
30 Years of Comparative Institutional Analysis: A Celebration of Neil Komesar

Schedule

Friday, October 19

9:00–9:30 a.m.  Continental Breakfast

9:30–9:45 a.m.  Opening Remarks

9:45–11:15 a.m.  "CIA in Intellectual Perspective"
Professors Shaffer, Nourse, and Stephenson will examine how Neil Komesar’s “Comparative Institutional Analysis” framework provides an analytical framework for understanding and assessing the implications of alternative institutional choices for policymaking. Professor Nourse will discuss how Komesar’s work has built upon concepts in economics to provide a richer understanding of law for lawyers as well as academics.

Panelists:
Gregory Shaffer – Melvin C. Steen Professor of Law, University of Minnesota Law School
Victoria Nourse – Professor of Law, Georgetown Law Center
Matthew Stephenson – Professor of Law, Harvard Law School

11:15–11:30 a.m.  Break

11:30–12:30 p.m.  "CIA and the Regulatory Process - Part 1"
Professors Rubin and Goodwin will discuss regulatory frameworks relating to property and statutory rape through the lens of Komesar’s work. Professor Goodwin will discuss statutory interpretation and prosecutorial discretion vis-à-vis statutory rape laws.

Panelists:
Edward Rubin – University Professor of Law and Political Science, Vanderbilt Law School
Michele Goodwin – Everett Fraser Professor of Law, University of Minnesota Law School

12:30–1:30 p.m.  Lunch

(Continued)
1:30–2:30 p.m. "CIA and Public Law"
Professor Maduro, a former Advocate General to the European Court of Justice, will speak on constitutional pluralism and institutional choice.

Panelists:
Andrew Coan – Assistant Professor of Law, University of Wisconsin Law School
Miguel Maduro – Professor of European Law and former Advocate General to the European Court of Justice, European University Institute

2:30–2:45 p.m. Break

2:45–3:45 p.m. "The Future of CIA"
Professors Cole and Ghosh will explore ways in which comparative institutional analysis might be refined or expanded upon in the future. Professor Cole will compare Komesar’s work with the work of political economists. Professor Ghosh will argue that Komesar’s framework is too narrow, and should be broadened to include consideration of more institutional frameworks.

Panelists:
Daniel Cole – Professor of Law and of Public and Environmental Affairs, Indiana University Maurer School of Law
Shubha Ghosh – Vilas Research Fellow & Professor of Law, University of Wisconsin Law School

3:45–6:30 p.m. Extended Break

Saturday, October 20

8:15–8:45 a.m. Continental Breakfast

8:45–9:45 a.m. "CIA in Practice"
Practitioner Paul Olszowka (Barnes & Thornburg LLP), and Professor Peter Swire will focus specifically on the implications of comparative institutional analysis for practicing attorneys.

Panelists:
Paul Olszowka – Partner, Barnes & Thornburg LLP
Peter Swire – C. William O’Neill Professor of Law, The Ohio State University, Moritz College of Law

9:45–10:00 a.m. Break

(Continued)
10:00–11:30 a.m.  "CIA and the Regulatory Process - Part 2"
Professors Skeel and Wagner will further discuss regulatory frameworks. Professor Skeel will analyze the role of executive, legislative, and judicial branch actors in times of economic crisis. Professor Eskridge will discuss the theory of statutory interpretation and institutional cost-benefit analysis.

Panelists:
William Eskridge, Jr. – John A. Garver Professor of Jurisprudence, Yale Law School
David Skeel – S. Samuel Arsht Professor of Corporate Law, University of Pennsylvania Law School
Wendy Wagner – Joe A. Worsham Centennial Professor, The University of Texas School of Law

11:30–11:45 a.m. Break

11:45–1:00 p.m. Keynote Address
Professor Komesar will respond to the preceding panels. He will also analyze the role of comparative institutional analysis in understanding law and restructuring legal education. He will draw on substantive legal examples that will likely include: corporate law and the business judgment rule, civil procedure and class actions, contract law and unconscionability, property law and the choice of remedies, and more.

Guest of Honor:
Neil Komesar – Professor of Law Emeritus, University of Wisconsin Law School

1:00–2:00 p.m. Lunch