BOB LUTZ–EXPERT, MENTOR, AND FRIEND

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When one thinks of a synonym, they may think of synonymous adjectives like "fast" and "quick," "easy" and "simple"—or synonymous nouns like "soda" and "pop." But what is synonymous with Robert E. Lutz, Paul E. Treusch Professor of Law Emeritus in Residence at Southwestern Law School?

The words that immediately come to mind are "renowned expert, mentor, and friend." Those are the synonyms that define Bob Lutz to me, and I am honored to share why I "define" Bob in this way.

RENOWNED EXPERTISE

Starting with Bob as an "expert" is simple.[1] One only needs to look at the breadth of his scholarship, service, and the recognition that he has received during his amazing career. As a professor at Southwestern Law School for more than forty-four years, Bob has contributed profoundly to the education of thousands of students, produced reams of scholarship, and

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[1] I address Bob's reputation as "renown" later. *See infra* text accompanying notes 12-19.

brought renown to his institution.[1] Where did it all begin? Where did Bob's inspiration and unbounded fascination with all things international come from? Likely, before he attended Berkeley Law, where he founded Berkeley's Ecology Law Quarterly, which is "among the oldest and most prestigious journals publishing environmental law scholarship."[2] Perhaps this passion started when Bob went to college and law school as a first-generation student. Or perhaps the spark was ignited while Bob was working at the well-known firm, then known as Pillsbury, Madison & Sutro.[3] While working there, he received a Volkswagen Fellowship to Germany, where he ended up researching and writing about international environmental law, resulting in "what was then considered a seminal/groundbreaking article,"[4] titled "The Laws of Environmental Management: A Comparative Study."[5] Thus, as a burgeoning expert in comparative and international environmental law, Bob Lutz moved towards government service, with stints at other educational institutions, before eventually settling in at Southwestern Law School in 1978.[6]

Since his arrival at Southwestern Law, Bob has taught a broad range of subjects, and has been involved in numerous professional organizations. Unsurprisingly, he calls his service to the profession a "cornerstone" of his career.[7] And what a career it has been. Just last year, attorney and podcast host Howard Miller[8] interviewed and profiled Bob, describing him as "an

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1. The details of Bob's incredible training and experience before his arrival at and during his career at Southwestern is best spelled out in his faculty biography on Southwestern's website. *See generally Faculty*, *Robert E. Lutz*, SW. L. SCH., https://www.swlaw.edu/faculty/emeritus/robert-lutz (last visited Mar. 8, 2022).

2. *See About Ecology Law Quarterly*, ECOLOGY L. Q., https://www.ecologylawquarterly.org/about/ (last visited Mar. 3, 2022).

3. Now Pillsbury Winthrop Shaw Pittman LLP, the firm's history traces back to 1874. *See* PILLSBURY LAW, https://www.pillsburylaw.com/en/ (last visited Mar. 8, 2022); *see also Pillsbury Madison & Sutro LLP*, ENCYCLOPEDIA.COM, https://www.encyclopedia.com/books/politics-and-business-magazines/pillsbury-madison-sutro-llp (last visited Mar. 8, 2022).
Prior to working at Pillsbury, Bob clerked with Chief Judge Edward J. Schwartz of the United States District Court for the Southern District of California. *See* Robert. E Lutz, *Member Spotlight: Robert E. Lutz*, ABA (Dec. 16, 2020), https://www.americanbar.org/groups/senior_lawyers/publications/voice_of_experience/2020/voice-of-experience--december-2020/member-spotlight--robert-e--lutz/ [hereinafter *ABA Member Spotlight*].

4. *ABA Member Spotlight*, *supra* note 4.

5. Robert E. Lutz, II, *The Laws of Environmental Management: A Comparative Study*, 24 AM. J. COMP. L. 447, 447 (1976).

6. *See ABA Member Spotlight*, *supra* note 4.

