

International Colloquium on Law and Economics - Latin American and Caribbean Law and Economics Center (CLACDE)

June 11th 2009 - Spanish School of Judges (Barcelona)

13th Meeting of the Latin American and Caribbean Law and Economics Association (ALACDE)

June 15-16th 2009 – Universitat Pompeu Fabra (Barcelona)

Summary

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1. Program

Papers of the selected authors are available at <http://repositories.cdlib.org/bple/alacde/>.

INTERNATIONAL COLLOQUIUM ON LAW AND ECONOMICS LATIN AMERICAN AND CARIBBEAN LAW AND ECONOMICS CENTER (CLACDE)

June 11th 2009

Spanish School of Judges - Barcelona

THURSDAY, 11 JUNE 2009		
11.00	Departure from Universitat Pompeu Fabra ¹	
12.00	Arrival at Spanish School of Judges	
13.00-14.30	Lunch	
14.30-15.15	14.30-15.00	Prof. Nuno Garoupa Professor of Law and Economics at University of Illinois, H. Ross and Helen Workman Research Scholar <i>La evaluación y indicadores de productividad de los jueces</i>
	15.00-15.15	Debate
15.15-16.00	15.15-15.45	Prof. Francisco Reyes Villamizar Professor of Law at Pontificia Universidad Javeriana <i>Resolucion de conflictos societarios. Adjudicacion judicial e desjudicializacion en sociedades cerradas</i>
	15.45-16.00	Debate
16.00-16.15	Pause	
16.15-17.00	16.15-16.45	Prof. Robert Cooter Hermann F. Selvin, Professor of Law; director, Program in Law and Economics, University of Berkeley <i>Introduction to the Economic Analysis of Law (in English)</i>
	16.45-17.00	Debate
17.00-17.45	17.00-17.30	Prof. Alfredo Bullard González Professor of Law at Pontificia Universidad Católica del Perú <i>Viendo más allá del expediente: el impacto económico de las sentencias judiciales</i>
	17.30-17.45	Debate

¹ Bus transportation has been scheduled.

17.45- 19.00	<i>Afternoon snack</i>
19.00	Departure from Spanish School of Judges
20.00	Arrival at Universitat Pompeu Fabra

13TH MEETING OF THE LATIN AMERICAN AND CARIBBEAN LAW AND ECONOMICS ASSOCIATION (ALACDE)

June 15th - 16th 2009
 Universitat Pompeu Fabra
 Barcelona

MONDAY, 15 JUNE 2009				
8.30-9.30	WELCOMING AND REGISTRATION			
9.30-11.00	INAUGURAL KEYNOTE (AUDITORIUM) Prof. Jane Stapleton Professor at The Australian National University College of Law; the Ernest E. Smith Professor of Law, University of Texas, School of Law; Statutory Visiting Professor and Member of the Law Faculty at Oxford University; and Council member of the American Law Institute <i>Law, Economics and Causation</i> Prof. Encarnación Roca Trías Professor of Law at Universitat de Barcelona and Associate Justice of the Spanish Supreme Court <i>El riesgo como criterio de imputación en la responsabilidad civil</i>			
11.00-11.15	Debate			
Coffee-break (Sala d'Exposicions)				
11.30-12.00	PLENARY SESSION (AUDITORIUM) Prof. Miquel Martín Casals Professor of Law at Universitat de Girona <i>El Derecho español sobre la concurrencia de culpa del menor a la luz de los PETL</i>			
12.00-12.15	Debate			
12.15-12.45	PLENARY SESSION (AUDITORIUM) Prof. Florencio López de Silanes Professor of Finance and Law at EDHEC Business School <i>Transparency and Disclosures by Politicians</i>			
12.45-13.00	Debate			
Lunch				
15.00-16.00	PANELS²	CRIMINAL LAW Room 40.148 Moderator: Iñigo Ortiz de Urbina	CONSTITUTIONAL LAW AND ECONOMICS, LEGAL HISTORY AND JURISPRUDENCE Room 40.150 Moderator: Flavia Santinoni Vera	FAMILY LAW AND ECONOMICS Room 40.152 Moderator: Josep Ferrer Riba
	15.00-15.20	Pery Francisco Assis Shikida Crimes violentos e desenvolvimento socioeconômico: um estudo para o Estado do Paraná – Brasil	Juan Javier del Granado The Genius of Roman Law from a Law and Economics Perspective	Mireia Artigot Golobardes Economic considerations for regulating marital dissolutions in response to new family structures

² Presentations of the papers (10 minutes) will be followed by a short discussion (10 minutes). Moderators will be very strict in the timing of sessions.

