



Visiting Student and Scholar Handbook

Law School International Office
41, Boulevard François Mitterrand
B.P 54
63002 Clermont Ferrand
Cedex 01



UNIVERSITÉ
D'AUVERGNE
www.u-clermont.fr

Dear students,

We are very pleased to welcome you to our Law School, in Clermont-Ferrand, for a semester or the entire year.

The Law School is located in the very heart of the city, near the magnificent Lecoq Park. Approximately 4,000 students are currently registered here, including almost 250 foreign students from more than 50 countries.

Studying abroad is not only a valuable personal experience but also an important part of your academic and professional career. In order to allow a rapid and smooth integration into your new environment, and to allow you to fully take advantage of our large selection of courses, we have gathered in this booklet the most pertinent administrative and academic information. Please read this information carefully. Of course, we are at your disposal for any further information and for assistance in your study abroad experience.

The whole International Office team wishes you a very pleasant and successful time studying in our Law School and also ... a lot of fun in Clermont-Ferrand and in the volcano region.

Marie-Elisabeth BAUDOUIN, Vice-Dean of the Law School, PhD
Head of the International Office of the Law School



I. PRESENTATION OF THE INTERNATIONAL OFFICE TEAM

Head of the International Office of the Law School

► Marie-Elisabeth BAUDOUIN, Vice-Dean of the Law School, PhD
M-elisabeth.BAUDOUIN@u-clermont1.fr

Director of studies

► For the exchange program with the Czech Republic:
Jean Pierre JARNEVIC, Dean of the Law School, PhD, Professor
J-pierre.JARNEVIC@u-clermont1.fr

► For the exchange programs with Italy, Spain, Portugal and Switzerland:
Florent GARNIER, Vice-Dean of the Law School, PhD, Professor
Florent.GARNIER@u-clermont1.fr

► For the exchange program with Canada (UQAM):
Christine BERTRAND, Vice-Dean of the Law School, PhD
Christine.BERTRAND@u-clermont1.fr

► For the exchange programs with China and the United States:
Marie-Elisabeth BAUDOUIN, Vice-Dean of the Law School, PhD
M-elisabeth.BAUDOUIN@u-clermont1.fr

► For the exchange programs with Scotland, Ireland and the Netherlands:
Allison FIORENTINO, PhD
Allison.FIORENTINO@u-clermont1.fr

► For the exchange programs with Germany and Austria:
Claude DEVÈS, PhD, Professor
Claude.DEVES@u-clermont1.fr

Erasmus and International Administrative Coordinator

► Cécile BERNARD
Cecile.BERNARD@u-clermont1.fr
41, Bd François Mitterrand
B.P 54
63002 Clermont Ferrand Cedex 01
Tel. 00 33 (0)4 73 17 75 57
Fax. 00 33 (0)4 73 17 76 32

THE LAW SCHOOL INTERNATIONAL OFFICE TEAM IS PLEASED TO: ---

- ▶ welcome all Erasmus Students during the Orientation Day in September,
- ▶ collaborate with the Town Hall to organise the "Rally des Etudiants Etrangers" in October,
- ▶ hire a student as a "tutor" for the Erasmus Students during the entire academic year,
- ▶ introduce the Erasmus students to the students association called 'The Melting Club',
- ▶ organise a visit of the campus,
- ▶ help the students to find their suitable Law courses in French and in English,
- ▶ help the students to understand the French University System and methodology,
- ▶ help the students to look for an internship if it is required by their home university,
- ▶ help the students during the examination and remedial classes' periods,

The Law School International Office is located on the top floor of the «Old Building or «Gergovia» (GV).
Some courses will be in the "New building" called «Pôle Tertiaire» or «La Rotonde» (RO).

