

The *25th* Annual

CLIFFORD SYMPOSIUM
ON TORT LAW AND SOCIAL POLICY

RISING

STARS

REGISTRATION

The Clifford Symposium is free and open to the public. Because of space limitations, however, those interested in attending are encouraged to register in advance. Registrants will be given preference with regard to attendance, luncheon and distribution of materials. Registration must be completed no later than **Friday, April 13, 2018**. Walk-ins are welcome, but space is not guaranteed.

Reservations are accepted by phone at (312) 362-8372 or online at 2019cliffordsymposium.eventbrite.com.

DePaul Center, Room 8005
One East Jackson Boulevard
Chicago, Illinois

DePaul University College of Law is an accredited Illinois MCLE provider. This program has been approved for up to 8.0 hours of CLE credit.

Day 1 - up to 4.0 General CLE credits
Day 2 - up to 4.0 General CLE credits

APRIL 25 AND 26 • 2019

This is the 25th anniversary of the Clifford symposium on Tort Law and Social Policy. It seems an appropriate moment to ask a new, diverse and gifted generation of legal scholars to tell us what they think are the important questions in civil justice.

This is not the first time the Symposium has gathered together an outstanding group of young stars. It did so ten years ago in 2009. The results then were so exciting that we could think of no finer way to celebrate 25 years than to mount another rising stars program.

The range of our faculty's interests is broad. Some have chosen to focus on innovations in tort law or alternatives to solve problems that traditional doctrine has struggled over including future losses, the status of tort claims as property and the boundary between free speech and tort liability, to name but a few. Others among our faculty will be considering some of the explosive developments in civil procedure, particularly regarding class actions, questions of jurisdiction and the treatment of those labeled, for one reason or another, "foreign."

STARS

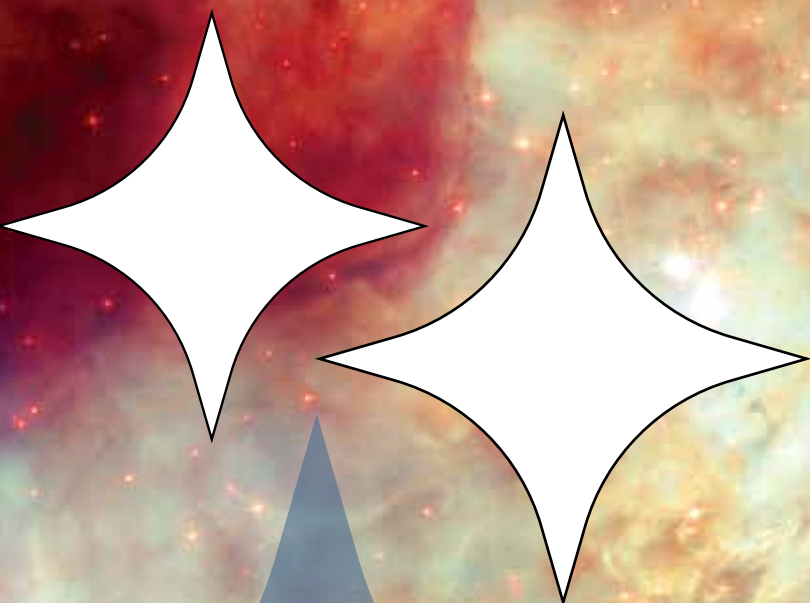
RISING

A NEW GENERATION OF SCHOLARS
LOOKS AT CIVIL JUSTICE

As the Symposium has regularly done in the past, there will be a set of presentations focusing on what social science tools can tell us about aspects of civil justice from emotional influences on decision making to the behavior of insurance markets. Finally, a number of our scholars will look at the plight of the "have nots," individuals disadvantaged by our justice system on the basis of economic, social and racial considerations.

