

Robin Effron
Research Agenda

My primary research interests are in the areas of civil procedure and private international law. My interests in civil procedure include investigating how the administration of complex litigation presents unique challenges for the courts and parties, and how lawmakers and other institutional actors can create and apply rules that address these difficulties. My interests in private law include using a comparative perspective to illuminate current debates on contract theory, as well as the theory behind other areas of the law of obligations, such as property and torts. My secondary interests include contracts and public international law at the regional level, such as the law of the European Union and international enforcement of judgments.

The approach that I take to my research and scholarship more generally is reflected in my enclosed writing sample, *Event Jurisdiction and Protective Coordination: Lessons from the September 11th Litigation*. This work in progress was recently accepted for publication by the *Southern California Law Review* (forthcoming February 2008). This article examines the jurisdictional aspects of the Air Transportation Safety and System Stabilization Act (ATSSSA), which Congress passed shortly after the tragic events of September 11, 2001.

The *Tulane Law Review* recently has invited me to extend this research in an article that I will present at their upcoming Symposium “The Problem of Multidistrict Litigation.” This article, tentatively named *Disaster-Specific Mechanisms for Consolidation* will explore three aspects of post-catastrophe litigation where the consolidation of cases, or the statutes that govern the consolidation of such cases, raise issues about how to think about “disaster litigation” as a singular category.

In addition to this work, I am currently working on a number of other projects, including an article analyzing the relationship between the administration of modern complex litigation and

the traditional Anglo-American model of adversarial process. In the article, I intend to bring a comparative perspective to this project by examining how complex cases are administered in non-adversarial systems, such as in Germany and France. I plan to use the insights from the comparative analysis to consider the potential benefits that the American system could derive from applying discrete aspects of European civil law procedure in complex litigation, particularly the role that European-style rules of evidence and discovery might play in American complex litigation. In addition, I am completing a short essay examining the analysis by Anglo-American contract theorists of the availability of consideration-free gift promises in civil law regimes. The essay considers whether such theorists have misconstrued the role of the notary in formalizing civil law gift contracts.