PROFESSOR DAN SIMMONS, Chair  
Graduate Group in International Commercial Law

RE: Approved Bylaws – Graduate Group in International Commercial Law

The Courses and Bylaws Sub Committee has completed their review of the revised bylaws for the Graduate Group in International Commercial Law, submitted on May 12, 2004. Graduate Council considered and approved these bylaws at their March 28, 2005 meeting contingent upon the following revisions being made to: Article V. Committee.

- Article V. Committees, #2: Insert the words “at least” to read: “Each Fall, at least one member will be elected for a three-year term”.

We received notification from you on August 1, 2005 that the requested revision was approved by the faculty. Attached is a copy of the Committee’s March 21, 2005 memo to Council outlining their review of the bylaws and recommendation for approval; and a copy of the bylaws reflecting Council’s approval date. An electronic copy of approved bylaws will be forwarded to you and should be used for future revision.

Your bylaws will be posted on the Graduate Council web-site. We encourage you to add a link on your program’s web site to Council’s bylaws page at http://gradstudies.ucdavis.edu/gradcouncil/bylapproved.htm. This link will allow easier access to the bylaws for the faculty and students of your graduate program.

Sincerely,

Trish Berger, Chair  
Graduate Council

/kg

cc: Kathy Garcia  
Evan Watkins  
Lee Wilce

Enclosure (2)
March 21, 2005

PROFESSOR TRISH BERGER, Chair
Graduate Council

RE: Bylaws – Graduate Group in International Commercial Law

In May 2003 the bylaws for the Graduate Group in International Commercial Law were submitted for review. The Bylaws sub-committee reviewed the bylaws and forwarded a memorandum to Professor Daniel Simmons, on May 12, 2004. Amended bylaws were submitted on March 8, 2005.

The Group was asked to clarify membership criteria, the process for the appointment of the Group Chair, duties and makeup of committees including term of service and student representation on committees, and quorum.

The Bylaws sub-committee has approved the bylaws as amended and submits them to Graduate Council for their final review and approval.

Sincerely,

Evan Watkins, Chair
Courses and Bylaws Committee

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Enclosure
Graduate Group in International Commercial Law Bylaws

Administrative Home: School of Law
Revision Dates: 3/6/03, 11/04/04, 03/07/05
Graduate Council’s Approval Date: March 28, 2005
(Approved contingent on minor revisions. Revision made and approved August 1, 2005.)

Article I: Objective

Discipline and Degree

The Graduate Group in International Commercial Law (hereinafter referred to as the Group) is organized primarily to establish and administer graduate teaching leading to an M.A. degree in International Commercial Law, in conformance with the rules of the Office of the Graduate Studies of the Davis campus of the University of California.

Mission of the Program

The part-time, self-supporting program in international commercial transactions is designed to provide domestic and foreign lawyers with the theoretical and practical knowledge that they need to practice law and assist businesses and clients involved in such transactions. The commercial world has become increasingly internationalized over the past 20 years. International business ventures between parties are now commonplace. Lawyers facilitating these transactions, and advertising business undertaking them, must have knowledge of different legal environments and a working familiarity with the substantive and procedural law in the jurisdictions in which the transactions take place. They must also understand business aims and methods. Those who undertake the M.A. will acquire this necessary knowledge that will result in their becoming more effective international practitioners as they serve the interests and needs for their domestic and international clients.

Graduate Group Description and Scope

The Group is responsible for establishing standards and requirements for the M.A. degree in International Commercial Law, facilitating research interaction of graduate students and faculty, and certifying satisfactory completion of the research/writing requirement for the M.A. The Group includes faculty members from the School of Law, the Graduate School of Management, the Departments of Economics and Agricultural Economics and University Extension at UCD as well as faculty members from other educational institutions of higher education. The function of the Group will be to arrange periodic meetings of Group members, provide a forum for members and others interested in international commercial law, and represent the international commercial law students to the University administration and other academic groups.
Article II: Membership

Membership Criteria

1. Membership in the Group shall be consistent with Graduate Council Guidelines. The Graduate Group shall consist of faculty from the Academic Senate, adjunct faculty and Academic Federation members, and other University of California faculty who hold equivalent academic titles.

2. New members are nominated by current Graduate Group members or by self-nomination. The nominee will submit a complete curriculum vitae which will be reviewed by the Executive Committee for completeness and compliance with membership requirements and appropriate expertise.

   a. Membership applications will be evaluated on demonstrated expertise and training in international commercial law and affiliated areas, evidence of scholarly activity relevant to international commercial law, and active research in the discipline of law.

3. The Executive Committee shall approve the application by a majority vote before submitting it to a mail ballot of the membership.

4. Admission to the Group shall be determined by a majority vote of all active members.

5. The Associate Dean of the School of Law is a member of the Graduate Group, ex officio.

Membership Renewal

1. Continuation of membership requires review on a three-year cycle, with one third of the membership reviewed each year.

2. Graduate group members are expected to make contributions in any of the following ways in order to maintain their membership status and qualify for renewal:

   a. Take an active role in the administration of the graduate program by serving on administrative committees, serving as a graduate adviser, or serving as an administrative officer of the program. 
      or
   b. Provide graduate level instruction and mentorship. 
      or
   c. Serve as a student mentor or reviewer of student research papers 
      or
   d. Maintain active research appropriate to the discipline of law.

