

UNIVERSITY OF HOUSTON LAW CENTER

“Advocacy in International Arbitration”

Spring Term 2026

Course: 6366-25689

INSTRUCTORS

Ann Ryan Robertson C.Arb, FCI Arb
Paul J. Neufeld, PhD, FCI Arb
David E. Harrell Jr.

ann@annryanrobertson.com
p.neufeld@youssef.law
david.harrell@troutman.com

OFFICE HOURS

By appointment.

CLASS TIMES

Wednesdays 21 January 2026 through 29 April 2026 2:30 PM – 5:30 PM.

Although class will be Face-to-Face, there may be limited instances in which class will be taught remotely over Zoom.

FINAL PROJECT

Note that in lieu of a final examination, students have two major assignments.

1. Students will submit a pre-hearing memorial on the day that the final is scheduled by the Law Center. The pre-hearing memorial is to be sent by email by 5:00 PM, Houston time. The length of the pre-hearing memorial is expected to be around 20 pages and each student is required to certify as follows:

I certify that this pre-hearing memorial is the result of my own personal efforts and generative artificial intelligence was not used in its preparation.

The pre-hearing memorial will be judged on persuasiveness, organization, use of the facts and authorities, including secondary sources, grammar and overall appearance.

Students will participate in a final merits hearing to be held on Wednesday, April 8 or Friday, 10 April 2026

REQUIRED READING

The Principles and Practices of International Commercial Arbitration by Margaret Moses (any edition)[available on Amazon]

“Legal Writing and the Lone Ranger: Every Lawyer Has a Silver Bullet” by Daniel J. Kornstein (2020) [available on Amazon]

The United Nations Convention on Contracts for the International Sale of Goods (CISG) [available on Internet]

UNCITRAL Model Law on International Commercial Arbitration [available on Internet] UNCITRAL Arbitration Rules [available on Internet]

International Bar Association Rules on the Taking of Evidence in International Arbitration [available on Internet]

International Bar Association Guidelines on Conflicts of Interest in International Arbitration [available on Internet]

The New York Convention [available on Internet]

CLASS SYNOPSIS

This class requires active class participation. From time to time you may be given an ungraded practice assignment for which you will be given a verbal critique. If you fail to prepare for a practice assignment, your class participation grade will be affected. If you fail to attend class on a day when your practice assignment is due, your participation grade will be affected. Graded activities include the preparation of a jurisdictional memorandum, presentation of an opening statement, cross-examination of a witness, preparation of a witness statement and preparation of a pre-hearing memorandum. **Class attendance will be rigorously enforced and class participation is a component of the final grade.**

The course examines an international arbitration from inception to conclusion. Topics covered will include the legal structure of international arbitration (national arbitration statutes, treaties, and institutional rules); the arbitration agreement; the arbitral process; *kompetenz-kompetenz*; the importance of the seat of arbitration; arbitrator selection; ethical conflicts involving arbitrators; dealing with pathological arbitration clauses; procedural timetables; procedural orders; arbitral jurisdiction; choice-of-law; document-exchange issues; the CISG; pre-hearing submissions; preparation of witness statements; hearing strategy; technique and theory of cross-examination; and the differences between the common law and civil law.

USE OF GENERATIVE ARTIFICIAL INTELLIGENCE (GAI) TOOLS

Do not trust anything a GAI tool says. Assume its answer is wrong unless the answer can be verified by a reliable source. GAI tools are large language models trained on data and they lack the ability to assess for truth, bias, correctness, completeness, or quality. Consequently, some GAI-tool output may appear correct when it is not. Similarly, GAI tools are known to “hallucinate” facts or to fabricate credible-looking sources, complete with accurately formatted citations to non-existent material.

GAI tools will sometimes make up legal authorities in response to queries asking for legal authority (as at least one unfortunate attorney has learned.) Do not trust their results without independent

thought and verification. You are entirely responsible for any errors or omissions resulting from your use of GAI tools.¹

Using GAI tools for any aspect of this class is prohibited. To that end, the jurisdictional memorandum and the pre-hearing memorial are required to reflect your own writing and independent research. A breach of this policy violates the Honor Code and will result in a score of 0.

CLASS SCHEDULE

Class 1 (21 January 2026)

Introduction, Overview of Course and First Assignment

- Lecture and in-class discussion: Legal structure of international arbitration (national arbitration statutes, treaties, and institutional rules); the arbitration agreement and the arbitral process; *kompetenz-kompetenz*; the importance of the seat of arbitration.
- Reading Assignment for Next Class: Chapters 3, 6 and 7 of The Principles and Practices of International Commercial Arbitration; IBA Guidelines on Conflict of Interest in International Commercial Arbitration; articles on step clauses.

