



## **Committee for the Evaluation of Law Study Programs**

### **Interdisciplinary Center Herzliya**

#### **Evaluation Report**

**2015**

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## **Chapter 1- Background**

The Council for Higher Education (CHE) decided to evaluate study programs in the field of Law during the academic year of 2014.

Following the decision of the CHE, the Minister of Education, who serves ex officio as Chairperson of the CHE, appointed a Committee consisting of:

- **Prof. Edward B. Rock**- University of Pennsylvania Law School, Pennsylvania, USA: Committee Chair
- **Prof. Arye Edrei**- Tel Aviv University Faculty of Law, Israel
- **Prof. Silvia Ferreri**- University of Turin Law School, Turin, Italy
- **Prof. Stewart J. Schwab**-Cornell University Law School, Ithaca, New York, USA
- **Lucie E. White**- Harvard Law School, Cambridge, Massachusetts, USA
- **Prof. David Schizer**- Columbia Law School, New York, USA

*Ms. Alex Buslovich-Bilik* - Coordinator of the Committee on behalf of the CHE.

Within the framework of its activity, the Committee was requested to:<sup>1</sup>

1. Examine the self-evaluation reports, submitted by the institutions that provide study programs in Law, and to conduct on-site visits at those institutions.
2. Submit to the CHE an individual report on each of the evaluated academic units and study programs, including the Committee's findings and recommendations.
3. Submit to the CHE a general report regarding the examined field of study within the Israeli system of higher education including recommendations for standards in the evaluated field of study.

The entire process was conducted in accordance with the CHE's Guidelines for Self-Evaluation (of October 2013).

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<sup>1</sup> The Committee's letter of appointment is attached as **Appendix 1**.

## **Chapter 2-Committee Procedures**

The Committee held its first meetings on May, 7<sup>th</sup>, 2014, during which it discussed fundamental issues concerning higher education in Israel, the quality assessment activity, as well as Law Study programs in Israel.

In December 2014, the Committee held visits of evaluation, and visited Interdisciplinary Center Herzliya, The Hebrew University and Tel Aviv University. During the visits, the Committee met with various stakeholders at the institutions, including management, faculty, staff, and students.

This report deals with the faculty of law at the Interdisciplinary Center Herzliya. The Committee's visit to Interdisciplinary Center Herzliya took place on December 9<sup>th</sup>, 2014. The schedule of the visit is attached as **Appendix 2**.

The Committee thanks the management of Interdisciplinary Center Herzliya and the Faculty of Law for their self-evaluation report and for their hospitality towards the committee during its visit at the institution.

## **Chapter 3: Evaluation of Law Study Program at Interdisciplinary Center Herzliya.**

*This Report relates to the situation current at the time of the visit to the institution, and does not take account of any subsequent changes. The Report records the conclusions reached by the Evaluation Committee based on the documentation provided by the institution, information gained through interviews, discussion and observation as well as other information available to the Committee.*

### **1. Executive Summary**

A dynamic, and ambitious young institution, IDC has exciting opportunities, and also faces challenges, as it consolidates its impressive achievements and moves forward.

### **2. Organizational Structure**

#### **- Observation and findings**

The Interdisciplinary Center was founded by Professor Uriel Reichman, a man of vision and action. His inspired leadership combined with his ability to implement ambitious plans has achieved remarkable progress towards his vision of creating Israel's first private university. From its establishment, Professor Reichman has served as the president of the institution, and continues to work with great vigor to promote it.

Of course, as time progresses, the maturation of the institution demands a process of organization and institutionalization. In this spirit, the Faculty has established functioning committees, and there is a set process for selecting and incorporating new faculty members into the program that involves current faculty members. The dean runs the Faculty in a relatively independent manner, and maintains a good working relationship with the rector and the president.

Our impression is that the law faculty has not yet completed the necessary transition to becoming fully independent and institutionally grounded. The school needs to continue its progress toward decentralization. Part of what makes a great law school is a faculty role in governance, and thus we believe that granting greater autonomy to the faculty and to the dean will further strengthen the law school.

### **3. Mission and Goals**

#### **- Observation and findings**

The IDC and its law faculty have clearly articulated missions and goals. "IDC aspires to be recognized as the first Israeli private university. . . " SS at 76: "IDC aspires to develop a university with a vision that is unique amongst Israeli

academia. Its academic approach is interdisciplinary; its organizational framework ensures financial independence.” SS at 3. “Our study programs are interdisciplinary, providing our students with profound integrated academic knowledge in two disciplines.” SS at 1.