The Symposium will also be asking some of its distinguished alumni, already well-established stars, to comment on the young scholars' papers and provide their own thoughts on where legal scholarship and the law are headed in the near future. This group will include Professors Nora Engstrom (Stanford) Marc Galanter (Wisconsin), Michele Goodwin (UC Irvine), David Hyman (Georgetown), Robert Rabin (Stanford), Anthony Sebok (Cardozo) and Catherine Sharkey (NYU).

This is the 25th anniversary of the Clifford symposium on Tort Law and Social Policy. It seems an appropriate moment to ask a new, diverse and gifted generation of legal scholars to tell us what they think are the important questions in civil justice.



This is not the first time the Symposium has gathered together an outstanding group of young stars. It did so ten years ago in 2009. The results then were so exciting that we could think of no finer way to celebrate 25 years than to mount another rising stars program.

The range of our faculty's interests is broad. Some have chosen to focus on innovations in tort law or alternatives to solve problems that traditional doctrine has struggled over including future losses, the status of tort claims as property and the boundary between free speech and tort liability, to name but a few. Others among our faculty will be considering some of the explosive developments in civil procedure, particularly regarding class actions, questions of jurisdiction and the treatment of those labeled, for one reason or another, "foreign."

RISING STARS

A NEW GENERATION OF SCHOLARS LOOKS AT CIVIL JUSTICE

As the Symposium has regularly done in the past, there will be a set of presentations focusing on what social science tools can tell us about aspects of civil justice from emotional influences on decision making to the behavior of insurance markets. Finally, a number of our scholars will look at the plight of the "have nots," individuals disadvantaged by our justice system on the basis of economic, social and racial considerations.

The Symposium will also be asking some of its distinguished alumni, already well-established stars, to comment on the young scholars' papers and provide their own thoughts on where legal scholarship and the law are headed in the near future. This group will include Professors Nora Engstrom (Stanford) Marc Galanter (Wisconsin), Michele Goodwin (UC Irvine), David Hyman (Georgetown), Robert Rabin (Stanford), Anthony Sebok (Cardozo) and Catherine Sharkey (NYU).

This is the 25th anniversary of the Clifford symposium on Tort Law and Social Policy. It seems an appropriate moment to ask a new, diverse and gifted generation of legal scholars to tell us what they think are the important questions in civil justice.



This is not the first time the Symposium has gathered together an outstanding group of young stars. It did so ten years ago in 2009. The results then were so exciting that we could think of no finer way to celebrate 25 years than to mount another rising stars program.

The range of our faculty's interests is broad. Some have chosen to focus on innovations in tort law or alternatives to solve problems that traditional doctrine has struggled over including future losses, the status of tort claims as property and the boundary between free speech and tort liability, to name but a few. Others among our faculty will be considering some of the explosive developments in civil procedure, particularly regarding class actions, questions of jurisdiction and the treatment of those labeled, for one reason or another, "foreign."

RISING STARS

A NEW GENERATION OF SCHOLARS LOOKS AT CIVIL JUSTICE

As the Symposium has regularly done in the past, there will be a set of presentations focusing on what social science tools can tell us about aspects of civil justice from emotional influences on decision making to the behavior of insurance markets. Finally, a number of our scholars will look at the plight of the "have nots," individuals disadvantaged by our justice system on the basis of economic, social and racial considerations.

The Symposium will also be asking some of its distinguished alumni, already well-established stars, to comment on the young scholars' papers and provide their own thoughts on where legal scholarship and the law are headed in the near future. This group will include Professors Nora Engstrom (Stanford) Marc Galanter (Wisconsin), Michele Goodwin (UC Irvine), David Hyman (Georgetown), Robert Rabin (Stanford), Anthony Sebok (Cardozo) and Catherine Sharkey (NYU).

This is the 25th anniversary of the Clifford symposium on Tort Law and Social Policy. It seems an appropriate moment to ask a new, diverse and gifted generation of legal scholars to tell us what they think are the important questions in civil justice.