	15.20-15.40	Luis Marcelo Berger / Denis Borenstein / Giacomo Balbinotto Neto <i>A Computational Method Applied to the Economic Analysis of Criminal Law</i>	Anna Simonato / Leonor Rossi <i>Evaluating Rights through Conflict, Measuring the right of Access to Documents against the rights of Privacy, Italy and the European Union Compared</i>	María del Carmen García Garnica <i>La protección patrimonial y la promoción de las personas dependientes: un nuevo reto para el derecho privado</i>
	15.40-16.00			Roland Krause <i>International Family Business Succession Planning- Recent Developments in Germany and Spain</i>
16.00-16.30	PLENARY SESSION (AUDITORIUM)			
	Prof. John Donohue Leighton Homer Surbeck Professor of Law, Yale University <i>Can You Believe Econometric Evaluations of Law and Policy?</i>			
16.30-16.45	Debate			
<i>Coffee-break (Sala d'Exposicions)</i>				
	PANELS	ENVIRONMENTAL LAW Room 40.148 <i>Moderator: Pablo Salvador Coderch</i>	CONTRACTS Room 40.150 <i>Moderator: Mireia Artigot Golobardes</i>	LAW AND PUBLIC POLICY AND BEHAVIORAL LAW AND ECONOMICS Room 40.152 <i>Moderator: Nuno Garoupa</i>
	17.00-17.20	Howard F. Chang / Hillary Sigman <i>The Effect of Joint and Several Liability under Superfund: an Empirical Analysis of Cost Recovery</i>	Joaquín María Rivera Álvarez <i>¿Es la función económica un test para controlar las cláusulas penales que tienen una naturaleza limitativa de la responsabilidad?</i>	Hugo A. Acciarri / Fernando Tohmé / Andrea Castellano <i>Normas sociales y conducta. Un experimento sobre la influencia de las normas sociales en las elecciones implicadas en el Juego del Ultimátum</i>
	17.20-17.40	Michael G. Faure / Jason Scott Johnston <i>Optimal specificity in environmental standard-setting: Europe versus the US</i>	Ignacio Marín García <i>Moderación judicial de la cláusula penal en Derecho español</i>	Emanuela Carbonara / Francesco Parisi / Georg von Wangenheim <i>Unjust Laws and Illegal Norms</i>
17.00-19.20	17.40-18.00	Barbara Luppi / Francesco Parisi / Shruti Rajagopalan <i>Environmental Protection for Developing Countries: The Pollutes-Does-Not-Pay Principle</i>	Iñigo de la Maza Gazmuri <i>La función intersticial de la eficiencia: deberes precontractuales de información y casos realmente difíciles</i>	Ana Elena Fierro Ferráez / Adriana García García <i>El Fortalecimiento del Poder Judicial en las nuevas democracias Análisis del Caso de la Interpretación de la Responsabilidad Patrimonial del Estado. Por la Suprema Corte de Justicia de la Nación de México</i>
	18.00-18.20	Hillary Sigman <i>Decentralization and Environmental Quality: An International Analysis of Water Pollution</i>	Santiago Montt <i>Restitution against Free Riders: Facilitating the Provision of Public Goods through Punishment. (Or, Is it Possible to Reconcile Fairness and Efficiency with Autonomy?)</i>	Leonor Rossi <i>Choosing Exposure-A Study in reputation of Member States in Access to EU documents'Rules</i>
	18.20-18.40	Franziska Weber <i>Towards an Effective Environmental Law for Developing Countries</i>		Leandro Martins Zanitelli <i>Default Rules and the Inevitability of Paternalism</i>
	18.40-19.00	Giuseppe di Vita <i>Legal families and environmental protection: is there a causal relationship?</i>		
	19.00-19.20	Carlos Gómez Ligüerre <i>Responsabilidad civil y daños al medioambiente</i>		