As discussed in more detail below, IDC largely achieves its goal of interdisciplinarity. At the same time, as IDC recognizes, the emphasis on joint programs leads to a lack of flexibility and few opportunities for elective courses. SS at 27. This inflexibility may be an inevitable consequence of the emphasis on interdisciplinarity, at least so long as each discipline insists on students reaching a specific level of competence with a set curriculum.

#### **4. Study Programs**

- Observation and findings

##### **LLB Program:**

True to its name, the Radzyner Law School at the Interdisciplinary Center emphasizes combined degrees. While a few students with a prior academic degree can study just for the LLB in law, all other LLB students at IDC study for a combined LLB/BA in another discipline: law and business, law and government, or law and psychology. The interdisciplinarity with the other IDC units is real and prominent. One student only studying law described herself to the committee as an “oddball.” The elements of the combined programs seem to be well integrated, and serve many of the goals of a liberal arts education. To deliver their interdisciplinary potential, it is important that the combined programs have a great deal of cooperation between units, rather than simply pile requirements for each degree on top of each other.

Clinics are an important aspect of the LLB education program. IDC is one of the only law schools in Israel that requires all LLB students to take a clinic. Some 15-20 different clinics are now operating at IDC, ranging from legal aid to criminal prosecution to whistleblowers clinic. In addition to the supervisors, a member of the academic faculty is assigned as academic supervisor for every clinic.

##### **LLM Program:**

IDC also offers an LLM degree. IDC plans to increasingly emphasize the research nature of its LLM program and to require all students to write a thesis. IDC currently has no PHD program, although it has applied for authorization to grant the PHD degree. In our general report, we have discussed the standards for evaluating this issue. A key aspect of that analysis is the demonstration of the need for additional PhDs in law, perhaps in a particular field such as business law, given that Israel currently produces many more Law PhDs than there are academic job

openings. Additionally, as we discuss, a PHD granting institution must provide an entire program and community of advanced academic study, rather than simply award the PHD degree to students who have been supervised by a faculty member. We encourage The CHE to apply those standards, recognizing that it would be difficult for a new program to meet this burden.

## **5. Human Resources / Faculty**

### **- Observation and findings**

IDC has assembled a distinguished community of scholars. They make impressive contributions to the school's research profile, as well as to its teaching mission. IDC has an active workshop culture, as well as broad expertise in different fields and methodologies. The law faculty participates actively in international debates, and the school's interdisciplinary focus is reflected powerfully in the faculty's research. Building a faculty of this caliber over just two decades is an extraordinary achievement.

This accomplishment positions IDC to continue recruiting outstanding new colleagues. After all, leading scholars want to serve on a faculty that has other distinguished scholars. In addition, IDC has more flexibility financially (and in other ways) than public universities, which can be a potent recruiting advantage. As a result, IDC should be ambitious in its hiring.

Indeed, the school may want to focus more on lateral hiring, a strategy it pursued actively in earlier years, but has more recently deemphasized. IDC continues to recruit entry level candidates, as it should. One priority the law faculty has articulated is the value of recruiting candidates who regard IDC as their first choice. While we understand the appeal of this approach, a downside is that it can unnecessarily limit the pool of potential candidates.

More generally, to achieve its articulated goals, IDC should compete vigorously for faculty with public universities. It has advantages in doing so. If there are offsetting challenges as well, IDC should address them. For example, many outstanding candidates want to play a central role in the governance of their institution, and IDC should ensure that it is organized in a way that appeals to such candidates.

## **6. Students**

### **- Observation and findings**

The student body in the Interdisciplinary Center reflects a broad range of academic abilities. There are some excellent students, but as stated, they represent

only one end of a larger array of students. The tuition at the school is very high, and therefore, the diversity in academic level is not reflected on the socio-economic level. The center does attempt to grant need scholarships, but it still seems that for the most part, the student body emanates from a particular sector of Israeli society. This reduces the opportunity for students to study with and learn perspectives from working-class students. Because we all believe that a diverse student body improves the quality of legal education, we urge IDC to continue its efforts to reach out to under-represented sectors.

The learning atmosphere, class attendance, and class preparation (especially reading the assigned material) are less than satisfactory. As we note in the general report, this is a pervasive problem in Israeli law faculties.

IDC does pay sufficient attention to its outstanding students, which is praiseworthy. However, it seems that more attention should be given to supporting a larger number of students, and also to advancing the weaker students.

The center has an excellent placement office that helps its students find appropriate positions for specialization.

