td>
<td>University of Texas - Dallas</td>
<td>Richardson</td>
<td>TX</td>
<td>8,145</td>
</tr>
<tr>
<td>13</td>
<td>Penn State University - University Park</td>
<td>University Park</td>
<td>PA</td>
<td>8,084</td>
</tr>
<tr>
<td>14</td>
<td>University of Michigan - Ann Arbor</td>
<td>Ann Arbor</td>
<td>MI</td>
<td>7,630</td>
</tr>
<tr>
<td>15</td>
<td>University of California - San Diego</td>
<td>La Jolla</td>
<td>CA</td>
<td>7,556</td>
</tr>
<tr>
<td>16</td>
<td>University of California - Berkeley</td>
<td>Berkeley</td>
<td>CA</td>
<td>7,313</td>
</tr>
<tr>
<td>17</td>
<td>Indiana University - Bloomington</td>
<td>Bloomington</td>
<td>IN</td>
<td>7,159</td>
</tr>
<tr>
<td>18</td>
<td>Ohio State University - Columbus</td>
<td>Columbus</td>
<td>OH</td>
<td>7,117</td>
</tr>
<tr>
<td>19</td>
<td>Carnegie Mellon University</td>
<td>Pittsburgh</td>
<td>PA</td>
<td>7,051</td>
</tr>
<tr>
<td>20</td>
<td>University of Minnesota - Twin Cities</td>
<td>Minneapolis</td>
<td>MN</td>
<td>7,037</td>
</tr>
</tbody>
</table>

OpenDoors Institute of International Education, 2016

“Fast Facts”
II. In Law Schools...

No significant change in J.D. enrollment #s.

<table>
<thead>
<tr>
<th>2016 1L Matriculants</th>
<th>2015 1L Matriculants</th>
<th>% Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>37,107</td>
<td>37,071</td>
<td>+0.1%</td>
</tr>
</tbody>
</table>

2016 JD/Non-JD Enrollment Data, American Bar Assoc., 2016

57 LL.M. programs for international students!

LLM program enrollments nationwide have been consistently growing. International Law represents one of the largest, fastest-growing, and most frequently offered legal fields at the master’s level. + programs for foreign lawyers.

J.D. (international students)

2-year J.D. (A.J.D.)

LL.M.

Non-J.D. Masters (E.g. Masters of the Study of Law)

Certificate Program (other revenue building programs)

III. The broader Global America

Students only make up ~3.5% of our global visitors -- partners in business make up a more significant %. Law firms, included, clients and other partnerships.
Post-Graduation...

More international law school graduates hitting the market

- need additional services in law school (curriculum support, writing/research TAs, ESL teaching training)

- greater training opportunities for U.S. citizens inside and outside of law school on how to meet diverse needs
  
  - E.g. Senior Ref. Librarian born in S.C. working with Jr. Associate born in Brazil = more opportunities for working across differences

- greater int’l practice in general
ABA’S RESPONSE TO GROWING DIVERSITY

ABA wants more diversity in the legal profession:

1. The Democratic rationale - creates greater trust in gov’t and law;

2. The Business Rationale - clients expect/demand lawyers who are culturally and linguistically proficient;

3. The Leadership Rationale - the profession must be broadly inclusive and accessible to all;

4. The Demographic Rationale - “the census bureau projects by 2042 the United States will be a ‘majority minority’ country.”

Employer/Law Firm Demands re: Globalization

“Students need to think globally and lead inclusively”

“Few US students with global perspective or even an appreciation for the cultural differences that exist in the US, much less around the world”

“Urgent to get beyond the walls of your schools”
WHAT PORTION OF YOUR WORK IS INTERNATIONAL OR FOR FOREIGN CLIENTS?

Lentz, SEALS presentation, 2014

3 Years in Practice (4538 responses)
- No international work: 52.9%
- >50% of work: 43.5%
- <50% of work: 3.5%

7 Years in Practice (4538 responses)
- No international work: 55.0%
- >50% of work: 40.6%
- <50% of work: 4.4%
IV. Let’s do it!

1. Handshakes around the world
   Dissonance?

2. Is it cultural?

Features of Culture: greetings; fairness; expressions; personal space; politeness; timeliness; family; gender

3. Suggested strategies
Handshakes and Greetings

1. What did you notice was different? (Describe what was different)

2. How did it make you feel? (Interpret those differences)

3. How do you think someone from that culture would feel with a U.S. handshake? (Empathy)
One of your LL.M. students from China seems to be having an extremely hard time following what is going on in class, but will never come to your office hours to ask questions, and never asks a question during class, despite your encouragement. Mostly you observe she sits quietly in class, taking notes, but often has a confused look or furrowed brow. Why won’t she simply ask you a question to clarify or engage independently in the class discussion?