The Law School International Office is open on :

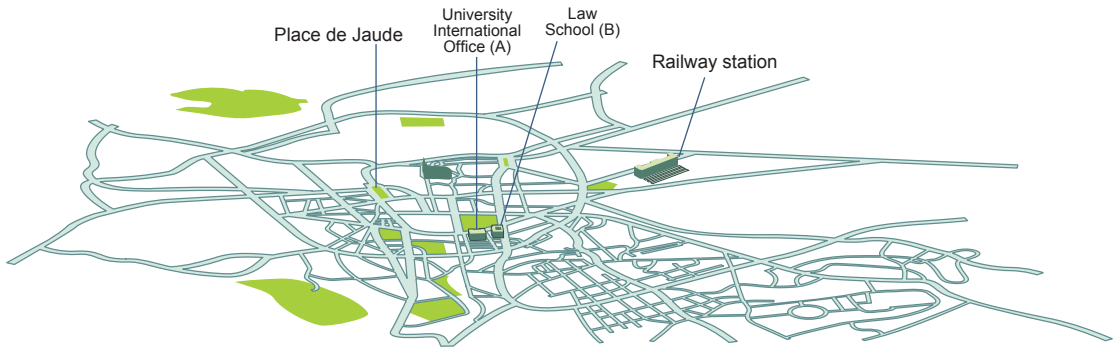
- ▶ Tuesday from 11:00 am to 12:00 pm
- ▶ Wednesday from 9:00 am to 11:00 am
- ▶ Thursday from 11:00 am to 12:00 pm



II. ACADEMIC AND GENERAL INFORMATION

1) REGISTRATION

The Law School is part of the University of Auvergne, and as a student of the Law School, you will have to register first at the University of Auvergne.



A. The University International Relations Office

The Office for International Relations and Student Affairs
49, boulevard François Mitterrand
63000 Clermont-Ferrand
Tram: Universités
Tel: 00 33 (0)4 73 17 72 77 or 00 33 (0)4 73 17 72 71
Fax: 00 33 (0)4 73 17 72 05
Stephanie.person@u-clermont1.fr

As soon as you arrive in Clermont-Ferrand you will have to meet Stephanie Person of the University International Office at the Student Office. This office is at the "Présidence".

Stephanie PERSON is in charge of your registration and accommodation. She will also deal with your registration to the "French as a Foreign Language" Diploma. It is not compulsory to follow these courses but highly recommended (See after).

B. The Law School International Office

The Law School International Office
41, boulevard François Mitterrand
63000 Clermont-Ferrand
Tram: Universités
Tel: 00 33 (0)4 73 17 75 57
Tel: 00 33 (0)4 73 17 76 32
Cecile.bernard@u-clermont1.fr

Then, you will have to register at the Law School International Office. You will have to fill in a registration dossier which enables you to have a student card.

This student card will give you the opportunity to:

- have Wi-Fi Internet access via the University network,
- have Wi-Fi Internet access at the dorms (Dolet or Lebon),
- do sports at the S.I.U.A.P.S which is the University Sports Facility,
- have discounts at the University restaurants (3€ for an entire meal),
- have discounts in every cinema, museum, etc.



2) ACADEMIC CALENDAR

Every year, the Law School International Office organises a Welcome Day during which you will be able to meet the other Erasmus students, your tutor and the International Office Team. Your presence is compulsory because all details about your studies will be explained during that meeting. You will be able to ask all the questions about your stay at the Law School, in Clermont-Ferrand or in France in general. Your tutor is a French student who is hired by the Law School during the whole academic year to help you in all the administrative affairs, comprehension of the courses, etc.

You will be required to be at the Law School for the classes, the remedial classes, and during the entire examination period.

A. First Semester - «Fall Semester» (from September to December)

- ▶ «Welcome Day»: in September
- ▶ Classes: from September to December
- ▶ «Rallye des étudiants étrangers»: in October
- ▶ Autumn break: in November
- ▶ Exams: see attached file
- ▶ Christmas Holidays: in December

B. Second Semester - «Spring Semester» (from January to June)

- ▶ Classes: from January to May
- ▶ Winter break: in February or March
- ▶ Spring break: in April or May
- ▶ Exams: see attached file
- ▶ «Goodbye Party»: in June

III. COURSES AND EXAMS

1) E.C.T.S AND LEARNING AGREEMENT



A. European Credit Transfer and Accumulation System (E.C.T.S)

European Credit Transfer and Accumulation System is a standard for comparing the study attainment and performance of students of higher education across the European Union and other collaborating European countries. For successfully completed studies, ECTS credits are awarded. One academic year corresponds to 60 ECTS (30 ECTS per semester).