Class 2 (28 January 2026)

Lecture and in-class discussion: Lecture on issues relating to the procedural timetable and procedural order; arbitral jurisdiction and choice-of-law.

- Introduction of hypothetical case and jurisdictional scenario
- Beginning discussion of pre-hearing memorials.
- In class assignment: Negotiate Procedural Order
- Reading Assignment for Next Class: Chapter 4 of The Principles and Practices of International Commercial Arbitration.
- Project Assignment: Prepare memorial on jurisdiction. **Due 11 February 2026 at beginning of class.**

¹ Professor Lauren Simpson, Lawyering Skills and Strategies I, Syllabus.

Class 3 (4 February 2026)

- Lecture and in-class discussion: Introduction to document-exchange issues and IBA Rules on the Taking of Evidence in International Arbitration
- Discussion concerning Redfern Schedules
- Reading Assignment for Next Class: The International Convention on Contracts for the International Sale of Goods (CISG)

Class 4 (11 February 2026)

- Memorial on jurisdiction due no later than beginning of class.
- Lecture and in-class discussion: CISG and preparing pre-hearing memorials

Class 5 (18 February 2026)

- No class: work on pre-hearing memorials

Class 6 (25 February 2026)

- Lecture and in class discussion: Pre-hearing submissions, preparation of witness statements, how to find experts, hearing strategy.
- Assignment: Preparation of witness statements – **due 4 March 2026**
- Assignment: Preparation of mock opening statements.

Class 7 (28 February 2026)

- Presentation: Present mock opening statements for critique.

Class 8 (4 March 2026)

- Lecture and in-class discussion: Technique and theory of cross-examination.
- **Witness statements are due by 9:00AM and will be submitted by email. DO NOT PUT YOUR NAME ON THE WITNESS STATEMENT.**

Class 9 (11 March 2026)

- Present Opening Statement for Grade

SPRING BREAK 16 -21 March 2026

Class 10 (25 March 2026)

- Present Cross-examination for critique

Class 11 (1 April 2026)

- General Q/A on Advocacy Techniques

Class 12 (8 April & Friday, 10 April 2026)

- Cross-examination Final Presentations for Grade

Class 13 (15 April 2026)

- No class: time to work on pre-hearing memorials.

Class 14 (22 April 2026)

- Lecture and in-class discussion: The difference between the common law and the civil law.
Lecture and in class discussion:

Class 15 (29 April 2026)

- Lecture and in-class discussion: Challenging and enforcing the arbitral award and considerations in drafting the award.

GRADING BASIS

Your final grade will be based as follows:

Class participation (general discussion, advocacy choices for Redfern Schedule and Procedural Order) – 10%

Witness statement – 20%

Opening statement – 15%

Cross-examination – 30%

Pre-hearing memorial – 25%

OTHER NOTES:

The University of Houston has a number of resources to support students' mental health and overall wellness, including CoogsCARE and the UH Go App. UH Counseling and Psychological Services (CAPS) offers 24/7 mental health support for all students, addressing various concerns like stress, college adjustment and sadness. CAPS provides individual and couples counseling, group therapy, workshops and connections to other support services on and off-campus. Counseling and Psychological Services (CAPS) can help students who are having difficulties managing stress, adjusting to the demands of a professional program, or feeling sad and hopeless. You can reach CAPS (www.uh.edu/caps) by calling 713-743-5454 during and after business hours for routine appointments or if you or someone you know is in crisis. No appointment is necessary for the "Let's Talk" program, a drop-in consultation service at convenient locations and hours around campus. http://www.uh.edu/caps/outreach/lets_talk.html. The Student Health Center offers a Psychiatry Clinic for enrolled UH students. Call 713-743-5149 during clinic hours, Monday through Friday 8 a.m. - 4:30 p.m. to schedule an appointment. The A.D. Bruce Religion Center offers spiritual support and a variety of programs centered on well-being.

Need Support Now? - If you or someone you know is struggling or in crisis, help is available. Call CAPS crisis support 24/7 at 713-743-5454, or the National Suicide and Crisis Lifeline: call or text 988, or chat 988lifeline.org.

The Texas Lawyers' Assistance Program ("TLAP") also supports law students who are dealing with stress, anxiety, depression, substance abuse, and other mental health problems. You can reach TLAP at any time at 1-800-343-8527. TLAP's website includes a page with links to sources about mental health that are of interest to law students: <https://www.tlaphelps.org/law-students>.