## **7. Teaching and Learning Outcomes**

### **- Observation and findings**

IDC is proud of its leading ranking in a national student-satisfaction survey. IDC promotes good teaching in a variety of ways, including running an annual Excellence in Teaching Workshop that is mandatory for new teachers and those scoring less than 3.5 in the internal student evaluations. The students with whom the committee met seemed enthusiastic about their educational programs.

Our committee has no recommendations on teaching and learning outcomes specific to IDC. We reiterate our strong recommendation in the general report that each law faculty report, using a standardized reporting format, the job outcomes of its LLB graduates, whether to staj or elsewhere. The IDC administration seemed very comfortable with this transparency proposal. They told the committee that 100% of their students who want to continue to internships/staj do so.

## **8. Research**

### **- Observation and findings**

IDC's law faculty is composed of ambitious and talented researchers. The school understands the vital relationship between outstanding teaching and cutting

edge research, as well as the role research plays in defining a law faculty's reputation. The law faculty is a pluralistic scholarly community that uses a range of methodologies to explore a broad set of substantive areas. The faculty's teaching responsibilities are on par with the load at public universities.

While it is essential for members of a great Israeli law faculty to contribute to international scholarly debates, it is also important for the faculty develop expertise about Israeli issues and problems. The faculty as a whole should make contributions on both dimensions, and the precise balance for individual faculty members depends on their field and interests. As discussed in our general report, we are concerned that the Israeli legal academy does not sufficiently emphasize scholarly contributions about Israel. This issue arises at IDC as well. As at other schools, this issue stems in part from tenure and promotion standards that value placements in U.S. student-edited journals. As we discuss in our general report, we recommend focusing less on student journal placements, and more on the work itself and the assessment of outside reviewers.

## **9. Infrastructure**

### **- Observation and findings**

The IDC campus is extremely pleasant, with a variety of new buildings and lovely green spaces. With the preservation of the old huts, now transformed into the most desirable law faculty offices, it retains a bit of the feel of an army base or kibbutz.

There is no dedicated law building. Instead, both classrooms and faculty offices are spread around the campus, with some offices in the law administration building. The advantage of this design is that law students have greater opportunity to interact with students in the other schools and thus further IDC's interdisciplinary goals. The disadvantage is that law students have fewer opportunities to interact among themselves, and to study in small groups.

## **10. Self-Evaluation Process**

### **- Observation and findings**

The Self Study submitted was clear and comprehensive. Centrally led (SS at 104-06), it seems to have been carried out efficiently and professionally. Each of CHE's questions was answered and, as far as we can tell, all the required information was provided. IDC raised some objections to our process, including the fact that our visit was for one day, instead of two. While we viewed our role as helping institutions achieve their goals, some at IDC seemed to have a more adversarial view of the process. As a result, we came away with the feeling that we could not be as helpful as we might have been.

## **Chapter4: Summary of Recommendations and Timetable**

### **Recommendations:**

#### **Essential:**

1. As we discuss in our general report, we recommend that IDC collect comprehensive and detailed data on placement outcomes (both internships and permanent employment) for their students and publish those data on their website. For students considering studying law, knowing up front how many graduates find internships, and of what sort, as well as their permanent employment will be enormously valuable. Likewise, better data on students and outcomes will aid IDC in meeting its mission and goals.
2. As we discuss in more detail in our general report, IDC must be careful not to overemphasize foreign publications in the promotions process.

#### **Advisable:**

1. For IDC's law faculty to achieve its goals, the law faculty needs greater autonomy.
2. For IDC's law faculty to achieve its goals, IDC should compete vigorously for faculty, including at the lateral level, and should organize itself in a way that appeals to such candidates. Focusing efforts entirely on entry level hiring, and not competing for candidates with offers from one of the public universities, would be short-sighted and fail to exploit its distinctive advantages.

**Signed by:**



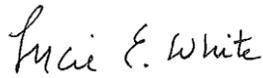
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Prof. Edward B. Rock



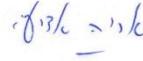
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Prof. Silvia Ferreri



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Prof. Lucie E. White



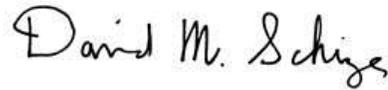
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Prof. Arye Edrei



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Prof. Stewart J. Schwab



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Prof. David Schizer

***Appendix 1: Letter of Appointment***

April 2014

Prof. Edward B. Rock  
University of Pennsylvania Law School,  
Pennsylvania  
USA

Dear Professor Rock,

The Israeli Council for Higher Education (CHE) strives to ensure the continuing excellence and quality of Israeli higher education through a systematic evaluation process. By engaging upon this mission, the CHE seeks: to enhance and ensure the quality of academic studies, to provide the public with information regarding the quality of study programs in institutions of higher education throughout Israel, and to ensure the continued integration of the Israeli system of higher education in the international academic arena.