- ▶ 16/20 = Grade A
- ▶ 15/20 = Grade B
- ▶ 14/20 = Grade C
- ▶ 12/20 = Grade D
- ▶ 10/20 = Grade E
- ▶ 09/20 = Grade F

B. Learning Agreement (L.A)

A learning agreement is requested for all Erasmus Exchange Programs. It is a kind of gentlemen's agreement between the student, the home university and the host university. All the courses that the student wants to follow have to be written in the L.A.

At the Law School, a student who follows a course is required to take the exam.

That document has to be signed by each party during the Erasmus period so as a Transcript of Records may be delivered at the end of the Erasmus Exchange Program. Your Learning Agreement may be modified within one month (if some courses may be far from the student expectations or if there is a problem with the agenda during the academic year). You shall inform the Law School International Office of those modifications. The courses are chosen by the student and confirmed by the International Office Team before being sent to the home university to be signed.

2) CHOICE OF COURSES

A. Law Courses in French

The Erasmus Students are able to follow courses in a Bachelor Degree or in a First Master Degree. For the Master Degrees, the authorization has to be asked at the Master's Director. Tutorials are also offered with some courses.

Licence en Droit (L1, L2 et L3 Droit)

« Bachelor's Degree in Law » with three specialisations:

- ▶ Private Law
- ▶ Public Law
- ▶ Political Sciences

Licence en A.E.S (Administration Economique et Sociale : L1, L2 et L3 AES)

« Bachelor's Degree in Economic and Social Administration »

Focusing on Economic and Social Administration as the basics in:

- ▶ Law,
- ▶ Economics and Sociology

Master's Degree - Labour Law

Private Law

- ▶ Employment Law
- ▶ Law and Workers' Rights
- ▶ Law and Human Resource Management

Master's Degree - Legal, Economic and Management aspects of Local Authorities

Public Law

- ▶ Administration and Local Policies
- ▶ Economics of Tourism and Tourist engineering
- ▶ Legal aspects of National and Local Heritage

Master's Degree - Law and Business

Private Law

- ▶ Law and Taxation for Business (GEFIRE)
- ▶ Business and Banking Law

Master's Degree - Law, Administration and Justice

Public and Private Law

- ▶ Law and administration
- ▶ Law and Justice

Master's Degree - Law related to healthcare and social services

Public Law

- ▶ Law and management of medical institutions
- ▶ Law and management of social services institutions