		<i>Dominican Republic Competition Law</i>	<i>Análisis Económico como una Explicación del Derecho de Daños frente a las Teorías de la Justicia Correctiva</i>	
	16.00-16.20		Márcia Regina-Godoy / Giacomo Balbinotto Neto / Pedro Pitta Barros <i>A Regulamentação do Setor de Saúde Suplementar no Brasil e Risco Moral: uma aplicação da regressão quantílica para dados de contagem</i>	
	PLENARY SESSION (AUDITORIUM)			
16.30-17.00	Prof. Luciano Benetti Timm Professor of Law at Pontificia Universidade Católica – Rio Grande do Soul <i>The social function of contract law in Brazil</i>			
17.00-17.15	<i>Debate</i>			
	PLENARY SESSION (AUDITORIUM)			
17.15-17.45	Prof. Gerhard Wagner Professor für Bürgerliches Recht, Zivilprozeßrecht, Internationales Privatrecht und Rechtsvergleichung an der Rechts- und Staatswissenschaftlichen Fakultät der Universität Bonn <i>The Law of Tort within the Draft Common Frame of Reference</i>			
17.45-18.00	<i>Debate</i>			
<i>Coffee-break (Sala d'Exposicions)</i>				
	PANELS	PROPERTY/BANKRUPTCY AND FINANCIAL REGULATION Room 40.148 <i>Moderator: Carlos Gomez Ligüerre</i>	CORPORATE LAW AND ECONOMICS/CORPORATE GOVERNANCE - MARKET AND NON-MARKET REGULATION Room 40.150 <i>Moderator: Francisco Reyes Villamizar</i>	INTELLECTUAL PROPERTY Room 40.152 <i>Moderator: Alfredo Bullard González</i>
	18.20-18.40	Rocío Diéguez Oliva <i>La eurohipoteca: luces y sombras de la pretendida unificación en materia hipotecaria</i>	Kristoffel Grechenig <i>Discriminating Shareholders through the Exclusion of Pre-emption Rights? – The European Infringement Proceeding against Spain (C-338/06) –</i>	Fernando Gomez Pomar <i>The Rhetoric of Property and the Law and Economics of Intellectual Property</i>
18.20-19.40	18.40-19.00	Guillermo Treviño Alemán <i>Formas de producción agropecuaria en la historia económica de México: el sistema de haciendas como resultado de derechos de propiedad mejor definidos en el marco legal novohispano</i>	Rafael Rojo Álvarez-Manzaneda <i>La gestión de los riesgos y la regulación del mercado agrícola: un análisis jurídico-económico</i>	Luciano Benetti Timm / Renato Caovilla <i>Desenvolvimento, direito de propriedade intelectual e políticas públicas de incentivo à inovação: um estudo do caso brasileiro</i>
	19.00-19.20	Flavia Santinoni Vera <i>Restrictions on Land Use in Brazil: The Case of Law Imposing Indexes of Productivity</i>	Sheraldine Pinto <i>El sistema venezolano de protección de la salud del consumidor: entre objetivos políticos y riesgo de underdeterrence</i>	Daniel Benoliel / Bruno Meyerhof Salama <i>Towards an Intellectual Property Bargaining Theory: The Post-WTO Era</i>
	19.20-19.40	Edgar Gastón Jacobs Flores Filho / Lucas Miotto Lopes <i>Crédito e confiança: a influência das normas sociais nas relações de crédito</i>	Fabiano Koff Coulon / Ely José de Mattos <i>O efeito distributivo da norma de responsabilidade objetiva no código de defesa do consumidor: uma</i>	Jorge J. Vega Iracelay <i>Un nuevo paradigma en Propiedad Intelectual: Innovación Abierta</i>