As part of this important endeavor we reach out to world renowned academicians to help us meet the challenges that confront the Israeli higher education. This process establishes a structure for an ongoing consultative process around the globe on common academic dilemmas and prospects.

I therefore deeply appreciate your willingness to join us in this crucial enterprise.

It is with great pleasure that I hereby appoint you to serve as the chair of the Council for Higher Education's Committee for the Evaluation of the study programs in Law. In addition to yourself, the composition of the Committee will be as follows: Prof. Arye Edrei, Prof. Silvia Ferreri, Prof. Richard L. Revesz, Prof. David Schizer, Prof. Stewart J. Schwab and Prof. Lucie E. White.

Ms. Alex Buslovich-Bilik will be the coordinator of the Committee.

Details regarding the operation of the committee and its mandate are provided in the enclosed appendix.

I wish you much success in your role as the chair of this most important committee.

Sincerely,

Prof. Hagit Messer-Yaron  
Deputy Chairperson,  
The Council for Higher Education (CHE)

*Enclosures: Appendix to the Appointment Letter of Evaluation Committees*

## Appendix 2: Site Visit Schedule

**The Law Quality Assessment Committee**  
 Council for Higher Education  
 Visit at  
**Radzyner School of Law, Interdisciplinary Center Herzliya**  
**Arazi-Ofer Building Meeting Room C228**  
Tuesday, December 9, 2014

**Committee Members** Prof. Edward B. Rock – chair      **CHE Coordinators** Ms. Alex Buslovich-Bilik  
 Prof. Arye Edrei  
 Prof. Stewart J. Schwab  
 Prof. David Schizer

Schedule		
Time	Subject	IDC Herzliya Participants
9:00-9:30	Opening session with the heads of the institution and the senior staff member appointed to deal with quality assessment	Prof. Uriel Reichman, President Prof. Mario Mikulincer, Provost Prof. Sharon Rabin-Margalioth, Dean, Radzyner School of Law Dr. Rivka Weill, head of quality assessment process Ms. Gila Patchornik, Office of the Provost
09:30-10:30	Meeting with the Dean of the School of Law	Prof. Sharon Rabin-Margalioth
10:30-11:45	Meeting with senior academic staff (representatives of relevant committees and programs)	Dr. Rivka Weill, Dr. Ronen Kritenshtein, Prof. Aharon Barak, Prof. Amir Licht, Prof. Guy Seidman, Prof. Amnon Lehavi, Prof. Lior Barshak, Dr. Hillel Sommer, Dr. Ruth Zafran, Dr. Lior Zemer
11:45-12:45	Tour of facilities: classrooms, library, labs, offices	Prof. Sharon Rabin-Margalioth, Adv. Michal Cotler-Wunsh, Ms. Emma Hall
12:45-13:30	Lunch (in the same room) Closed door meeting of the committee	–
13:30-14:30	Meeting with Junior academic staff	Dr. Rifat Azam, Dr. Moran Ofir, Dr. Liav Orgad, Dr. Anat Rosenberg, Dr. Eliav Lieblich, Dr. Adam Shinar, Dr. Galia Schneebaum
14:30-15:30	Meeting with Clinical and Adjunct academic staff	Adv. Assaf Ben-David, Adv. Roni Avissar, Adv. Ziv Lidror, Dr. Dov Greenbaum, Dr. Meital Pinto, Dr. Assaf Porat
15:30-16:30	Meeting with BA students*	Coral Kratenstein (4), Nel Ben-Ami (4), Ziv Shilon (2), Miri (Mengyao) Wang (3), Daniel Klein (2), Sara Yael Weinberge (2), Uri Gafni (2), Daniel Hornstein (4), Nadav Ben Yehuda (3)
16:30-17:00	Meeting with MA students	Shahar Friedman (thesis), Uri Harel, Ariela Michlin (thesis), Eliad Sholomovich (thesis), Elad Sharan (thesis)
17:00-18:00	Meeting with Alumni	Gilat Lavian (Chocron) Oren Fono, Lee-Hee Goldenberg, Shelly Malka, Aviv Gaon, Yoav Poizner, Eanbal Tom
18:00-18:15	Closed committee meeting	–
18:15-18:45	Closing session with heads of institution and dean of faculty of Law	Prof. Uriel Reichman, Prof. Mario Mikulincer, Prof. Sharon Rabin-Margalioth, Ms. Gila Patchornik

\* The duration of our Law degree programs is four years.