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# Introduction and History of the Canada-U.S. Law Institute

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## Introduction and History of the Canada-U.S. Law Institute

*Sidney Picker, Jr.\**

As Chairman of the Canada-United States Law Institute's Advisory Board, I have been asked by the Institute's Director, Henry King, to welcome you to our 1989 Annual Conference, "Comparative Legal Aspects of the Environment for Innovation in the Canada-United States Context." It is a personal pleasure for me to perform this task because, as founder and first U.S. Director of the Institute, I played a role in its birth in 1976. I therefore take pride thirteen years later in witnessing its biblical "coming of age," for this Conference is a form of *bar mitzvah* into institutional maturity.

The Canada-United States Law Institute is a binational entity, the joint creation of the law schools of Case Western Reserve University in Cleveland, Ohio and the University of Western Ontario in London, Ontario. It is the first formal institutional entity in either country designed to: 1) explore legal issues affecting the Canada-U.S. relationship; and 2) exploit each other's legal structures and processes in order to provide comparative law opportunities for the students and faculties of both participating law schools as well as for the public and private bar in both countries. It seems particularly appropriate and mutually beneficial to have a comparison of two different legal solutions to common economic, political and social problems by two states sharing history, language, traditions and geography.

In order to implement the Institute's goals an umbrella of programs was established, including the following:

- 1) An exchange of law students between the two law schools for a semester at a time;
- 2) An exchange of faculty members, for both brief and extended (semester or year long) visits;
- 3) The publication of the first scholarly law journal devoted exclusively to issues of common interest to both countries, the *Canada-United States Law Journal*;
- 4) The sponsorship of scholarly research on comparative law and international law issues affecting both countries; and
- 5) The organization of conferences on subjects of common interest to both countries.

It is within the context of the fifth program that the current confer-

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ence is presented. Although the Institute has sponsored conferences since 1976, six years ago it began to focus its attention on the legal-economic relationship between the two countries. It also undertook a new format to explore this relationship by providing a more intensive, as well as extensive, forum for the presentation and exchange of ideas. That meant probing in greater depth, requiring advanced preparation and circulating background materials. It also meant extending the length of the conferences as well as holding them in an environment which promotes both structured and informal interaction among participants.

The Institute is indebted to many individuals and organizations who have supported its various activities over the years, both financially and intellectually. In particular, gratitude is expressed to the Canadian Embassy in Washington, D.C. as well as the Canadian Consulate in Cleveland, Ohio for their assistance in making this Conference possible. Private nonprofit institutions in both countries who have made significant contributions during our thirteen year history include the William H. Donner Foundation, the Gund Foundation, the Cleveland Foundation, the Richard G. Ivey Foundation and the Ontario Bar Foundation.

It is my special pleasure to introduce to you the person responsible for the organization and presentation of this Conference, Henry T. King, Jr. Professor King is the current U.S. Director of the Institute as well as a member of the faculty of the Case Western Reserve Law School. He came to the Institute from TRW, Inc. where he was Chief Corporate International Counsel. In addition, Professor King served as Chairman of the Section of International Law and Practice of the American Bar Association as well as U.S. Chairman of the Joint ABA-CBA Working Group on the Settlement of International Disputes between Canada and the United States. From the Institute's perspective, Professor King also served as a most active member of the Institute's Advisory Board at its inception in 1976, and indeed, was the principal person on whom both my Canadian Co-Director, Professor R.J. Roberts of the University of Western Ontario Law School, and I could rely for guidance and advice during the Institute's critical early years.