13th Annual Conference on Legal & Policy Issues in the Americas
May 21-22, 2012
University of Buenos Aires Law School
Buenos Aires, Argentina

Monday, May 21
Noon-1 p.m.

Registration
Lobby and Foyer in Front of Magna Aula
University of Buenos Aires Law School

1-2 p.m.

Opening Session
Salón Azul
Welcome

Jon Mills, Dean Emeritus, Professor of Law & Director, Center for Governmental
Responsibility, University of Florida
Mónica Pinto, Dean, University of Buenos Aires law faculty
Jefferson T. Brown, Deputy Chief of Mission, Embassy of the United States of America
Elena Highton de Nolasco, Deputy Chief Justice, Supreme Court of Justice of Argentina
Jefferson T. Brown, Deputy Chief of Mission, Embassy of the United States of America
Stephen N. Zack, Boies, Schiller & Flexner, LLP, Miami, Florida; Immediate Past President,
American Bar Association

2-3:30 p.m.

Judicial Reform in Argentina

The Panel on Judicial Reform will discuss the issues of Judicial Independence and Court
Governance and Case Management.

Chair: Peter J. Messitte, U.S. District Judge, U.S. District Court, District of Maryland,
Greenbelt, Maryland
Elizabeth Jenkins, U.S. Magistrate Judge, U.S. District Court, Tampa, Florida
Luis María Cabral, Judge, Association of Judges and Judicial Officials of the National
Judiciary
Luis María Palma, General Coordinator of the National Judicial Management Commission,
Supreme Court of Justice of Argentina, and Dean of the School of Graduate Studies, University
of Belgrano
Stephen N. Zack, Boies, Schiller & Flexner, LLP, Miami, Florida; Immediate Past President,
American Bar Association

3:30-4 p.m.  Coffee Break

4-5:30 p.m.

Current Directions and Solutions in Mediation

This panel will explore important issues and ideas as mediation continues to evolve as a useful
process for legal system designers, judges, lawyers, and legal educators to master. Speakers on
this panel will explore: using mediation/conciliation to enhance “bottom up” access to justice for
low income citizens, victims of crime, and in low level community problems; the critical role
that empathy and its effective expression play in mediating all types of situations; educating
today’s and tomorrow’s lawyers to advocate effectively in mediating all types of situations; and
current issues in court-connected mediation in Argentina.

**Chair:** Don Peters, Professor of Law and Director Emeritus, Institute for Dispute Resolution,
University of Florida Levin College of Law

**Martha M. Peters,** Professor of Legal Education, Elon University College of Law, Greensboro,
North Carolina

**Gladys Stella Álvarez,** Professor, Libra Foundation, General Coordinator of the National
Access to Justice Commission, Supreme Court of Justice of Argentina, Retired Judge

**Damián Font,** Court Clerk, Supreme Court of Justice of Argentina

**Damián D’Alessio,** Professor, Libra Foundation, Buenos Aires, Argentina

5:30-7 p.m.

**Teaching Comparative Law**

Should we abandon the general Comparative Law Course in and outside of the United States? For
decades now, Comparative Law has been a separate, specialized course on many law schools in and out of the United States. The field developed strongly after World War II, promoted primarily by European expatriates. It became an increasingly popular course over the years, probably reaching the height of its popularity in the United States in the 1980s. Some law schools, such as the University of Florida Levin College of Law, even offer a certificate in International and Comparative Law studies that requires J.D. students to take Comparative Law. But, over the past decade or so, the General Comparative Law course has seen declining enrollments around the United States, as was discussed during the 2011 Conference of the American Society for Comparative Law held in Sacramento in October of that year. It is clear that this is now a national phenomenon, and this lead some in the comparative law community in the United States to question the need for the general course, arguing that comparative law is better taught in country-, region- or subject-specific courses. This panel, which has been discussing how best to approach the teaching of comparative law generally, will tackle this debate that has overtaken the comparative law community in the United States by asking: Is the general Comparative Law course that spread the field in United States law schools and produced several generations of U.S. comparativists past its useful life? Is this a phenomenon that is limited to the United States, or has it evolved similarly in other countries? If so, why, or why not?