			<i>perspectiva de direito e economia</i>	
	PLENARY SESSION (AUDITORIUM)			
19.45-20.15	Prof. Curtis J. Milhaupt Professor of Law at Columbia University <i>Economically Benevolent Dictators: Lessons for Developing Democracies</i>			
20.15-20.30	<i>Debate</i>			
	CLOSING SESSION - DINNER (SALA D'EXPOSICIONS)			
20.30-20.45	Introduction: Prof. Andres Roemer Poder Civico, A.C.			
20.45-22.15	Prof. Robert D. Cooter Hermann F. Selvin, Professor of Law; director, Program in Law and Economics, University of Berkeley <i>TBA</i> Prof. Hans-Bernd Schäfer Director, Institut für Recht und Ökonomik, Universität Hamburg <i>Why are Wealth Increasing Legal Reforms so Difficult?</i>			
22.15-22.30	<i>Debate</i>			
22.30-23.00	Mr. Jorge Vega Iracelay Microsoft's Director of Legal and Corporate Affairs for the Southern Cone <i>Las TICs como motor de desarrollo económico con oportunidad social: nuestra visión</i>			
23.00-23.15	Microsoft Prizes			
23.15-24.00	Closing			

2. Registration

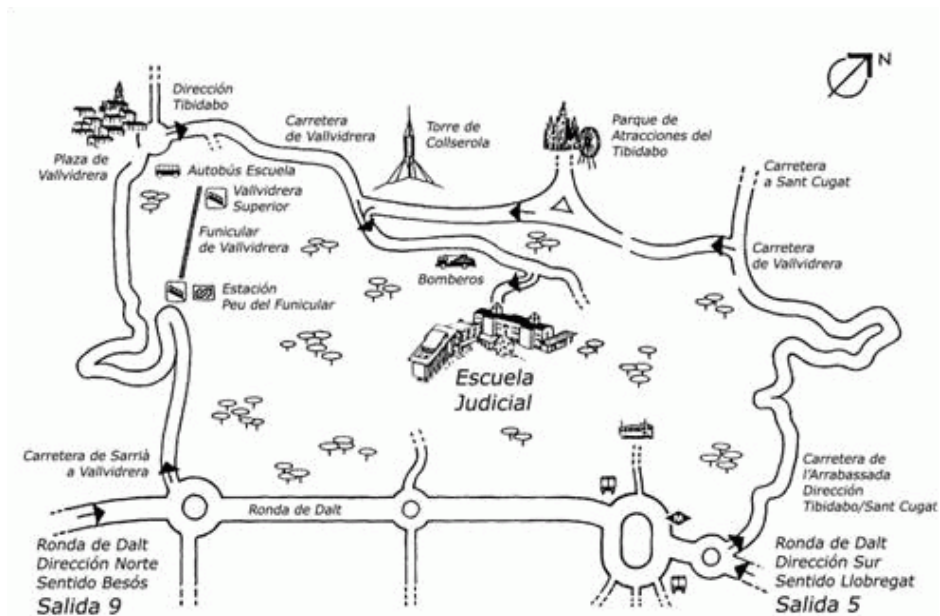
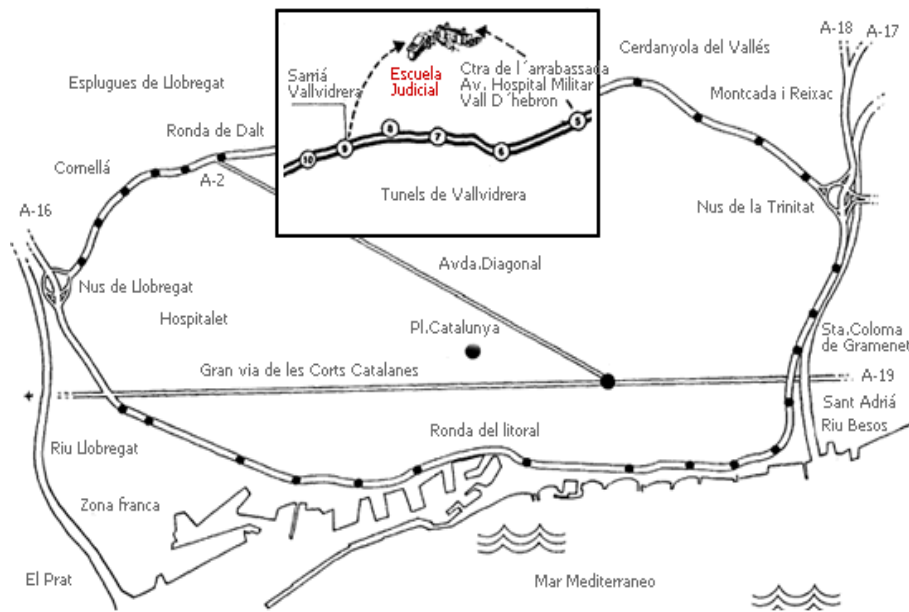
Since ALACDE is a non-profit institution, there will be no admission fee.