Cultural Awareness Tip – sometimes in Chinese culture, asking questions shows a lack of independence but also may include “shyness, influences of Chinese traditions, fear of making mistakes, derision from classmates, ignorance of learning material, and not wanting to interrupt the lesson.”


Strategy – have all the students write down one question they have, at the end of class, turn it in as they leave (“exit ticket”). Make it a routine and part of the class environment to ask questions freely. Pair -- Share activity.
## Rhetorical Preferences

<table>
<thead>
<tr>
<th>Rhetorical preferences</th>
<th>U.S. Legal Writing</th>
<th>Chinese</th>
<th>Japanese</th>
<th>Korean</th>
<th>Arabic</th>
<th>Romance languages</th>
</tr>
</thead>
<tbody>
<tr>
<td>Directness</td>
<td>Writers are expected to be direct and candid with their readers (exception: do not write a brief ordering a judge to take an action – use passive voice). <strong>Note:</strong> Legal writing avoids first person (I; we) in legal memos and briefs.</td>
<td>While Chinese writers may give examples, the preference is to stop after listing examples; the reader is expected to <strong>draw</strong> connections and the inevitable conclusion.</td>
<td>Japanese writers imply or allude to but do not explicitly state the point; directness is equated with brashness. Making a point indirectly or hinting at meaning is considered a sign of intelligence and sensitivity.</td>
<td>Korean writers rarely use direct persuasion and explicit description. Criticism is often hidden in metaphors.</td>
<td>Arabic writers expect readers to &quot;read between the lines&quot; and draw appropriate conclusions on their own.</td>
<td></td>
</tr>
</tbody>
</table>
A student in your class (or new firm associate) keeps answering and asking questions, often blurting out his comment before the professor or other students have had a chance to speak. He dominates class discussion and seems unaware of the impact his quantity and manner of interjecting have upon the group.

Cultural awareness tip:

The student may need to become aware of his behavior and cultural differences before developing the capability to manage emotions in order to override his cultural programming to become more effective & appropriate interacting with others.

Strategies: 1. Film class & review; 2. Assign roles (recorder, speaker); 3. Pass a physical totem between students. ASK: are you making value judgments based on your cultural norms?
After orientation, you begin conferences with each of your students to talk through their seminar paper topics. Upon the start of each of your conferences with your three students from Korea, you receive presents from them (one a small coin purse, one a box of Korean candy, and one a pencil case from Korea). You are unaccustomed to gifts and students. You respond with thank you, but are unsure if this is culturally correct.

Cultural Awareness Tip: These gifts are seen as a means of showing appreciation and respect for “hosting” the meeting. Given (handed over) with two hands.

The exchange of gifts is an important part of Korean life, closely linked to showing respect, keeping good kibun (mood or feeling of being in a comfortable state of mind), and being courteous.

Strategy: Say thank you, but don’t open it immediately. Note: some institutions frown upon gift giving and if you feel this gift receiving constitutes a conflict of interest, please politely decline to accept the gift and explain the U.S. company/university policy.
A student is speaking with you in a meeting or in class and you cannot comprehend what she is saying, as it does not seem responsive. You feel frustrated, embarrassed, and are aware of time passing.

Cultural awareness tip:

Many cultures prefer digression, multiple perspectives and sharing opinions to presenting concise, direct answers, especially when speaking to a teacher or scholar.

Strategies:

Culture: Re-Define the audience (other than the teacher); review U.S. Legal cultural preferences and rationale

Language: rephrase using different signals or content, or have another student rephrase the question. Address the difficulty of translation as a teaching moment and brainstorm strategies.

Pause: stop your own automaticity, frame shift, choose to see and hear another way
For adult ESL learner, grammar is last step in language acquisition

Cultural Awareness Tip:
1. Formal v. informal register;
2. Age when learned formal writing (v. age, context for spoken communication);
3. Specific register for academic discipline and genre of writing

Strategies:

Cognition: design assignment with specific tasks, scaffolding, project management with formative feedback

Grammar: analytical and cognitive difficulties impact grammar. Elect how to respond to writing; consider scoring cognition separately from correctness to distinguish idea from polish; limit comments; prefer metalinguistic commentary to line editing

#5 This paragraph has great content & shows understanding - but where are the sight words (no - “the” “A” “in” “of”).
V. GOING BACK OUT INTO THE DIVERSE WORLD

A. **Educator Check-In on Culture: “How am I doing?”**
   a. What are you currently doing in your classroom to improve cultural diversity and awareness?

B. Incorporating cultural competency in learning objectives.

C. Law firms? What additional needs do you foresee?
Generating learning outcomes

Develop an understanding of
1. international norms, including those in treaties and customary international law;
2. the law and practice of international organizations and tribunals; and,
3. the relationship between international law and domestic (primarily U.S.) law
4. The intercultural competencies to cross differences