



AN ACADEMIC SYMPOSIUM

# THE "WAR" ON THE CIVIL JUSTICE SYSTEM

SPONSORED BY EMORY UNIVERSITY SCHOOL OF LAW AND THE POUND CIVIL JUSTICE INSTITUTE THURSDAY, OCTOBER 15, 2015 AT EMORY UNIVERSITY SCHOOL OF LAW

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## AGENDA

### WELCOME REMARKS (9:00-9:10 am)

Robert A. Schapiro, Dean of Emory Law  
Christopher T. Nace, Trustee, Pound Civil Justice Institute

### KEYNOTE ADDRESS (9:10-10:20 am)

**The Invention and Vulnerabilities of Democratic Courts**  
Judith Resnik, Yale Law School

### PANEL 1: DISAPPEARING COURTS: DIMINISHING USE OF AND ACCESS TO CIVIL LITIGATION

(10:30 am – 12:20 pm) Moderator: Christopher T. Nace, Esq. Pound Institute Trustee

#### **The Role of Litigation in American Democracy**

Alexandra D. Lahav, University of Connecticut School of Law

#### **Where Have All the Cases Gone? The Strange Success of Tort Reform Revisited**

Stephen Daniels, American Bar Foundation  
Joanne Martin, American Bar Endowment

#### **Exodus from and Transformation of American Civil Litigation**

Richard D. Freer, Emory University School of Law

**Panel discussion** among morning faculty and keynote speaker

**Audience Questions and Answers**

### REMARKS FROM POUND INSTITUTE PRESIDENT (12:20)

Kathleen Flynn Peterson, Minneapolis, MN

### LUNCH (12:30 – 1:30 pm)

*\*Our thanks to the staff of the Emory Law Journal for their support.*

**PANEL 2: TORT “REFORM” AND ITS IMPACT ON THE DEVELOPMENT OF U.S. LAW**

*(1:35 pm – 3:40 pm) Moderator: N. John Bey, Esq. Pound Institute Trustee*

**Class Warfare: The Disappearance of Low-Income Litigants from the Civil Docket**

Myriam Gilles, Cardozo School of Law, Yeshiva University

**The Role of Influence in the Arc of Tort “Reform”**

Georgene Vairo, Loyola Law School, Los Angeles

**Class Actions in the Year 2025: A Prognosis**

Robert Klonoff, Lewis & Clark Law School

**A Common Law for the Age of Regulations**

Catherine M. Sharkey, New York University School of Law

**Panel discussion** among afternoon faculty

**Audience Questions and Answers**

**CLOSING REMARKS** *(3:45 – 4:00 pm)*

Robert A. Schapiro, Emory Law Dean

Kathleen Flynn Peterson, President, Pound Civil Justice Institute

**RECEPTION** *(4:00 – 5:00 pm)*