Master's Degree - Comparative Law and International Politics

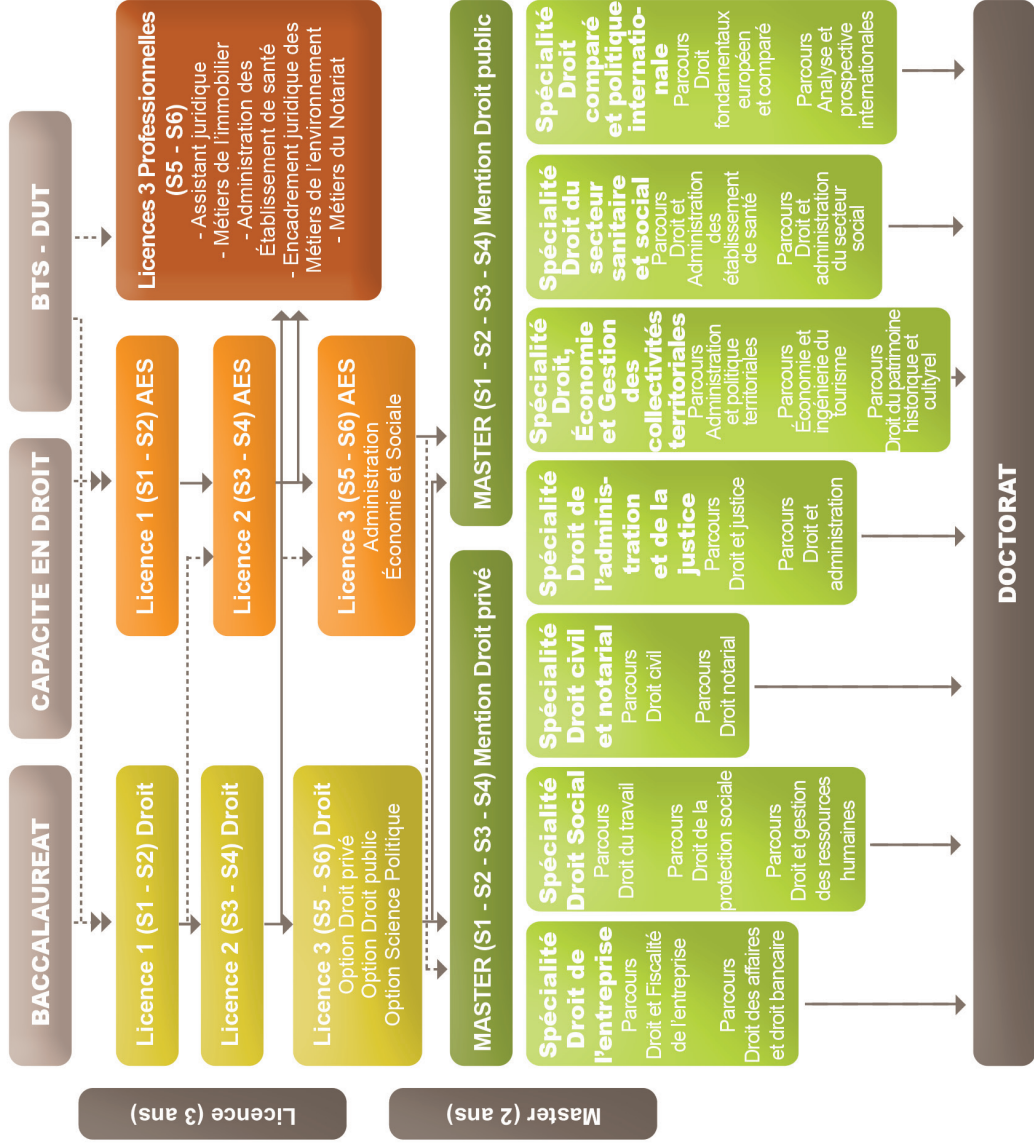
Public Law

- ▶ Human Rights in European and Comparative Law
- ▶ International Analysis and Forecasting

Master's Degree - Civil and Notary Law

Private Law

- ▶ Notary Law
- ▶ Civil Law



CERTIFICATIONS

C2i
(Certificat
Informatique
et internet)

CLES
Certificat de
compétences
en langues de
l'enseignement
supérieur

Niveau 1
(en cours
de licence)

Niveau 1
Langue
pratique
(en licence et
en master)

Niveau 2
Métiers du
droit (en cours
de Master ou
en Licence
professionnelle)

Niveau 2
Langue en
rapport avec
les études
(en licence 3
et en master)

Niveau 3
Métiers de
l'environnement
et de
l'aménagement
durable

Niveau 3
Langue de
la recherche
(en master)

Orientation active



Accès direct



Sélection



**Here is a selection of the most frequently
chosen courses taught in French:**

► **Concurrence et consommation - Competition and Consumer Law**

Level and ECTS per semester: L3 (semester 2)
6 ECTS

► **Contexte international et européen - International and European Environment**