This is not the first time the Symposium has gathered together an outstanding group of young stars. It did so ten years ago in 2009. The results then were so exciting that we could think of no finer way to celebrate 25 years than to mount another rising stars program.

The range of our faculty's interests is broad. Some have chosen to focus on innovations in tort law or alternatives to solve problems that traditional doctrine has struggled over including future losses, the status of tort claims as property and the boundary between free speech and tort liability, to name but a few. Others among our faculty will be considering some of the explosive developments in civil procedure, particularly regarding class actions, questions of jurisdiction and the treatment of those labeled, for one reason or another, "foreign."

RISING STARS

A NEW GENERATION OF SCHOLARS LOOKS AT CIVIL JUSTICE

As the Symposium has regularly done in the past, there will be a set of presentations focusing on what social science tools can tell us about aspects of civil justice from emotional influences on decision making to the behavior of insurance markets. Finally, a number of our scholars will look at the plight of the "have nots," individuals disadvantaged by our justice system on the basis of economic, social and racial considerations.

The Symposium will also be asking some of its distinguished alumni, already well-established stars, to comment on the young scholars' papers and provide their own thoughts on where legal scholarship and the law are headed in the near future. This group will include Professors Nora Engstrom (Stanford) Marc Galanter (Wisconsin), Michele Goodwin (UC Irvine), David Hyman (Georgetown), Robert Rabin (Stanford), Anthony Sebok (Cardozo) and Catherine Sharkey (NYU).

THURSDAY, APRIL 25, 2019

9:00 Registration and Continental Breakfast

10:00 Opening Remarks

Jennifer Rosato Perea
Dean, DePaul University College of Law

Stephan Landsman
Director, Clifford Symposium

10:15 **SESSION I: TORT TOPICS**

PRESENTERS:

Dov Fox—*Redressing Future Losses*

David Han—*Managing Constitutional Boundaries in Speech-Tort Jurisprudence*

Teddy Rave—*Tort Claims as Property Rights*

Diego Zambrano—[TBD]

DISCUSSANTS: **Robert Rabin, Catherine Sharkey**

12:30 **LUNCH**

1:30 **SESSION II: TORT ALTERNATIVES**

PRESENTERS:

Yonathan Arbel—*Theory of the Nudnik: The Future of Consumer Activists and How We Can Stop It*

Caroline Cecot—*Informational Monitoring*

Andrew Elmore—*State Qui Tam Statutes to Enforce Employment Law After Epic Systems*

DISCUSSANT: **Anthony Sebok**

3:00 **BREAK**

3:15 **SESSION III: PROCEDURE**

PRESENTERS:

Andrew Bradt—*Jurisdiction, Choice of Law and the Federal Courts as a National Body*

Zachary Clopton—*Civil Justice and the (Green) New Deal*

Maggie Gardner—*"Foreign"*

Adam Zimmerman—*Class Actions All the Way Up*

DISCUSSANTS: **Nora Engstrom, Stephan Landsman**

5:15 Conclusion of Day 1

FRIDAY, APRIL 26, 2019

8:00 Registration and Continental Breakfast

9:00 **SESSION IV: THE "HAVE NOTS"**

PRESENTERS:

Khiara Bridges—*Race, Pregnancy and the Opioid Epidemic: White Privilege and the Criminalization of Opioid Use During Pregnancy*

Maureen Carroll—*Civil Procedure and Economic Inequality*

Victor Quintilla—*Doing Unrepresented Status: Structural, Contextual, and Psychological Bases of the Signaling Effect of Pro Se Status*

Victoria Sahani—*Rethinking the Impact of Third-Party Funding on Access to Justice*

DISCUSSANTS: **Marc Galanter, Michele Goodwin**

11:00 **BREAK**

11:15 **SESSION V: SOCIAL SCIENCE PERSPECTIVES**

PRESENTERS:

Jessica Salerno—*Emotional Influence on Decision Making in Civil Cases*

Daniel Schwarcz—*Proxy Discrimination, Predictive Analytics and Insurance Markets*