3. The Executive Committee may, by a 2/3rds vote, terminate a member who does not contribute.
4. If a person is denied membership or if a current member is denied active status, he or she may appeal to the Executive Committee. Final appeal may be made to the Dean of Graduate Studies. The member will be notified of the appeal outcome by mail.

5. Membership may be terminated upon request of the member.

**Emeritus Status**

Members of the Group who succeed to emeritus status within their department may remain full voting members of the Graduate Group.

**Article III: Organization and Administration**

The administration of the program and its activities will be vested in an Executive Committee consisting of five members and chaired by the Graduate Group Chair.

**Article IV: Graduate Group Chair**


A “Nominating Committee” will be named by the Executive Committee or Chair to solicit the names of nominees for Graduate Group Chair from the faculty and graduate students of the group. The names of the nominees willing to serve will then be submitted to the Group’s faculty and graduate students for comments. All comments will remain confidential.

The Nominating Committee will forward two names to the Dean of Graduate Studies along with all commentary received. The group may express a preference and, if it does, should indicate the basis for that preference. After interviewing the nominees, the Dean of the Graduate Studies will forward his/her recommendation to the Chancellor. The normal term of the Chair’s appointment is three years, however what is recommended will be based on the nominee’s willingness to serve.

The Chair shall be the chief officer and spokesperson for the Group and for the Executive Committee. The Chair shall call and preside over the meeting of the bodies; shall appoint, with the approval of the Executive Committee, standing committees and special committees; and shall maintain liaison with appropriate groups on the Davis campus and other campus.

The Vice Chair will be nominated and approved by majority vote of the Executive Committee. The Vice Chair will assume the duties of the Chair in the Chair’s absence from campus for less then a quarter. In the event of the Chair’s absence for an extended period of time (i.e., for a quarter or more) an Acting Chair will be appointed by the same process as the appointment of a Chair.
Article V: Committees

Executive Committee

1. The Executive Committee shall consist of six members: The Group Chair and five members from the Group with at least one member from the School of Law.

2. Each fall, at least one member will be elected for a three-year term.
   a. Nominations shall be either by mail or from the floor at the regular meeting of the Group in the Spring Quarter. Elections shall be conducted by mail ballot.
   b. Each member of the group shall vote for not more than the number of positions to be filled without weighting of choice.
   c. The candidates receiving the most votes will be declared elected. Ties will be resolved by lot.
   d. Election results shall be mailed to the members of the Group within 15 working days.
   e. The elected member shall assume his/her duties immediately upon notification.

3. The principal duties of the Executive Committee shall be to guide and counsel the Chair on matters of policy and administration of the Group, consistent with policies and requirements of the Office of Graduate Studies, the Graduate Council and of the University.

4. The Executive Committee shall meet once in the fall and once in the spring.

Committee on Admissions

1. The Committee on Admissions shall consist of the Graduate Group Chair and the Graduate Advisor. The function of this committee is to review applications and offer admission to qualified applicants. Members will serve three-year renewable terms.

Committee on Educational Policy

1. The Committee on Educational Policy shall consist of four members – two from the Executive Committee and two from the Committee on Admissions. The function of the Committee on Educational Policy will be to take whatever action is necessary on behalf of the Group during the year to define and implement the program leading to the M.A. in International Commercial Law. Specifically, the functions of this committee shall include considerations of course offerings in International Commercial Law and related disciplines, review of admissions requirements, and review of advising policy. The term of office shall be three years.

3. Change in the degree requirements must be approved by a majority vote of the Group and submitted to Graduate Council for review and approval before implementing the changes.
Article VI: Student Representatives

Students are in residence only during the summer months. Since Committees do not meet at this time, it is not practical to include student representatives.

Article VII: Graduate Advisers

1. Graduate Adviser appointments will be made in accordance to the Office of Graduate Studies and Graduate Council’s policies and procedures.

2. The Graduate Adviser acts as the student’s first source of academic information and provides assistance with the details of particular graduate programs. The Adviser must evaluate that the student’s academic program is acceptable under existing requirements. The Graduate Adviser will serve a three-year renewable term.

Article VIII: Meetings

The Graduate Group will meet annually. Other meetings may be called as frequently and for such purposes as desirable by the Executive Committee or by request of five faculty members of the Group. Notices of meetings must be distributed at least ten days prior to the meeting. Minutes of the meetings shall be distributed within ten days of the date of the meeting.

Article IX: Quorum

All issues that require a vote must be voted on by at least 50+ percent of the eligible members. Passage of proposals requires a minimum of 50 percent +1 of the members who actually vote. Voting may be by mail, email or faxed ballot. If via email or fax, a one-week time for expression of opinions about the proposal will be allowed prior to the acceptance of votes. Voting may be done at a meeting conducted by telephone or video conference.

Article X: Amendments

All amendments to these bylaws require approval of two-thirds of those voting in a mail, email or fax ballot. All amendments and revisions must be submitted to Graduate Council for review and approval.