7. *Id.*

8. Howard B. Miller is a JAMS (Judicial Arbitration and Mediation Services, Inc.) Mediator, Arbitrator, and Referee/Special Master. Miller was also President of the State Bar of California and a professor at the University of Southern California Gould School of Law. *See*

individual, a pioneer, and a person who's had an enormous impact on law practice . . . [who has received] virtually every award" for his work, and has been "chair of virtually every committee that exists."[9]

What does all of this mean? Simply put, Bob is a leader. He has chaired both committees and sections of the American Bar Association (ABA), Association of American Law Schools (AALS), Los Angeles Bar Association, and the California Bar Association. He has also served on federal government committees and centers focused on international trade, dispute resolution, and ethics.[10] Bob became an international arbitrator and had a role in engineering the "extraordinary growth" of the field in California, including participating in drafting a law that would become the 1996 California International Arbitration and Conciliation Act.[11]

Along his professional path, Bob faced challenges that he met with careful planning and grace. He began his term as Chair of the ABA International Law Section just one month before the September 11th terrorist attacks. However, he was able to keep the Section's focus on improving the world through international law by encouraging members to attend its fall meeting that year in Monterrey, Mexico, *and* to hold its annual Spring 2002 meeting in New York—the first major conference in that city since that fateful date.[12]

Yet, even with his deep involvement in law *practice*, Bob saw, and strongly promoted, the importance of international legal *education*, a field that has been slower than others in developing student and law school engagement.[13] Toward this goal, Bob highlighted three crucial areas of study that law students should engage in to develop an understanding of, and the appropriate skills for, international legal practice, namely 1) public international law, which includes the role of States, the "limitations, porousness, and ability of transnational activity," the instruments and other sources of international law, best practices between nations and with non-governmental organizations (NGOs), the role of human rights and its

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Howard B. Miller, Esq., FCIArb, JAMS https://www.jamsadr.com/howard-miller/ (last visited Mar. 8, 2022).

9. *197: A Model Life in International Law: Celebrating Professor Robert Lutz*, DAILY JOURNAL (June 25, 2021), https://soundcloud.com/losangelesdailyjournal/197-a-model-life-in-international-law-celebrating-professor-robert-lutz.

10. *See ABA Member Spotlight*, *supra* note 4.

11. *See* CAL. CIV. PROC. CODE §§ 1297.11-1297.432 (1996); *197: A Model Life in International Law: Celebrating Professor Robert Lutz*, *supra* note 10.

12. *See 197: A Model Life in International Law: Celebrating Professor Robert Lutz*, *supra* note 10.

13. *See* John A. Barrett, Jr., *International Legal Education in U.S. Law Schools: Plenty of Offerings, But Too Few Students,* 31 INT'L LAW. 845, 845-46 (1997).

connection with transnational business activities; 2) international business transactions; and 3) comparative or foreign law study. Courses in these areas helped students gain an understanding of how other countries solve legal problems and how other legal systems work.[14] He consistently urged his colleagues to teach these courses and encouraged students to take them.

Bob's commitment to the importance of international legal education is also evidenced by his many publications devoted to that field. In addition to founding Berkeley Law's *Ecology Law Quarterly* as a law student, Bob revived the ABA International Law Section's journal, *The International Lawyer*, and served as its Editor-in-Chief for five years.[15] His goal in reviving *The International Lawyer* was to emphasize to its readers the important relationship between legal scholarship and law practice; Bob believed that the goal of law journals should not be simply to showcase intellectual and analytical aspects of the law, but to train lawyers by publishing articles about legal developments and issues that would be helpful to *practitioners.*[16] Bob also co-founded the ABA's Senior Law Division in 1986 to encourage the organization's experienced lawyers to continue to learn and to promote their involvement in *pro bono* legal work.[17] It is no surprise that interviewer Miller described Bob's work as "pathbreaking," and called him a "giant, in international law, in law practice in California, and in legal education."[18] Hence, my description of Bob and his career as "renowned."[19]

The above certainly qualifies Bob as an expert. However, there is more. Bob's expertise as a scholar is reflected in his publications in numerous fields, almost too numerous to count. This includes nearly two dozen articles on environmental law, his writings on the legal profession and ethics, guides on international commercial arbitration, and his exposition on the work of international organizations, entities and agreements (such as CAFTA—the Dominican Republic-Central America-United States Free Trade Agreement, the World Trade Organization, NAFTA—the North American Free Trade Agreement, the International Court of Justice, and the General Agreement on Tariffs and Trade), terrorism, human rights, election law, and discussions of legal issues in

14. *See 197: A Model Life in International Law: Celebrating Professor Robert Lutz*, *supra* note 10.