Level and ECTS per semester: L1 (semester 1)
4 ECTS

► **Droit Budgétaire – Financial Institutions**

Level and ECTS per semester: L2 (semester 1)
4 ECTS

► **Droit et Société – Law and Society**

Level and ECTS per semester: L1 (semester 1)
4 ECTS

► **Droit Civil - Civil Law**

Level and ECTS per semester: L1 (semester 2)
16 ECTS

Level and ECTS per semester: L2 (semester 1 and 2)
8 ECTS

► **Droit Commun des sociétés- Corporate Law**

Level and ECTS per semester: L3 (semester 1)
6 ECTS

► **Droit Constitutionnel - Constitutional Law**

Level and ECTS per semester: L1 (semester 2)
16 ECTS

► **Droit de l'environnement - Environmental Law**

Level and ECTS per semester: M1
5 ECTS

► **Droit des Affaires - Business Law**

Level and ECTS per semester: L2 (semester 1)
4 ECTS

► **Droit du travail - Labor Law**

Level and ECTS per semester: L3 (semester 1)
6 ECTS

► **Droit institutionnel de l'Union Européenne - European Union Law**

Level and ECTS per semester: L3 (semester 1 and 2)
6 ECTS

► **Droit International public - International Public Law**

Level and ECTS per semester: L3 (semester 1 and 2)
6 ECTS

► **Droit International privé - International Private Law**

Level and ECTS per semester: M1
5 ECTS

► **Droit Pénal Général - Criminal Law**

Level and ECTS per semester: L2 (semester 1 and 2)
4 ECTS

► **Fiscalité - Income Taxation**

Level and ECTS per semester: L2 (semester 1)
4 ECTS

► **Fondements Economiques de la société - Economical basis of the Society**

Level and ECTS per semester: L1 AES (semester 1 and 2)
6 ECTS

► **Grands Problèmes Politiques contemporains - Contemporaneous Political Issues**

Level and ECTS per semester: L3 (semester 2)
4 ECTS

► **Histoire du droit des Affaires - History of Business Law**

Level and ECTS per semester: L3 (semester 2)
6 ECTS

► **Histoire Politique et Sociale Contemporaine - Social and Political History**

Level and ECTS per semester: L1 AES (semester 1)
4 ECTS

► **Idéologies Politiques - Political Ideologies**

Level and ECTS per semester (2): L3 (semester 2)
4 ECTS

► **Introduction Historique au Droit - Introduction to the Civil Law History**

Level and ECTS per semester: L1 (semester 1)
4 ECTS

► **Introduction à la politique Internationale - Introduction to International Politics**

Level and ECTS per semester: L3 (semester 2)
4 ECTS

► **Introduction à la Science Politique - Introduction to Political Science**

Level and ECTS per semester: L1 (semester 1)
4 ECTS

► **Libertés publiques – Human Rights**

Level and ECTS per semester: L3 (semester 1 and 2)
6 ECTS

► **Propriété Intellectuelle - Intellectual Property**

Level and ECTS per semester: M1
5 ECTS

► **Systèmes politiques Comparés - Compared Political Systems**

Level and ECTS per semester: L3 (semester 2)
4 ECTS

► **Système politique français - The French Political System**

Level and ECTS per semester: L2 (semester 2)
4 ECTS

B. Law Courses in English

► European Union Law (3 ECTS)

Pr. Françoise DUPONT-MARILLIA

The European Union (EU) has been described as the “21st century’s newest superpower” as it is becoming (in many policy making areas, including competition law and law of the internal market) a more integrated and organized governmental entity. Moreover, with 27 member states and a population of nearly half a billion, the EU is a huge market and trader. However, at the same time, the EU faces many challenges such as defining its new governance, the issue of further development, and the conflictual relationship between the EU law and national laws. The EU is neither a federal State nor a supra-national State but rather somewhat of a bewildering new Governmental entity.

This course provides a general introduction to the legal system of the EU in order to understand the development of the European integration and the challenges the EU faces. We examine the evolution of the EU and its institutions, as well as the sources and the place of the EU law in the legal systems of its many member states. We also focus on a selection of substantive law issues of intra-Union trade in goods and services and briefly analyse the protection of Fundamental Rights in the EU.

► French Constitutional Law (6 ECTS)

Pr. Marie-Elisabeth BAUDOUIN

This course provides a general introduction to the French constitutional system, based on the 1958 Constitution. It attempts to shed light on the role of the Constitution as a structuring factor in government, giving an overview of the balance of powers, but also underlines the «living law» of the Constitution. Considering the Constitution as an “act of language” helps understand how the French Constitution was shaped by the political actors, from its beginning (the 5th Republic Constitution also known as the De Gaulle Constitution) up till today (the Sarkozy Constitution?).

The course takes into account the successive transformations of the French Constitutional Law under the Fifth Republic due to internal factors, such as the rise of the Constitutional judge, or external factors, such as the creation of the European Union.