All interested in attending the 13th ALACDE Meeting can already register via e-mail (redaccion@indret.com). Please include the following information: complete name, position and contact details. Registrations for the conferences should be sent **no later than June, 7th 2009**.

3. Conference location

3.1. CLACDE Meeting (June 11th 2009)

The CLACDE Meeting will take place at the Spanish School of Judges – Barcelona.



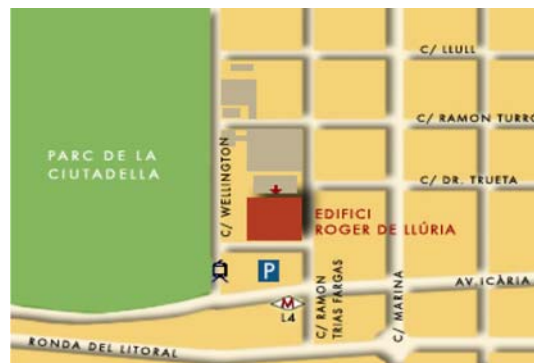
How to get to the Spanish School of Judges: Bus transportation has been scheduled. Departure is due at 11 a.m. from Universitat Pompeu Fabra.

3.2. ALACDE Meeting (June 15-16th 2009)

Keynote lectures: Auditorium (Agora Jordi Rubió i Balaguer, Ciutadella Campus)
Law Faculty
Universitat Pompeu Fabra
Ramon Trias Fargas, 25-27
08005 Barcelona (Spain)



Special sessions and panels: Rooms 40.148 / 40.150 / 40.152
Roger de Llúria Building
Law Faculty
Universitat Pompeu Fabra
Ramon Trias Fargas, 25-27
08005 Barcelona (Spain)



How to get at the UPF:



Line 4 (yellow): Trinitat Nova-La Pau
Tube station: Ciutadella-Vila olímpica



Line 14: Vila Olímpica - Pg. de la Bonanova
Bus stop: UPF-Campus Ciutadella

4. Practical information

4.1. Accommodation

Preferential rates have been arranged for the participants of the ALACDE Meeting at the following hotels:

- **Hotel H10 Marina Barcelona ******

Av. Bogatell, 64

08005 Barcelona

T: (34) 93 309 79 17

F: (34) 93 300 33 10

E-mail: h10.marina.barcelona@h10.es

Web: <http://www.h10hotels.com/cas/hoteles-barcelona/h10-marina-barcelona.php>

Single room (breakfast included)	135 Euro/night
Double room (breakfast included)	155 Euro/night