15. *Id.*

16. *Id.*

17. *Id.*

18. *Id.*

19. *See supra* note 1.

Mexico and Hong Kong.[20] Overall, Bob has more than eighty publications to his name, along with more than a dozen textbooks.[21] His dedication to both scholarship and practice have been rewarded with the State Bar of California International Law Section's Warren M. Christopher "International Lawyer of the Year Award," for "legal practitioners who render extraordinary service to [the legal] profession in the field of international law." [22] He has also received the ABA International Section Lifetime Achievement Award and was appointed to the California Supreme Court's International Commercial Arbitration Working Group.[23]

MENTORSHIP

What about Bob Lutz as a mentor? Of course, his scholarly work has provided guidance for many, focusing on these varied areas of law. However, Bob's work, both in writing and action, also exemplifies his dedication to *training and guiding* law students as well as the academic community to focus on the importance of international legal education. Training and guidance equate to mentorship.

That is where Bob's role as a mentor comes in. During the last thirty years, along with his other seventy-plus publications, Bob has produced several articles focusing on teaching international law.[24] As far back as 1992, Bob focused on how academia could better assist the "international

20. This vast collection of scholarship can be found with legal search engines such as LEXIS, WESTLAW, and others. *See, e.g.,* Robert E. Lutz, *An Essay Concerning the Changing International Legal Profession,* 18 S.W. J. INT'L L. 215 (2011); Robert E. Lutz, *International Arbitration and Judicial Intervention,* 10 LOY. L.A. INT'L & COMP. L.J. 621 (1988); Robert E. Lutz, *The World Court in a Changing World: An Agenda for Expanding the Court's Role from a U.S. Perspective*, 27 STAN. J. INT'L L. 265 (1991); Robert E. Lutz, *On Combating the Culture of Corruption,* 10 S.W. J. L. & TRADE AM. 263 (2004).

21. Bob's publications are listed on his Southwestern faculty page. Additionally, Southwestern notes that Bob is available for media comment on 24 topics related to legal practice, approximately half of which are international in nature. *See Faculty*, *Robert E. Lutz, supra* note 2.

22. *See California Life Fellow Robert Lutz*, AM. B. FOUND. (Aug. 15, 2014), https://www.americanbarfoundation.org/fellows/news/506.

23. *See Professor Robert Lutz Appointed to Task Force on International Commercial Arbitration*, S.W. L. BLOG (Feb. 21, 2017), https://www.swlaw.edu/swlawblog/201702/professor-robert-lutz-appointed-task-force-international-commercial-arbitration#:~:text=Last%20year%2C%20he%20received%20a%20Lifetime%20Achievement%20Award,as%20the%20Outstanding%20International%20Lawyer%20of%20the%20Year.

24. *See, e.g*., Robert E. Lutz, *Comparative Observations About Transnational Legal Education and Legal Scholarship,* 46 INT'L LAW. 625 (2012); Robert E. Lutz, *On Scholarship in the American Legal Academy: An Essay,* 46 INT'L LAW. 673 (2012); Robert E. Lutz, *Reforming Approaches to Educating Transnational Lawyers: Observations from America*, 61 J. LEGAL EDUC. 449 (2012) [hereinafter *Reforming Approaches*]; Robert E. Lutz, *Teaching, Practicing and Serving the International Legal Profession*, 13 WHITTIER L. REV. 163 (1992) [hereinafter *Teaching, Practicing, and Serving the Int'l Legal Profession*].

legal profession" by instilling in students the knowledge that every type of legal practice involves international legal issues.[25] When a handful of professors were espousing this same view, Bob recognized the potential growth of international legal practice, and the growing presence of international legal issues in courts and in business transactions.[26] Not only has Bob emphasized the increasing breadth of opportunities in international practice, but he has also advised students on how to best prepare themselves for opportunities in international practice by appreciating cultural differences, learning new languages, and gaining exposure to issues that will arise in international practice through their coursework.[27] Urging law students to develop and improve their future profession, Bob coaches "Give to it, and it will give to you!"[28] In so doing, he follows through with his article's thesis: "Teaching, practicing and serving the legal profession, while seemingly disparate activities, are uniquely linked."[29]

