



**Southwestern Law School's Armenia Fellowship
MEMORANDUM OF UNDERSTANDING**

1. This Memorandum of Understanding (MOU) is entered into, as of the date of the below signatures, between Southwestern Law School, 3050 Wilshire Boulevard, Los Angeles, California 90010, United States, and the Ministry of Justice of the Republic of Armenia, 41a Halablyan Street, Yerevan, 0079, Armenia.
2. Southwestern Law School wishes to establish a legal Fellowship position in Yerevan, Armenia. The Fellowship is contingent on Southwestern's success in raising funds for the Fellowship. The goal is to have an ongoing Fellowship, with one Fellow at a time, for a one-year position with the Ministry of Justice as the host organization, in a position that will serve the developing legal system in Armenia. The first Fellow's one-year term is anticipated to begin in September or October of 2012.
3. The Fellow will be a Southwestern employee. Southwestern will give high consideration to Southwestern alumni. Southwestern will oversee the application and selection process of the Fellow, with the following involvement from the Ministry of Justice: Southwestern and the Ministry will cooperate to develop the selection criteria for the Fellow, including the Fellow's agreement to keep confidential all non-public information and activities in connection with the Fellow's position with the Ministry; Southwestern will provide the Ministry information about the shortlisted candidates; the Ministry will have the opportunity to interview the finalist candidate; and selection of the Fellow will require the Ministry's consent.
4. The Ministry of Justice has no responsibility in connection with the Fellow's salary, payment for living or other expenses. Each party (Party 1) will and does indemnify the other (Party 2) against any claim by the Fellow or any third party connected with the scope of this MOU that arises from its own (Party 1) wrongful or negligent action or inaction.
5. The Ministry of Justice will host the Fellow, placing him/her within an office or arm of the Ministry of Justice or other legal organization/institution in Yerevan, Armenia, on a full-time basis, under the ordinary working conditions available to the staff of the institution where the Fellow is placed. The Fellow's work for 2012-13 will involve one or more of the following areas, with specific tasks and targets to be identified prior to start of the Fellowship.
 - a. Redrafting the entire Civil Code; and, in conformity with the revised Civil Code, drafting civil law legislation for various areas (e.g., lease agreements; mortgages), as well as reviewing legislative drafts prepared by the Ministry or other bodies.
 - b. Revising the Civil Procedure Code (e.g., summons and due process; adjudication time limits), as well as reviewing legislative drafts prepared by the Ministry or other bodies.
 - c. Reforming the criminal justice system in the areas of sentencing, incarceration, and reintegration (e.g., revising the Criminal Code to provide sentencing commensurate with gravity of offense; revising the system of punishments provided by the Criminal Code; and considering alternatives to incarceration for first-time offenders).

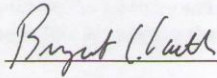
- d. Reforming the penitentiary system, including drafting legislation and developing implementation standards and instructions (in conformity with international human rights standards and best practices).
 - e. Developing alternative dispute resolution mechanisms, including arbitration and mediation, as well as training mediators (e.g., reviewing Law on Commercial Arbitrations of the Republic of Armenia to expand the scope of disputes subject to arbitration; drafting arbitration and conciliation rules; developing uniform system across various industries; developing guarantees for consumer protection in arbitrations involving consumers as parties; developing confidence in and utilization of ADR among businesses and others).
 - f. Revising provisions of the Judicial Code to balance independence of the judiciary with accountability of the judiciary, as well as reviewing provisions governing the disciplinary procedure for judges, rules of ethics, and the bodies responsible for supervision of judicial ethical standards.
 - g. Providing legal writing and legal reasoning training for judges, attorneys, and the Ministry of Justice staff.
 - h. Providing assistance to the Ministry of Justice in developing better governance and better law-making schemes within the Ministry, which may also be applied to other parts of the government (e.g., best practices for accountability, communications, and workload management).
 - i. Assisting in development of NGO/CSO cooperation schemes (e.g., counsel of NGOs), including drafting and implementing framework documents; enhancing NGOs' cooperation and communications with the Ministry of Justice (e.g., identifying areas of needs/gaps); and providing assistance to NGOs, including preparation of proposals, and fund-raising (grant writing) training.
 - j. Researching certain areas specified by the Ministry of Justice not listed above, as well as reviewing certain legislative drafts prepared by the Ministry or other bodies.
6. By April 1st every year, for the duration of the Southwestern Armenia Fellowship with the Ministry of Justice, the Ministry will identify the potential area(s) of work for the Fellow for the following term. The Ministry will provide the necessary resources and support to facilitate the Fellow's work, according to the ordinary level of resources and support available to the staff of the Ministry. The Ministry will provide feedback to Southwestern on the Fellow's work to enable Southwestern to evaluate the Fellow's work performance. In the event that the Fellow's work is unsatisfactory, the Ministry will provide written notice to Southwestern and help improve the Fellow's performance before a mutual decision is made to terminate the Fellow.
 7. The initial term of this MOU is through April 2013, and will renew annually for another year absent written notice by one party of its intention to terminate the relationship established by this MOU. Termination of the MOU under this provision will not impact the then-current Fellow's term with the Ministry. Either party may also terminate this MOU upon one-month written notice. This paragraph does not alter the provision that the MOU will always remain contingent on Southwestern's success in raising funds for the Fellowship.
 8. The MOU may be amended with the written agreement of both parties.

9. All notices and communications with respect to the MOU should be directed to:

Anahid Gharakhanian, Professor of Legal Analysis, Writing & Skills and
Director of the Externship Program, on behalf of Southwestern Law School,
at 3050 Wilshire Boulevard, Los Angeles, California 90010,
agharakhanian@swlaw.edu, 213.738.6786; and

Nora Sargsyan, Advisor to the Minister of Justice, on behalf of the Ministry of
Justice of the Republic of Armenia, at 41a Halabyan Street, Yerevan, 0079,
Armenia, norsava@gmail.com, 37410380387.

10. The Ministry of Justice and Southwestern may negotiate other areas of cooperation, such as educational and training opportunities in the United States for Ministry staff and other attorneys from the Republic of Armenia.
11. The cooperation under this MOU does not preclude the Ministry of Justice from entering into similar agreements with other parties.
12. Southwestern and the Ministry of Justice will exercise their best efforts and fully cooperate to implement this MOU.



Date: Dec. 12, 2011

Southwestern Law School
By Bryant Garth
Dean



Date: Dec, 13, 2011

Ministry of Justice of the Republic of Armenia
By Hrayr Tovmasyan
Minister of Justice