**Chair:** Pedro Malavet, Professor; Director, LL.M. in Comparative Law Program, University of Florida Levin College of Law

**Daniela Vargas,** Professor of Law, Vice Dean, PUC-RIO, Brazil

**Nicolás Etcheverry Estrázulas,** Dean & Professor of Philosophy of Law, Ethics & Rhetoric, Law School, University of Montevideo, Montevideo, Uruguay

**Alberto Dalla Via,** Deputy Chief Judge, National Electoral Court and former Chairman of the Argentine Association on Comparative Law

7-8 p.m. Opening Reception at UBA law school
Tuesday, May 22
8-9 a.m.  Registration

8-9:30 a.m.

**Democracy and Privacy**

New technology has given rise to the “new media” with dramatic effect. This panel will explore the impact on traditional free press law and principles because of the emergence of the new media. The social impacts have been monumental, including widespread political communications in the Middle East that affected change in governments. The new media also circumvent many or all of the safeguards of the traditional media and can be less accurate and extraordinarily intrusive to personal privacy and dignity of individuals. These developments have consequences for individual liberty, free speech and democracy.

**Chair:** Jon Mills, Dean Emeritus, Professor of Law, & Director, Center for Governmental Responsibility, University of Florida Levin College of Law
**Sandra Chance,** UF Professor of Journalism & Communications, Attorney, Director, Brechner Center for Freedom of Information, University of Florida
**Julio E. Muñoz,** Executive Director, Inter American Press Association, Miami, Florida
**Adrián Ventura,** Journalist of “La Nación” Newspaper and Deputy Director, Masters on Judgeship, University of Buenos Aires Law School
**Roberto Saba,** Professor, University of Palermo Law School, Buenos Aires, Argentina

9:30-10 a.m.  Coffee Break

10-11:30 a.m.

**A U.S.-Argentina Income Tax Treaty: Prospects and Considerations**

The presentation and discussion will consider the possibilities and prospects for an income tax treaty between the United States and Argentina. Is it time to expand or modify the existing treaty networks in each country? There will be emphasis on the current state of U.S. tax treaty policies and of Argentinian tax treaty policies. The discussion will address topics that a U.S.-Argentina tax treaty would need to consider, such as qualification for treaty benefits, treatment of business and investment income, treatment of personal service income, foreign tax credits, nondiscrimination rules, and competent authority issues.

**Chair:** Michael Friel, Associate Dean and Director, Graduate Tax Program, Professor of Law, University of Florida Levin College of Law
**Ricardo Mihura Estrada,** Partner, Leverone & Mihura Estrada, Buenos Aires, Argentina
**Lawrence Lokken,** Culverhouse Eminent Scholar in Taxation Emeritus, University of Florida Levin College of Law
**Alberto Tarstano,** Professor of Law, University of Buenos Aires & Director of the Master’s in Tax Law Program, Catholic University, Buenos Aires, Argentina
**Antonio Figueroa,** University Professor (UBA, UNC, IEFPA, USM); Former Chairman, Group of Experts in International Tax Cooperation (ONU); Former National Tax Director (Argentina); Private Consultant, Buenos Aires, Argentina
**Alejandro Altamirano,** Professor & Director, LL.M. in Taxation Program, Austral University, Buenos Aires, Argentina
11:30 a.m.-1 p.m.

**Mercosur: Institutional Quality and Productive Integration**
This panel will discuss, based on the experience of building Mercosur, the issue of institutional quality and the efficiency of the rules adopted. In particular, presenters will examine the issue from the viewpoint of how they affect the development of transnational productive linkages among private firms established in member countries. *The panel is organized and sponsored by Universidad Nacional de Tres de Febrero, Buenos Aires, Argentina.*

**Chair:** Félix Peña, Director, Masters in International Commercial Relations, Universidad Nacional de Tres de Febrero, Buenos Aires, Argentina  
Welber Barral, Professor of International Trade Law, Instituto Rio Branco, Brasilia, Brazil  
Marcel E. Vaillant, Professor, International Trade, Department of Economics, Universidad de la República, Uruguay  
Mario A. Marconini, Executive Director, Brazilian Center for International Relations (Centro Brasileiro de Relações Internacionais) (CEBRI), Former International Trade Secretary, Ministry of Trade and Industry of Brazil  
Raúl Ochoa, Universidad Nacional de Tres de Febrero, Buenos Aires, Argentina  
Sandra Negro, Universidad Nacional de Tres de Febrero, Buenos Aires, Argentina

1-2 p.m.