Later in his career, Bob remained focused on the importance of educating lawyers to understand the nuts and bolts of international practice. In the "golden anniversary" edition of the ABA's *The International Lawyer,* Bob celebrated the significant growth of the journal's content, which began as a newsletter, and emphasized the importance to continuously include practical articles for practitioners and informative reports regarding major developments in international subjects to keep up with the "increasing complexities of transnational and international legal practice."[30] Indeed, he promoted and celebrated the publication of a collection of articles focused on transnational legal education and scholarship, and stressed that the American legal profession was facing two "main challenges." First, how to respond "to the paradigmatic changes related to legal practice itself, brought about largely by the revolution in electronic communication and information technologies, the rapid integration and globalization of national economies, recessionary economic times, shifting demographics, and a growing standardization of professional requirements involving legal services." Second, the challenge for U.S. legal educators to find proper responses to these changes in the practice of law.[31] Further, he touched on the ethical and technological challenges affecting

25. *See Teaching, Practicing, and Serving the Int'l Legal Profession*, *supra* note 25, at 165-67.

26. *Id.*

27. *Id.*

28. *Id.*

29. *Id.* at 163.

30. Robert E. Lutz, *Treasuring What is Golden:* The International Lawyer *at Fifty,* 50 INT'L LAW. 19, 21 (2017).

31. *Reforming Approaches*, *supra* note 25, at 449-50.

legal practice, and emphasized the need for curricular reform in law schools to "prepare students to function as lawyers in a transnational legal world[.]"[32] He encouraged the development of robust legal study-abroad programs, the expansion of law school curricula to more effectively train students in substantive international law and practical skills for transnational work, including experimentation with technology transnationally.[33]

Bob's work has also focused on the significant role that technology plays in the globalization of the work of the legal profession, noting areas such as licensing and ethics.[34] Bob noted almost a dozen years ago:

> [T]echnology and the blurring of the borders of national and, in the United States, state regulation of the [legal] profession, will force the profession to continue to cope with the velocity and intensity of these impacts. As long as the profession's core values remain valid, the changes wrought by technology and the other forces that drive globalization will continue to pose challenges and test the legal profession.[35]

Bob recognized the importance of the role of the ABA and other national institutions, to "continue to play a role in developing norms of professional behavior applicable to the profession nationally and to maintain a vigilant watch over technological developments having the capacity to impact the profession."[36]

Bob Lutz has mentored thousands of attorneys by means of his ongoing emphasis on the ever-evolving nature of transnational law practice, and the consequent requirement for today's lawyers to be properly trained for the demands and unique nature of this field. Moreover, he both explicitly and implicitly trained his students and fellow attorneys by leading and participating in legal exchanges with lawyers from more than a dozen countries,[37] and by teaching abroad on a regular basis.[38]

Bob also mentored by sharing opportunities with others. Bob acknowledges that "[w]itnessing student growth and their successes is exhilarating and personally satisfying" and that "service to the profession is a cornerstone of [my] career[.]"[39] As Chair of the ABA's International

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32. *Id.* at 452.

33. *Id.* at 453-54.

34. *See An Essay Concerning the Changing International Legal Profession, supra* note 21, at 221-22.

35. *Id.*

36. *Id.* at 222-23.

37. The countries consisted of Brazil, China, Costa Rica, Cuba, Guatemala, India, Iran, Ireland, Lebanon, Scotland, South Africa, and Syria. *See Faculty*, *Robert E. Lutz*, *supra* note 2.

38. *Id.*

39. *See ABA Member Spotlight, supra* note 4.

Section from 2001 to 2002, Bob nurtured others—including this author—toward growth and leadership in the Section. More than a dozen years ago, Bob encouraged me to seek leadership in the Section's International Legal Education and Specialist Certification Committee, a committee that "connects international legal academics, program directors, students, practicing lawyers, and bar leaders toward the goal of developing top-notch educational, training and specialist certification programs."[40] His guidance, as former Chair of the Section and now one of its Senior Advisors, was invaluable, and has led me to years as a Co-Chair—including several years serving as a Co-Chair with him. That experience would have been daunting had Bob not been a natural mentor.