- **Hotel Condes de Barcelona ******

Passeig de Gràcia, 73-75

08008 Barcelona

Tel: (34) 93 445 00 00

Fax: (34) 93 445 32 32

E-mail: info@condesdebarcelona.com

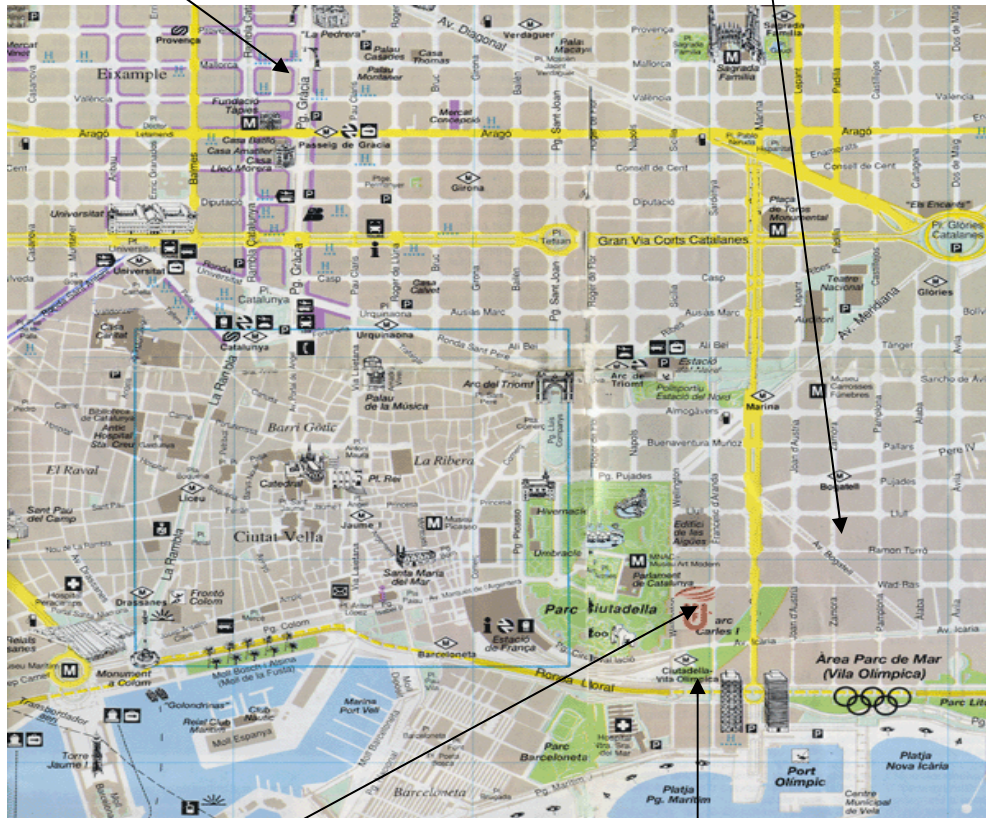
Web: <http://www.condesdebarcelona.com/pag/home.php?idioma=es>

Classic bedroom	202,23 Euro/night
Classic bedroom (breakfast included)	222,56 Euro/night

For your reservation with the especial rate, fill out the form of the selected hotel (see [Appendix](#)) and send it to the hotel at the indicated email or fax.

Hotel Condes de Barcelona

Hotel H10 Marina



Universitat Pompeu Fabra

Metro Line 4: Ciutadella-Vila Olímpica

4.2. Transportation

How to get to Barcelona:



Barcelona Airport - Barcelona: 12 km.

Links:

 <p>Renfe Line 10 suburban train</p>	<ul style="list-style-type: none"> • Itinerary: Airport - Estació de França • Stops: Airport - El Prat de Llobregat - Bellvitge - Barcelona Sants - Paseo de Gracia - Estació de França • Journey duration: 32 minutes • Timetable: From the airport, from 06:00 to 22:29; from Estació de França, from 05:20 to 22:42. Every 30 minutes • Price: 2.50 Euro
 <p>Airbus (A1)</p>	<ul style="list-style-type: none"> • Itinerary: Airport - Plaza de Catalunya • Stops: Opposite terminals A, B (opposite the Joan Miró mural) and C • Timetable: Monday to Saturday and public holidays: departures

	<p>from airport, from 06:00 to 01:00; departures from Plaza de Catalunya, from 05:30 to 00:15. Buses run every 7 to 15 minutes, depending on the time of day</p> <ul style="list-style-type: none"> • Price: 4.05 Euro
 Taxi	<ul style="list-style-type: none"> • Stops: Opposite terminals A, B and C • Price: 20-22 Euro