**Speakers’ Luncheon (invitation only)**  
Sponsored by: Universidad Nacional de Tres de Febrero

*Lunch on your own for non-speaker conference participants*

2-3:30 p.m.

**Economic and Political Rumblings in the Southern Cone: China, Doha, CELAC, MERCOSUR Expansion**

The Panel and the audience will engage in a far ranging discussion of the trade and business policy issues that Argentina and MERCOSUR must deal with over the coming year or two. These issues range from the role of regional trade agreements in future trade negotiations, to the continuing role of China as an economic and political power in the sustained growth of the region, to the relationship between the WTO’s stalled Doha Round and MERCOSUR advancement, to Argentina’s status in negotiating bilateral investment treaties, to the effect on Argentina of reformation of international financial institutions in light of the 2008 worldwide recession.

**Chair:** Stephen J. Powell, Director, International Trade Law Program, University of Florida Levin College of Law  
Adrián Makuc, Professor, Universidad de Tres de Febrero (Untref), Buenos Aires, Argentina  
Ludmila Ribeiro, Researcher and Coordinator, Center for Research and Documentation in Contemporary Brazilian History, São Paulo, Brazil  
Rafael Manóvil, Professor Emeritus, Corporate Law, University of Buenos Aires Law School
3:30-5 p.m.

**Human Rights in Argentina**

This panel will focus on a variety of topics, including the state of amnesty laws in the era of political and social reconciliation and current cases of indigenous human rights.

*Chairs:*

**Joan Flocks**, Director, Social Policy Division, Center for Governmental Responsibility, University of Florida Levin College of Law; and

**Berta E. Hernández-Truyol**, Levin, Mabie & Levin Professor of Law, University of Florida Levin College of Law

**Mónica Pinto**, Dean and Professor of Human Rights, University of Buenos Aires Law School, Buenos Aires, Argentina

**Christina M. Cerna**, Principal Human Rights Specialist, Inter-American Commission on Human Rights, Organization of American States, Washington, D.C.; Adjunct Professor, Georgetown University

**Veronica Musa**, Attorney, Sarasota, Florida

5-6:30 p.m.

**Environment & Agriculture**

This panel will explore comparative approaches to environmental management and enforcement, with experts from Argentina, Brazil and Florida. Major topics will include the management of water resources and pesticide impacts. Given the economic importance of agriculture to all three countries, special attention will be paid to the connections between the environment and agriculture, and the development of agricultural best practices.

*Chair: Tim McLendon*, Staff Attorney, Center for Governmental Responsibility, University of Florida Levin College of Law

**Robertson Fonseca de Azevedo**, State Prosecutor, Ministério Público of State of Paraná, Brazil

**Paulo Roberto Pereira de Souza**, Doctor of Environmental Law, State University of Maringá, Paraná, and University of Marília, São Paulo, Brazil

**Dino Bellorio Clabot**, Dean, University of Belgrano Law School, and Professor of Law, University of Buenos Aires Law School

**Michael T. Olexa**, Professor & Director, Agricultural and Natural Resources Law Center, Department of Food and Resource Economics, Institute of Food and Agricultural Sciences, University of Florida

**Richard Hamann**, Associate in Law, Center for Governmental Responsibility, University of Florida Levin College of Law

**Néstor Cafferatta**, Professor of Environmental Law, University of Buenos Aires Law School

**Silvia Nonna**, Academic Secretary and Professor of Environmental Law, University of Buenos Aires Law School

6:30-7:30 p.m.

**Closing Session**

Discussion led by Jon Mills

7:30 p.m.

**Adjourn**