

DEFAULT RULES IN PRIVATE AND PUBLIC LAW:

A SYMPOSIUM

March 25-26, 2005

Room R-103, Florida State University College of Law

(Panel moderators marked with an asterisk.)

Friday, March 25

8:30 – Continental breakfast & registration, Rotunda

9:00 – Welcome from Dean Don Weidner / Professor Jim Rossi

9:15-11:15 – Theories of Default Rules

Papers:

Preliminary Thoughts on “Altering Rules”: With Applications to Altering Penalties and Sticky Defaults: Ian Ayres, William K. Townsend Professor of Law, Yale University

On the Stickiness of Default Rules: Omri Ben-Shahar, Professor of Law, University of Michigan

Incomplete Contracts in a Complete Contract World: Kimberly Krawiec, Professor of Law, and Scott Baker, Associate Professor of Law, University of North Carolina

Commentators:

Barbara Banoff, Professor of Law, Florida State University

Alan Schwartz, Sterling Professor of Law, Yale University

Robert Scott, David & Mary Harrison Distinguished Professor of Law, University of Virginia

*Adam Hirsch, David M. Hoffman Professor of Law, Florida State University

11:30-1:00: Lunch, Rotunda of Law School

Keynote Address (to begin at 11:45):

An Economic Theorist Looks at Default Rules: Eric Maskin,
Albert O. Hirschman Professor of Social Science, Institute for
Advanced Study, Princeton University

1:00-3:00 – Default Rules in Private Transactions

Papers:

Quantifying Forseeability: Oren Bar-Gill, Assistant Professor of
Law, New York University Law School

Penalty Defaults in Family Law: The Case of Child Custody:
Margaret Brinig, William G. Hammond Distinguished Professor of
Law, University of Iowa

There Are No Penalty Default Rules in Contract Law: Eric Posner,
Kirkland & Ellis Professor of Law of Law, University of Chicago

Commentators:

Mary Crossley, Florida Bar Health Law Section Professor, Florida
State University

Jody Kraus, Professor of Law and Professor of Philosophy,
University of Virginia

*Curtis Bridgeman, Assistant Professor of Law, Florida State
University

3:15-5:15 – Default Rules in Corporate Law

Papers:

*What Default Rules Teach Us About Corporations; What
Understanding Corporations Teaches Us About Default Rules:*
Tamar Frankel, Professor of Law, Boston University

Capital Structure and Legal Defaults: Eric Talley, Professor of
Law, and Mark Weinstein, Associate Professor of Business and
Law, University of Southern California

Commentators:

Robert B. Ahdieh, Associate Professor of Law, Emory University

Jonathan Klick, Assistant Professor of Law, Florida State University

*Amitai Aviram, Assistant Professor of Law, Florida State University

Saturday, March 26

9:00 – 11:00 – Default Rules in Public Law

Papers:

Another View of the Quagmire: Unconstitutional Conditions and Contract Law: Daniel Farber, Sho Sato Professor of Law, University of California-Berkeley

Toward a Political Theory of Constitutional Default Rules: John Ferejohn, Caroline S.G. Munro Professor of Political Science, Stanford University & Barry Friedman, NYU

Information-Forcing Environmental Regulation: Bradley C. Karkkainen, Professor of Law, University of Minnesota

Commentators:

Steven Gey, David & Deborah Fonvielle and Donald & Janet Hinkle Professor of Law, Florida State University

J.B. Ruhl, Matthews & Hawkins Professor of Property Law, Florida State University

John Scholz, Francis Eppes Professor of Political Science, Florida State University

Mark Seidenfeld, Patricia A. Dore Professor of Administrative Law, Florida State University

*Jim Rossi, Harry M. Walborsky Professor of Law, Florida State University