Title IX/Sexual Misconduct and Anti-Discrimination Policy

Per the UHS Sexual Misconduct Policy, your instructor is a "responsible employee" for reporting purposes under Title IX regulations and state law and must report incidents of sexual misconduct (sexual harassment, non-consensual sexual contact, sexual assault, sexual exploitation, sexual intimidation, intimate partner violence, or stalking) about which they become aware to the Title IX office. Please know there are places on campus where you can make a report in confidence. You can find more information about resources on the Title IX website at <https://uh.edu/equal-opportunity/title-ix-sexual-misconduct/resources/>.

UHLC and the University of Houston are committed to maintaining and strengthening an educational, working, and living environment where students, faculty, staff, and visitors are free from discrimination and sexual misconduct. If you have experienced an incident of discrimination or sexual misconduct, a confidential reporting process is available to you. For more information, please refer to the University System's [Anti-Discrimination Policy SAM 01.D.07](#) and [Sexual Misconduct Policy SAM 01.D.08](#).

Diversity and Inclusion

This is an inclusive learning space. At UHLC, we are committed to ensuring inclusive online and classroom learning spaces, where you'll be treated with respect and dignity, and where everyone is provided the equitable opportunity to participate, to contribute, and to succeed. All students are welcome regardless of socio-economic status, age, race, ethnicity, disability, religion, national

origin, veteran's status, sex, sexual orientation, gender identity, gender expression, and other diverse identities. You are encouraged to speak up and to share your views, but please also understand that you are doing so in a learning environment in which we are all expected to engage respectfully and with regard to the dignity of all others. If you feel that your class performance is impacted in any way by your experiences inside or outside of class, please contact the professors. We want to be a resource for you. If you feel more comfortable speaking with someone besides one of the professors, Student Services is an excellent resource: 713-743-2182. Finally, we encourage you to bring any issues negatively impacting UHLC's openness to diversity and inclusion to the Law Center's Diversity and Inclusion committee. The D&I committee's charge includes "[building] on the Law Center's strengths as a diverse and inclusive environment." You can contact the committee directly at UHLCD&I@uh.edu. Your suggestions are encouraged and appreciated. Please let us know of ways to improve the effectiveness of this course for you personally, or for other students or student groups.

Accessibility and Accommodation

UHLC is committed to ensuring that all students enjoy equal access and full participation. Any student with a disability who is experiencing barriers to learning, assessment or participation is encouraged to contact the Justin Dart, Jr. Student Accessibility Center (Dart Center) to learn more about academic accommodations and support that may be available to them. Students seeking academic accommodations will need to register with the Dart Center as soon as possible to ensure timely implementation of approved accommodations. Please contact the Dart Center by visiting the website: <https://uh.edu/accessibility/> calling (713) 743-5400, or emailing jdcenter@Central.UH.EDU. If you observe religious or cultural holidays that will coincide with class sessions or conferences, please let me know as soon as possible so that we may make arrangements.

Honor Code

The UHLC Honor Code applies to all aspects of this class. You are responsible for knowing all Honor Code provisions and for complying with the Honor Code. Please ask us if you have any questions regarding how the Honor Code's provisions apply to specific activities or situations related to this course. Your continuing enrollment in this course is deemed to be a pledge by you under the Honor Code to comply with the Honor Code in relation to this course and to comply with the instructions in the course syllabus.

Chosen Names and Pronouns

Chosen names and preferred pronouns (including non-binary ones such as they/them/their) will be respected in the classroom. Although mistakes may happen, please feel free to reach out at any time if you want to make the professors aware of your chosen name or preferred pronoun, or if you have concerns about how we or your classmates address you.

COVID-19 Information

Students are encouraged to visit the University's COVID-19 website for important information including diagnosis and symptom protocols, testing, vaccine information, and post-exposure guidance. Please check the website throughout the semester for updates.

Attendance via Zoom (periodically)

This class will be taught in person, although one or two classes may be taught virtually. For any virtual classes, the class link will be emailed to the students directly. You must be logged in with a computer (not a phone) with your video camera turned on and microphone muted. Video must stay

on for the entire class unless you receive prior, written permission from the professors to leave your video off.

Recording of Class

Students may not record all or part of class, livestream all or part of class, or make/distribute screen captures, without advanced written permission from the professors. If you have or think you may have a disability such that you need to record class-related activities, please contact the Justin Dart, Jr. Student Accessibility Center. If you have an accommodation to record class-related activities, those recordings may not be shared with any other student, whether in this course or not, or with any other person or on any other platform. Classes will be recorded by the instructor. Students may use instructor's recordings for their own studying and notetaking. Instructor's recordings are not authorized to be shared with *anyone* without prior written permission. Failure to comply with requirements regarding recordings will result in a disciplinary referral to the Dean of Students Office and may result in disciplinary action.

Syllabus Changes

Please note that we may need to make modifications to the course syllabus and may do so at any time. Notice(s) of such changes will be announced as quickly as possible through email or during class.