

## Default Rules in Private and Public Law: A Symposium

### PROGRAM DESCRIPTION

Since the economic analysis of default rules in contract law set the stage more than twenty years ago, analysis of default rules has reverberated throughout several areas of law. For example, today analysis of gap-filling devices dominates much discussion of corporate law, as well as family law and torts. Even in public law, commentators have invoked default rule analysis to address constitutional rights and other issues, such the appropriate judicial approach to the interpretation of statutes.

On March 25-26, 2005, Florida State University College of Law will hold a 1 1/2 day conference on Default Rules in Private and Public Law. Four panels will include papers by leading scholars on the topic, along with comments by distinguished academics. The panels will be organized around the following themes:

- 1) The theory of default rules
- 2) Default rules in private market transactions
- 3) Default rules and the firm
- 4) Default rules in public law

Conference papers will be published in a symposium issue of the *Florida State University Law Review*.



Spring 2005 Symposium  
Default Rules in Private and  
Public Law: A Symposium

FLORIDA STATE UNIVERSITY  
COLLEGE OF LAW  
TALLAHASSEE, FLORIDA 32306-1601

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Spring 2005 Symposium



March 25-26, 2005

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FLORIDA STATE UNIVERSITY  
COLLEGE OF LAW

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## KEYNOTE SPEAKER

### Eric Maskin

Eric Maskin is the Albert O. Hirschman Professor of Social Science, at the Institute for Advanced Study, Princeton University.

He is one of the leading economists studying the implications of incomplete contracts, and has also made important innovations in "implementation" theory, which addresses the question of when one can devise procedural rules ensuring that society will make the best choice from among a set of alternatives, and the existence of equilibrium in discontinuous games. His ongoing work addresses which voting methods best promote democratic values.



## THEORIES OF DEFAULT RULES

### PAPERS:

Ian Ayres, *William K. Townsend Professor of Law, Yale University*  
Omri Ben-Shahar, *Professor of Law, University of Michigan*  
Kimberly Krawiec, *Professor of Law*, and Scott Baker, *Associate Professor of Law, University of North Carolina*

### COMMENTATORS:

Alan Schwartz, *Sterling Professor of Law, Yale University*  
Adam Hirsch, *David M. Hoffman Professor of Law, Florida State University*  
Robert Scott, *David & Mary Harrison Distinguished Professor of Law, University of Virginia*

## DEFAULT RULES IN PRIVATE TRANSACTIONS

### PAPERS:

Oren Bar-Gill, *Fellow, Harvard University*  
Margaret Brinig, *William G. Hammond Distinguished Professor of Law, University of Iowa*  
Eric Posner, *Kirkland & Ellis Professor of Law of Law, University of Chicago*

### COMMENTATORS:

Curtis Bridgeman, *Assistant Professor of Law, Florida State University*  
Mary Crossley, *Florida Bar Health Law Section Professor, Florida State University*  
Jody Kraus, *Professor of Law and Professor of Philosophy, University of Virginia*

## DEFAULT RULES IN CORPORATE LAW

### PAPERS:

Tamar Frankel, *Professor of Law, Boston University*  
Eric Talley, *Professor of Law, University of Southern California*

### COMMENTATORS:

Robert B. Ahdieh, *Associate Professor of Law, Emory University*  
Amitai Aviram, *Assistant Professor of Law, Florida State University*  
Jonathan Klick, *Assistant Professor of Law, Florida State University*

## DEFAULT RULES IN PUBLIC LAW

### PAPERS:

Daniel Farber, *Sho Sato Professor of Law, University of California-Berkeley*  
John Ferejohn, *Caroline S.G. Munro Professor of Political Science, Stanford University*  
Bradley C. Karkkainen, *Professor of Law, University of Minnesota*

### COMMENTATORS:

Jim Rossi, *Harry M. Walborsky Professor of Law, Florida State University*  
J.B. Ruhl, *Matthews & Hawkins Professor of Property Law, Florida State University*  
John Scholz, *Eppes Professor of Political Science, Florida State University*  
Mark Seidenfeld, *Patricia A. Dore Professor of Administrative Law, Florida State University*

## FLORIDA STATE UNIVERSITY COLLEGE OF LAW

The 2005 Symposium continues the Florida State University College of Law's commitment to furthering scholarly debate on important legal issues. Proceedings from other recent symposia may be found in the *Florida State University Law Review*.

"The Behavioral Analysis of Legal Institutions: Possibilities, Limitations and New Directions," (2005: forthcoming)

"Genes and Disability: Defining Health and the Goals of Medicine," (2003: Vol. 30, Issue 2)

"The Law of Presidential Elections: Issues in the Wake of Florida 2000," (2001: Vol. 29, Issue 2)

"Regulatory Theory and Administrative Law," (2000: Vol. 28, Issue 1)

For information on the Florida State University College of Law's faculty workshops, please visit: <http://www.law.fsu.edu/faculty/speakers.php>

For registration and CLE information, visit [www.law.fsu.edu](http://www.law.fsu.edu), or e-mail Stephanie Williams, Associate Dean for Administration, at [swilliam@law.fsu.edu](mailto:swilliam@law.fsu.edu).