Tara Sklar—*Escalation of Research Participants' Rights in the Era of Clinical Trial Transparency*

Ashley Votruba—*Dividing Responsibility: The Role of the Psychology of Attribution*

DISCUSSANT: **David Hyman**

1:15 Concluding Remarks

THE CLIFFORD SYMPOSIUM ON TORT LAW AND SOCIAL POLICY



In 1994, Robert A. Clifford ('76) endowed a faculty chair in tort law and social policy. The chair gives meaningful expression to his belief that the civil justice system serves a number of vital interests in American society. The Clifford Chair at DePaul provides a vehicle for exploration of the civil justice system in an intellectually rigorous fashion.

In addition to providing support for faculty research and teaching, the endowment makes possible an annual

symposium addressing a timely issue in the civil justice area. The purpose of the symposium is to bring the latest scholarship and advances in legal practice to lawyers and scholars who specialize in tort law, civil justice and related fields. Professor Stephan Landsman is the current organizer and director of the symposium underwritten by the Clifford Chair.

SYMPOSIUM FACULTY

Yonathan Arbel (Alabama)	Stephan Landsman (DePaul)
Andrew Bradt (UC Berkeley)	Victor Quintilla (Indiana Bloomington)
Khiara Bridges (Boston University)	Robert Rabin (Stanford)
Maureen Carroll (Michigan)	Teddy Rave (Houston)
Caroline Cecot (George Mason)	Victoria Sahani (Arizona State)
Zachary Clopton (Cornell)	Jessica Salerno (Arizona State)
Nora Engstrom (Stanford)	Daniel Schwarcz (Minnesota)
Andrew Elmore (Miami)	Catherine Sharkey (NYU)
Dov Fox (San Diego)	Anthony Sebok (Cardozo)
Marc Galanter (Wisconsin)	Tara Sklar (Arizona)
Maggie Gardner (Cornell)	Ashley Votruba (Nebraska)
Michele Goodwin (UC Irvine)	Diego Zambrano (Stanford)
David Han (Pepperdine)	Adam Zimmerman (Loyola Los Angeles)
David Hyman (Georgetown)	

PAST CONFERENCE TOPICS:

- 2018**
Patient Safety: How Might the Law Help
- 2017**
The Impact of Dark Money on Judicial Elections and Behavior
- 2016**
Privacy, Data Theft and Corporate Responsibility
- 2015**
The Supreme Court, Business and Civil Justice
- 2014**
In Honor of Jack Weinstein
- 2013**
Brave New World: The Changing Face of Litigation and Law Firm Finance
- 2012**
A Celebration of the Thought of Marc Galanter
- 2011**
Festschrift for Robert Rabin
- 2010**
The Limits of Predictability and the Value of Uncertainty
- 2009**
Rising Stars: A New Generation of Scholars Looks at Civil Justice
- 2008**
The Challenge of 2020: Preparing a Civil Justice Reform Agenda for the Coming Decade
- 2007**
Distortions in the Attorney/Client Relationship: Threats to Sound Advice?
- 2006**
Is the Rule of Law Waning in America?
- 2005**
Who Feels Their Pain? The Challenge of Non-Economic Damages in Civil Litigation
- 2004**
Starting Over: Redesigning the Medical Malpractice System
- 2003**
After Disaster: The September 11th Compensation Fund and the Future of Civil Justice
- 2002**
Export Import: American Civil Justice in a Global Context
- 2001**
Smoke Signals: Civil Justice in the Wake of the Tobacco Wars
- 2000**
Civil Litigation and Popular Culture
- 1999**
Judges as Tort Lawmakers
- 1998**
The American Civil Jury: Illusion and Reality
- 1997**
Contingent Fee Financing of Litigation in America
- 1996**
Tort Law and the Science of the Twenty-First Century
- 1995**
ADR and Torts: Implications for Practice and Reform