► French Private Law - Contracts Torts and Family Law (6 ECTS)

Pr. Allison FIORENTINO

This course looks at three components of French private law: Family law, Contract law and Tort law. In Family law we review marriage (requirements, duties and rights), breach of promise to marry, separation, divorce (grounds, procedure and issues relating to alimony) and annulment. Two alternative forms of union are also studied: the de facto union (common law marriage) and the PACS (partnership). The legal status of children, adoption and child custody issues are also considered.

The different kinds of contracts, the notion of quasi-contract (restitution, unjust enrichment), the creation of a contract (offer, acceptance, capacity...), its terms, the vitiating factors (mistake, duress and fraud) and its implementation are studied in Contract law. The course on liability for breach of contract and Tort law is a comparative study of those two kinds of liability. Other kinds of torts, specific to the French Civil Code, such as vicarious liability are reviewed, as well as the basic principles of compensations.

► French Business Law (4 ECTS)

Pr. Jean-François RIFFARD

This course involves a study of the sources of French business law, including domestic law, European Union law, and international law specifically related to corporations, commercial contracts, financing and securities, insolvency, liquidation and judicial reorganization of a commercial enterprise.

► **International Sales (4 ECTS)**

by a Professor of the Florida Coastal School of Law (United States)

This course examines the regime governing transnational sales transactions established by the United Nations Convention on Contracts for the International Sale of Goods (CISG). It covers the CISG's text, leading commentary and case law on it, domestic-law gap filling, and issues in transnational dispute resolution of CISG cases through arbitration.

► **U.S. Constitutional Law (4 ECTS)**

by a Professor of the Florida Coastal School of Law (United States)

A study of the nature and distribution of power within the federal government, the relationship between the federal government and the states in regulating commerce, the role of the judiciary, and the prerequisites for litigating a constitutional controversy.

► **Introduction to European Legal History (6 ECTS)**

Pr. Florent GARNIER

Anne-Cécile KRYGIEL (Teaching Assistant)

This introductory course looks at the history and sources of the European legal system. Major themes such as customary law vs. written law, the Roman heritage, the *Ius Commune*, the English common law, the development of French law, and the Codification movement are reviewed.

This historical introduction to civil law system and its institutional traditions takes into consideration the political and cultural context of Europe's legal history, with a presentation of its legal, political and constitutional aspects, and the impact of such major cultural movements as Scholasticism, Humanism, the Enlightenment, and Codification... and of the European Communities.

This course is an attempt at a debate on the origins of the Law and the creation of legal systems in Europe as well as on modern approaches such as *Law and Economics*:

"A central requirement in the design of a legal system is the protection of law enforcers from coercion by litigants through either violence or bribes. The higher the risk of coercion, the greater the need for protection and control of law enforcers by the state. This perspective explains why, in the 12th and 13th centuries, the relatively more peaceful England developed trials by jury, while the less peaceful France relied on state-employed judges for both collecting evidence and making decisions. Despite considerable legal evolution, these initial design choices have persisted for centuries (largely because France remained less peaceful than England), and may explain many differences between common and civil law traditions with respect to both the structure of legal systems and the observed social and economic outcomes"

Edward L. Glaeser & Andrei Shleifer, 2002. «Legal Origins.», *The Quarterly Journal of Economics*, MIT Press, vol. 117(4), pages 1193-1229, November.

► **The Political Economy of Globalization (3 ECTS)**

Pr. Klaus-Gerd GIESEN

The course provides an overview of the constantly renewed dialectics between the sovereign state and transnational economic actors. It deals with the evolution of international trade relations and foreign investments, international monetary systems and the increasing problem of state debt (not only in the so-called Third World). It emphasizes the contradictions between these different spheres of globalization. Special attention is given to new trends in the world economy: increasing self-regulation by transnational private authorities, the rise of new economic actors such as China, the new role of the IMF and other international organizations, the consequences of the recent financial and economic crisis, and the attempts to reform and regulate the system. It is, however, a course in political science, not in economics, emphasizing the specifically political dimension of economic events and structures.

