Faculty of Law, University of Lucerne

CONFERENCE

3rd Law and Economics Conference in Lucerne

Behavioural Law and Economics
American and European Perspectives

FRIDAY, 11 APRIL, 08.45 H – SATURDAY, 12 APRIL 2014, 11.30 H
UNIVERSITY OF LUCERNE, FROHBURGSTRASSE 3, ROOM 4.A05, LUCERNE
**Behavioural Law and Economics**  
*American and European Perspectives*

In recent years, the influence of Behavioural Economics on the Economic Analysis of Law has grown. Following Herbert A. Simon, Daniel Kahneman's and Amos Tversky’s "Prospect Theory" has decidedly contributed to further weaken the assumption of unbounded rationality by means of empirical evidence. Against this backdrop, the conference sets out to generate a better theoretical understanding of legal phenomena and offer applications in legislation and legal adjudication. By the same token, it shall foster the dialogue between US-American and European Law and Economic scholars.

### Programme

**FRIDAY, 11 APRIL 2014**

08.45 – 09.00  *Registration*

09.00 – 09.05  Prof. em. Dr. Paul Richli, President University of Lucerne  
**Welcome**

09.05 – 09.10  Prof. Dr. Sebastian Heselhaus, Vice Dean Faculty of Law,  
University of Lucerne  
**Welcome**

09.10 – 09.15  Prof. Dr. Klaus Mathis, University of Lucerne  
**Introduction**

**Panel 1**  
*Chair: Prof. Dr. Andreas Heinemann*

09.15 – 10.00  Prof. Dr. Avishalom Tor, Notre Dame Law School  
The Next Generation of Behavioral Law and Economics

10.00 – 10.30  *Coffee Break*

10.30 – 11.15  Prof. Dr. Kai Purnhagen, University of Wageningen and Erasmus University of Rotterdam  
Social Market Economy Is Not an Oxymoron – Why EU Internal Market Law Has Always Been Behavioural

11.15 – 12.00  Prof. Dr. Rolf H. Weber and Rainer Baisch, MLaw, University of Zurich  
Behavioural Law and Economics in Financial Markets Law

12.00 – 12.45  Dr. Geneviève Helleringer, Essec Business School Paris-Singapore and University of Oxford  

12.45 – 14.00  *Lunch*
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<td>14.00 – 14.45</td>
<td>Prof. Dr. Jeffrey J. Rachlinski, Cornell University Law School&lt;br&gt;Emotions and Judicial Decision Making</td>
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<td>14.45 – 15.30</td>
<td>Prof. Dr. Günter Bierbrauer, University of Lucerne and Dr. Edgar Klinger, ASK-Institut, Osnabrück&lt;br&gt;How Role and Framing Influence Litigants' Perception of Civil Procedure</td>
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<td>15.30 – 16.15</td>
<td>Dr. Mark Schweizer, Max Planck Institute for Research on Collective Goods, Bonn&lt;br&gt;Loss Aversion, Status Quo Bias and the Civil Standard of Proof</td>
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<td>16.15 – 16.45</td>
<td>Coffee Break</td>
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<td>16.45 – 17.30</td>
<td>Johanna Stark, M.Phil. and Dr. Martin Engel, University of Munich&lt;br&gt;Buttons, Boxes, Ticks and Trust – The Limits of Consumer Choice</td>
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<td>17.30 – 18.15</td>
<td>Prof. Dr. Anne-Lise Sibony, University of Liège&lt;br&gt;Can EU Consumer Law Benefit From Behavioural Insights? An Analysis of the Unfair Commercial Practices Directive</td>
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<td>18.15 – 18.45</td>
<td>Prof. em. Dr. h.c. Thomas S. Ulen, University of Illinois College of Law&lt;br&gt;European Law and Economics from an American Perspective (via video conference)</td>
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<td>19.00</td>
<td>Dinner</td>
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<td>09.30 – 10.15</td>
<td>Prof. Dr. Andreas Heinemann, University of Zurich&lt;br&gt;Behavioural Antitrust. The Impact of Behavioural Economics on Competition Law</td>
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<td>10.15 – 10.45</td>
<td>Coffee Break</td>
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<td>12.00 – 14.00</td>
<td>Lake Cruise with Lunch</td>
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With the friendly assistance of:
- Research Program on Law and Market Behavior, Notre Dame University
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