Introduction—Second Remedies Discussion Forum: Restitution

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SECOND REMEDIES DISCUSSION FORUM:
RESTITUTION

On April 26-27, 2002, Washington & Lee University School of
Law and the University of Louisville’s Louis D. Brandeis School of
Law co-hosted the Second Remedies Discussion Forum. The
purpose of the forum was to bring together a small group of
prominent remedies scholars to discuss topics of common interest.
Like the first forum, this one attracted scholars from far and wide,
including Europe, the Middle East, Canada and, of course, the United
States.

The topic for this year’s conference was “restitution.” The
original Restatement of the Law of Restitution was published in 1937.
Now, after nearly seven decades, the Restatement (Second) of
Restitution is about to be published. Under the capable guidance of
Professor Andrew Kull (a participant at the forum), that project is
nearing conclusion. As a result, the forum provided an opportunity
for remedies scholars to discuss and debate the issues under
consideration by the ALI drafters, and to do so with input from
prominent remedies scholars from around the world.

The papers published here were submitted prior to the forum and
formed the basis for the discussions. Since these were “discussion
papers,” rather than traditional law review articles, they are more
informal and conversational than traditional articles. Nevertheless,
they provide interesting insights into modern remedial issues. In
addition, since restitution scholarship has received more attention
outside the United States in recent years (than in the United States),
the addition of foreign scholars provided an interesting addition to
the discussions.