C. French as a Foreign Language

The University of Auvergne proposes you to learn French as a Foreign Language during your exchange program. It is free of charge. You will have to register for it as soon as you arrive in Clermont-Ferrand and at the beginning of the academic year or at the beginning of the semester.

Stephanie Person is in charge of that program. You will be required to take the exam and you will get a University Diploma in case of success. The International Office at the University will send you your Transcript of Records for the French as a Foreign Language Diploma at the end of your academic studies here.



3) EXAMINATIONS AND TRANSCRIPT OF RECORDS

A. Examinations

During the first weeks in Clermont-Ferrand, you will have to choose your courses and complete your Learning Agreement following your home institution requirements. Once your learning agreement is signed by your home institution and the Law School, you will be asked to follow the courses and take the corresponding exams. The exams may be oral examination or written examination.

B. Transcript of Records

You will be given a Transcript of Records by the end of the semester or the academic year. This will also be the Certificate of your presence here with the Learning Agreement. The graduation system at the Law School is on /20 points.

- ▶ 10/20 is a medium (ECTS Grade : E)
- ▶ 12/20 is quite a good grade (ECTS Grade : D)
- ▶ 14/20 is a good grade (ECTS Grade : C)
- ▶ 16/20 is a very good grade especially for Erasmus Students (ECTS Grade : A)

Two remedial classes periods are organised during the year: one after the first semester and the other one after the second semester. You will be asked if you want to do the remedial classes if your grade is under 10/20. Then the students have the choice:

1) to take the first remedial class. In that case the International Office will organised it and wait for the grade from the Professor. The new grade will replace the old one if it is better.

2) not to do the first remedial class and wait for the second semester exam for a better grade. Then, the International Office will do the average (of the 2 grades) to know if the result is over 10/20. If the average is over 10/20, no remedial class will be proposed. If the average is less than 10/20, a remedial class will be offered.



IV. «L'ECOLE DOCTORALE», PhD PROGRAMS

«L'Ecole Doctorale» (Law, Political Science, Economics and Management) enrolls more than 200 students including 100 foreign students from 31 countries, attesting to its strong international appeal.

With 3 research centers, the PhD program is known for the quality of its teaching and research. It has foreseen the growing importance of specific fields such as international development. Students' access to the labour market is the keystone of our formation policy.

Professeur Florent GARNIER

Head of the «Ecole Doctorale»

University of Auvergne School of Law

V. RESEARCH CENTER

The Law School has a research center called «Michel de l'Hospital». It is a Legal and Political research center that has 52 members. It is a multidisciplinary center as the researches are done on Private Law or Public Law domain, or in the History of the Law and Politics domain.

The researches are based on four fields:

- Economical activities of Law,
- The roman studies in Auvergne,
- Fundamental Rights and International and Comparative Politics,
- Democratic consolidations and transitions and Law.

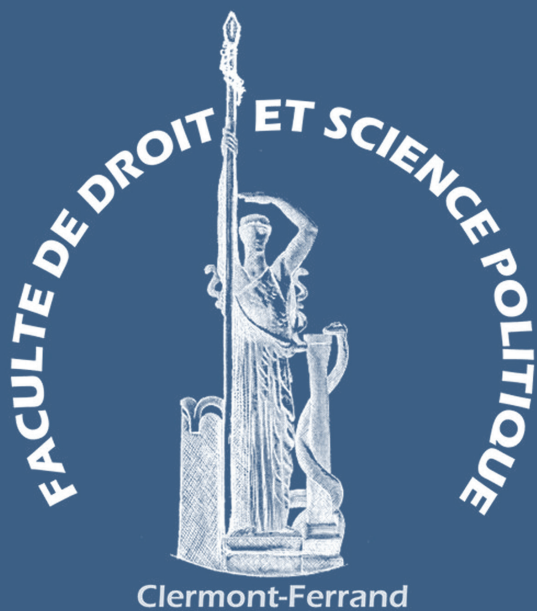
Every year the research center organizes several thematic and transversal events.

The list is available on our website, please do not hesitate to visit it!

Charles-André DUBREUIL

Head of the «Michel de l'Hospital» research center

University of Auvergne School of Law



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