



**Institute of European
and Comparative Law**
University of Oxford Faculty of Law



International Conference on Litigation Costs and Funding

**Centre for Socio-Legal Studies
&
Institute of European and Comparative Law
University of Oxford**

July 6 & 7, 2009

How much does litigation cost?
How can claimants fund claims?
Who funds claims?
Who ends up paying, and how much?

These are questions of fundamental importance for civil justice systems.
This conference aims to find the answers for over 30 jurisdictions – and to compare them,
to see which countries are most and least efficient and attractive.

The results of a comparative study of 33 jurisdictions will be presented, in which leading
practitioners and scholars have participated.

The national reports will soon be available on
http://www.csls.ox.ac.uk/european_civil_justice_systems.php

Invited Keynote Speakers:

Rt Hon Jack Straw MP

Lord Chancellor and Secretary of State for Justice, UK

Stephane Leyenberger

The European Commission for the Efficiency of Justice
Council of Europe (CEPEJ)



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Agenda – Monday 6th July, 2009

1400 Conference begins at Lecture Theatre, Social Sciences Building, Manor Road

Chair:

Results of the Oxford Comparative Survey of 33 Jurisdictions

Introduction to the subject of funding and costs:

Dr. Christopher Hodges, Centre for Socio-Legal Studies, Oxford

1415 Overview of the results of the survey

1. Costs Issues – an overview of different approaches
Selected speakers from the attached list of contributors to the project
2. Results of the Comparative Case Studies – Which Jurisdictions are cheap and which expensive? [i.e. some countries cost more than others!]
Selected speakers from the faculty who have contributed national Reports

1600 Coffee/Tea Break in lobby area

1620 **The interlinking of procedure, funding and costs: some national examples**

1. Germany: *Prof. Dr. Burkhard Hess, Heidelberg*
2. **The Jackson Review of Costs in England and Wales** - Lord Justice Jackson
3. Comments from selected jurisdictions:
 - a. Australia: *Prof. Camille Cameron, Melbourne University*
 - b. Canada: *Prof. Janet Walker, Osgoode Hall Law School of York University, Toronto*
 - c. USA – the relevance of a ‘private enforcement’ system: *Prof. Stephen Burbank, Pennsylvania University*
 - d. The Netherlands: *Prof. mr. Carla.J.M. Klaassen, Radboud University*
 - e. Greece: *Prof. Dr. Nikolaos K. Klamaris, Athens University*
 - f. A perspective from EU level: *European Commission, Directorate-General for Freedom, Security and Justice*
4. Comments and general discussion – *Chris Hodges*

1800 End

1900 Dinner in the Hall, St Catherine’s College



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Agenda – Tuesday 7th July, 2009

Chair: *Professor Mark Mildred, Nottingham Trent*

0900 **Key Issues in Litigation Funding**

1. Results of the Oxford Survey re Litigation Funding – *Dr. Magdalena Tulibacka, Centre for Socio-legal Studies, Oxford*
2. Comments on the experience of particular jurisdictions, and pros and cons of the available options and current systems (10 mins each):
 - a. Italy: *Prof. Elisabetta Silvestri, Pavia*
 - b. Denmark: *Prof. Anders Ørgaard, Aalborg University*
 - c. England: *Prof. John Peysner, Lincoln University*
 - d. USA: *Prof. Herbert Kritzer, St Paul*

1030 Coffee/Tea Break in lobby area

Chair:

1050 **Conclusions on costs, funding, litigation, and other ways of resolving disputes, and therefore conclusions for legal systems**
(10 mins each)

1. Consumers: *Monique Goyens, BEUC*
2. Business: *Malcolm Carlisle OBE, European Justice Forum*
3. A national government: the Netherlands – *Paulien van der Grinten, Ministry of Justice, The Hague.*
4. Academic: implications for harmonization or not – *Prof. Stefan Vogenauer, Institute for European and Comparative Law, Oxford*

1200 General Discussion

1230 Lunch in the Hall, St Catherine's College

Warm thanks are expressed to CMS EEIG for kindly sponsoring this project



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Contributors to the Comparative Litigation Funding and Costs Project

Jurisdiction	Scholar	Practitioner
Austria	Prof. Dr. Georg E. Kodek, Wirtschaftsuniversität Wien Institut für Bürgerliches Recht und Handelsrecht, Wien	Daniela Karollous-Bruner, CMS Reich-Rohrwig Hainz
Australia	Prof. Camille Cameron, Melbourne University	Stuart Clark & Colin Loveday, Clayton Utz
Belgium	Prof. Vincent Sagaert and Prof. Ilse Samoy, Catholic University of Leuven,	André Lombart, CMS De Backer
Bulgaria	Prof. Ognyan Stambouliev, Sofia University	Kostadin Sirlestow, CMS Cameron McKenna
Canada	Prof. Janet Walker Osgoode Hall Law School of York University, Toronto and Erik Knutsen, Queen's University	John Brown and David Hamer, McCarthy Tetrault LLP
China	Prof. Mike Palmer, SOAS London and Dr. Chao Xi, The Chinese University of Hong Kong	Ulrike Glueck, CMS Hasche Sigle
Czech Republic	Prof. doc. JUDr. Karel Klima, CSc., Western Bohemian University, Pilsen and Charles University, Prague	Tomas Matejovsky and Kamila Rouckova, CMS Cameron McKenna
Denmark	Prof. Anders Ørgaard, Aalborg University	Jan-Erik Svensson, Gorrissen Federspiel Kierkegaard
England & Wales	Dr. Christopher Hodges, Centre for Socio-Legal Studies, Oxford	Guy Pendell, CMS Cameron McKenna
Estonia	Dr. Martin Käerdi, Tartu University and Raidla Lejins & Norcoux	Marit Toom, Raidla Lejins & Norcoux
Finland	Dr. Eva Storskrubb, Diotmar & Indrenius	Pekka Puhakka, Asianajotoimisto Hammarström Puhakka Partners Oy
France	Prof. Loïc Cadiet, Paris University	Anne-Laure Villedieu, CMS Bureau Francis Lefebvre
Germany	Prof. Dr. Burkhard Hess, Heidelberg University	Michael Molitoris. Nörr Stiefenhoffer Lutz
Greece	Prof. Konstantinos D. Klamaris, Athens University	Dimitris Emvalomenos, Bahas, Gramatidis & Partners
Hong Kong	Prof. Chao Xi, Chinese University of Hong Kong	Robert Clark and Karen Dicks, Deacons