More information about transportation in Barcelona is available at:

- Barcelona Turisme: www.barcelonaturisme.com
- Barcelona Airport:
www.aena.es/csee/Satellite?pagename=subHome&Language=ES_ES&c=Page&SiteName=BCN&cid=1045569607459
- Entitat Metropolitana del Transport: <http://www.emt-amb.com/links/eng/ihome.htm>
- Barcelona Council webpage: www.bcn.es/guia/welcomea.htm

5. *Contact*

For more details about the ALACDE Meeting, please contact to:

- Antoni Rubí Puig
Tel.: 93 542 15 70
Fax: 93 542 17 19
antoni.rubi-puig@upf.edu
- Marian Gili Saldaña
Tel.: 93 542 15 69
Fax: 93 542 17 19
mangels.gili@upf.edu

6. *Sponsors*



ALACDE
Economic Analysis of Law

Microsoft®

7. *Appendix*

H10 marina barcelona

Group UPF 15th – 17th June 2009

Please fax the completed form directly to the hotel H10 Marina Barcelona

FAX. N° 34-93-309-97-62 Tel. N°. 34-93-309-79-17

Att: Amparo Pérez–Reservation Department

Grupos.hmb@h10.es

LASTNAME:.....FIRSTNAME:

COMPANY:.....

ADDRESS:.....

CITY:.....COUNTRY:.....

ZIP CODE: E-MAIL:

TELEPHONE:.....FAX:.....

ACCOMMODATION

Please check your needs for accommodation:

ROOM TYPE

Double for single use	<input type="checkbox"/>	135,00 € / room / night
Double room	<input type="checkbox"/>	155,00 € / room / night
Junior Suite (1 pax)	<input type="checkbox"/>	185,00 € / room / night
Junior Suite (2 pax)	<input type="checkbox"/>	205,00 € / room / night

Non Smoking

- ✓ Buffet breakfast included
- ✓ 7 % taxes included

TRAVEL INFORMATION

Arrival Date:..... Estimated arrival time:

Departure Date:.....Estimated departure time:

RESERVATION MUST BE GUARANTEED WITH A CREDIT CARD NUMBER.

Credit Card Name and Number:.....

Expiry Date:.....

Credit Card Holder:.....

THE FINAL CUT-OFF DATE FOR BOOKING IS **1ST MAY 2009**,
FOLLOWING THIS DATE ALL BOOKINGS WILL BE SUBJECTED TO AVAILABILITY.

72 HOURS CANCELLATIONS OR NO SHOWS WILL BE CHARGED FULL STAY TO THE ABOVE CREDIT CARD. ALL CHANGES AND CANCELLATIONS MUST BE IN WRITING.

HOTEL USE ONLY

Booking is: Confirmed Reservation number:

Acknowledged by:.....

Hotel Registration Form
"13th Meeting of the Latin American and Caribbean Law and Economics Association"
Universitat Pompeu Fabra, 15-17 June 2009.

Tamara García
Hotel Condes de Barcelona
e-mail: tgarcia@condesdebarcelona.com
Phone: 0034934453222
Fax: 0034934453223

PERSONAL INFORMATION:

NAME: _____

Company: _____

Phone: _____

Fax: _____

E-mail: _____

RATES:

15 – 17 June 2009

189 € Double or Double room for single use

19 € breakfast per person

7% VAT to be added

ROOM RESERVATION:

Arrival date & time: _____

Departure date: _____

DOUBLE ROOM:

SINGLE ROOM:

1. All rooms must be **guaranteed** by a credit card :

Type: _____ N°: _____ Valid through: _____

2. **All cancellation of reservation must be done in writing to HOTEL CONDES DE BARCELONA at least 72 hrs before arrival.** If the room is not cancelled following this procedure, the hotel will charge 1 night cancellations fees.
3. You are advised to ask for reservation of your room before **14th April 2008**. After that date, reservations will be subject to hotel's availability

Date: _____

Signature: _____