Mentorship is part and parcel of leadership,[41] and Bob Lutz is a prime example of a person who is both. During my years as Co-Chair, with Bob and others, Bob has always encouraged me in my work, whether it be toward the goal of meeting planning, Committee responsibilities, or giving presentations. His passion for international legal education did not stand in the way of him encouraging that passion in others; he was happy to share and nurture it.

Bob has mentored me individually as well. In addition to kindly introducing me to colleagues from both the U.S. and abroad, through work with the ABA, Bob offered me a unique opportunity during the COVID-19 pandemic, when international travel for teaching or attending conferences abroad was impossible. Bob invited me to join him and Professor Christopher Kelley,[42] of the University of Arkansas School of Law at Fayetteville, in teaching abroad virtually for the American Bar Association Rule of Law Initiative ("ABA-ROLI")[43] in Chisinau, Moldova. Titled "LEAD" for "Legal Empowerment Through Advancing Debate," we presented lectures via Zoom to judges and law professors in Moldova seeking to "integrat[e] legal reasoning exercises in teaching law," and to "share course syllabus design practices incorporating legal reasoning exercises." Not only was this experience deeply enriching, but it also led to

40. *See International Law: Committee Descriptions and Leadership*, ABA https://www.americanbar.org/groups/international_law/committees/committee-descriptions-and-leadership/ (last visited Mar. 10, 2022).

41. *See Leaders as Mentors,* 25 MENTORING & TUTORING: PARTNERSHIP LEARNING 391 (2017).

42. Professor Kelley is another academic passionate about international legal education; She has a Fulbright experience in both Ukraine and Moldova, and taught Legal Writing virtually at the Taras Shevchenko National University Law Faculty in Kyiv, Ukraine, for many years. *See* Christopher R. Kelley & Natalia Borozdina, *Internationalizing the U.S. Law Classroom: Lessons Learned from Teaching Transnationally*, 52 INT'L LAW. 131, 132 n.9 (2019).

43. *See Rule of Law Initiative,* ABA https://www.americanbar.org/advocacy/rule_of_law/ (last visited Mar. 10, 2022).

a second invitation for me to teach virtually with ABA-ROLI, this time to teachers at several law schools in Tashkent, Uzbekistan.[44]

These experiences were extremely rewarding, and opened my eyes to how, even in the face of a crippling pandemic, international legal education can continue to take place without traveling abroad. In fact, this experience convinced me that once the pandemic subsides, teaching virtually will remain an effective, inexpensive, and yet, still personal way of sharing ideas and teaching internationally.[45] I would not have known how rewarding and inspiring this work would be without Bob Lutz's mentorship.

FRIENDSHIP

We often view our professional colleagues as acquaintances and less commonly as friends. With Bob Lutz, he is both a colleague and a friend. He is a courteous colleague—albeit one with many more years of presenting, publications, and overall experience. All the while, he is a friend guiding this author to develop stronger leadership skills in the ABA and beyond. Although this section of this article is the shortest, its impact on this author's growth as an international legal educator has been most significant. Simply put, Bob Lutz is a great scholar, great leader, great mentor, and great friend. It should be no surprise that, just as Bob advised law students to "give to the legal profession and it will give back to you,"[46] Bob has impacted many with the great joy and growth that *he* has been able to give to us.

Thank you, Bob, and congratulations on all your well-deserved recognition. Continue to inspire and share your expertise, mentorship, and friendship!

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44. This course, titled "Building Bridges in the Rule of Law Community," was hosted by Westminster University in Tashkent, and focused on presenting a legal skills seminar and developing a related handbook.

45. *See generally* Dianne Penneys Edelman, *The Silver Lining of the COVD-19 Pandemic: Building Effective – and Enduring – International Legal Education Opportunities*, 46 S. ILL. U. INT'L L. J. 35 (2021) (discussing the benefits of virtual learning).

46. *See Teaching, Practicing, and Serving the Int'l Legal Profession*, *supra* note 25.