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Hungary	Prof. Dr. Zsuzsa Wopera and Adrienn Nagy University of Miskolc	Milan Kohlrusz, CMS Cameron McKenna
Ireland		Stuart Margetson & Lisa Broderick, Matheson Ormsby Prentice
Italy	Prof. Elisabetta Silvestri, Pavia University	Laura Opilio & Paola Ghezzi, CMS Adonnino Ascoli & Cavasola Scamoni
Japan	Prof. Ikuo Sugawara, Nagoya University & Prof. Eri Osaka, Surugadai University	Teruoki Ninomiya, Research and Training Institute of the Japanese Supreme Court
Latvia	<i>Prof. Dr. Kalvis Torgans, Latvia University</i>	Toomas Vaher, Raidla & Partners, Tallinn
Lithuania	Dr. Rimantas Simaitis Vilnius University	Dr. Rimantas Simaitis Raidla Lejins & Norcous
Netherlands	Prof. mr. Carla.J.M. Klaassen, Radboud University	Leonard Böhmer, CMS Derks Star Busmann NV
Norway		Magnus Hellesylt, Wiersholm, Mellbye & Bech
Poland	Dr. Magdalena Tulibacka, Centre for Socio-Legal Studies, Oxford	Pawel Pietkiewicz, CMS Cameron McKenna
Portugal	Prof Henrique Antunes, Catholic University of Lisboa	Margarida Barrocas, Barrocas Sarmento Neves
Romania	<i>Prof. Ion Deleanu,</i>	Gabriel Sidere, CMS Cameron McKenna
Russia	Prof. Dimitri Maleshin, Moscow University	Leonid Zubarev and Sergei Yuriev, CMS Cameron McKenna
Scotland		Rob Wilson, CMS Cameron McKenna
Singapore	Prof. Jeffrey Pinsler, Singapore University	Lawrence Teh and Wendy Goh, Rodyk & Davidson
Spain	<i>Prof. Ignacio Díez-Picazo Giménez, University of San Pablo CEU, Madrid</i>	Alejandro Ferreres, Uría Menéndez
Sweden	<i>Prof. Henrik Edelstam, Stockholm University</i>	Peder Hammar skiöld & Sofia Englund, Advokatfirman Hammar skiöld & Co
Switzerland	<i>Prof. Stoffel, Fribourg University</i>	Philipp Dickenmann CMS von Erlach Henrici AG
USA	Prof. Deborah Hensler, Stanford University	

**Names in italics have been invited – names in normal type are confirmed*



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Accommodation

Accommodation is booked at adjacent St Catherine's College for those scholars who have taken part in the project and have been notified.

All other attendees will be requires to book their own rooms with hotels asap:
no further space is available at St Catherine's.

Discount rates are available at:

Malmaison Oxford - <http://www.malmaison-oxford.com/>

Oxford Castle

Oxford

OX1 1AY

oxford@malmaison.com

Tel: 01865 268 400

Please quote: XXX for conference rate of £140 per night including breakfast.

The Old Bank Hotel - <http://www.oldbank-hotel.co.uk/main>

OLD BANK HOTEL

92-94 HIGH ST

OXFORD

OX1 4BN

info@oldbank-hotel.co.uk

Tel: 01865799599

Please quote: University of Oxford Corporate for a rate of £145 per night not/incl. breakfast.

A list of hotels is at <http://www.dailyinfo.co.uk/venues/hotels>



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Booking Details

Registrations will only be accepted online at <http://www.csls.ox.ac.uk>

Payments and registration must be received by 15 June 2009

This does not apply to speakers, national reporters and panellists.

COSTS

Academics:

Registration:	free
Dinner 6 th	£50
Lunch 7 th	£15 (free for students)

Accommodation for academic contributors to the project is at St Catherine's College, free of charge.

Other delegates:

Registration including both meals	£400
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For Further information please contact:

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Travel in UK

By far the easiest, and cheapest, way of getting from Heathrow or Gatwick airports to Oxford (and back) is by coach. There is a frequent service, which takes about an hour from Heathrow (the Central Bus Station, which is in the centre of Terminals 1, 2 & 3 in the centre of the airfield). The coach from Gatwick sometimes goes via Heathrow and you can stay on the same vehicle. <http://www.nationalexpress.com/airporttransfers.aspx>

There are also coaches, from Victoria Coach Station, London, which are cheaper than the train (Paddington to Oxford). Timing of the journey depends on the time of day. <http://www.oxfordtube.com>

If you arrive in Oxford by bus, you can either get off at the Coach Station at Gloucester Green/George Street (which is on the left side of the map), or tell the driver that you want to get off at an earlier stop in High Street, outside University College (which is closer to walk to the Centre for Socio-Legal Studies and St Catherine's).

Dress is informal.

See full details on our website: www.csls.ox.ac.uk and see full map on the next page.



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