93 rd ANNUAL MEETING

MAY 16-18, 2016 WASHINGTON, DC

PROGRAM



2016 ANNUAL MEETING | AGENDA* AND EVENTS AT A GLANCE

All sessions in The Ritz-Carlton Ballroom, except where noted.

SUNDAY, MAY 15

3:00 to 5:00 p.m. ALI CLE Program: Ethical Boundaries in Effective Negotiations (Salon II)

MONDAY, MAY 16

9:30 a.m. Opening Session

10:00 a.m. Principles of the Law, Election Administration: Non-Precinct Voting and

Resolution of Ballot-Counting Disputes

Noon Remarks by: Paulette Brown, American Bar Association, Locke Lord LLP

12:15 p.m. Adjournment for Lunch (on your own)

1:15 p.m. Cake and coffee (Outside the Ritz-Carlton Ballroom)

1:30 p.m. Remarks by: Sundaresh Menon, Supreme Court of Singapore

2:00 p.m. Restatement of the Law, Liability Insurance

4:00 p.m. Remarks by: Sonia Sotomayor, Supreme Court of the United States

5:00 p.m. Restatement of the Law, Liability Insurance (continued)

5:30 p.m. Adjournment

6:30 to 8:30 p.m. Members Reception and Buffet (Smithsonian's National Air and Space Museum)

TUESDAY, MAY 17

9:00 a.m.	Model Penal Code: Sexual Assault and Related Offenses
10:00 a.m.	Remarks by: John Paul Stevens, Supreme Court of the United States
11:00 a.m.	$\textbf{Model Penal Code: Sexual Assault and Related Offenses} \ (\texttt{continued})$
12:30 p.m.	Adjournment for Members Luncheon (Salon III)
	Speaker: Larry Kramer, The William and Flora Hewlett Foundation
2:00 p.m.	Presentation of Friendly Medal to Patricia M. Wald
2:30 p.m.	Restatement of the Law, Charitable Nonprofit Organizations
5:00 p.m.	Adjournment
7:00 p.m.	Annual Reception
7:45 p.m.	Annual Dinner
	Speaker: Geoffrey R. Stone, University of Chicago Law School

WEDNESDAY, MAY 18

9.00 a m	Model Penal Code: Sentencing

11:00 a.m. ALI Young Scholar Presentation by 2015 award co-recipient

Michael N. Simkovic, Seton Hall University School of Law

 $11:30 \ a.m. \\ {\bf Restatement\ of\ the\ Law\ Fourth,\ The\ Foreign\ Relations\ Law\ of\ the}$

United States - Jurisdiction, Treaties, and Sovereign Immunity

12:30 p.m. Adjournment for Members Luncheon (Salon III)

Speaker: William H. Pryor Jr., U.S. Court of Appeals for the Eleventh Circuit

2:00 p.m. Restatement of the Law Fourth. The Foreign Relations Law of the

United States - Jurisdiction, Treaties, and Sovereign Immunity (continued)

3:30 p.m. Adjournment

REGISTRATION HOURS ROOSEVELT ROOM

Sunday, May 15, 1:00 p.m. – 6:30 p.m. Monday, May 16, 8:00 a.m. – 5:30 p.m. Tuesday, May 17, 7:30 a.m. – 5:00 p.m. Wednesday, May 18, 7:30 a.m. – 3:30 p.m. THE RITZ-CARLTON HOTEL Hotel telephone: (202) 835-0500 Hotel fax: (202) 835-1588

^{*} Agenda is subject to change during the course of the Meeting.



93rd Annual Meeting

May 16-18, 2016 | The Ritz-Carlton Hotel, Washington, DC

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Headquarters

The Ritz-Carlton Hotel 1150 22nd Street, N.W. Washington, DC 20037 Hotel telephone: (202) 835-0500

Hotel fax: (202) 835-1588

Registration

Where: The registration desk is located on the Ballroom Level

of The Ritz-Carlton in the Roosevelt Room.

When: Sunday, May 15, 1:00 p.m. - 6:30 p.m.

Monday, May 16, 8:00 a.m. – 5:30 p.m. Tuesday, May 17, 7:30 a.m. – 5:00 p.m.

Wednesday, May 18, 7:30 a.m. - 3:30 p.m. (or until Meeting adjourns)

All Meeting attendees, even those who have registered in advance, **must** visit the ALI registration desk before entering the ballroom to sign in and obtain a name badge.

There is no registration fee for the Meeting.

Your name badge must be worn for all Meeting sessions and functions.

Why are there colored dots on some badges? We use a green dot on a badge, together with a green lanyard, to indicate that the wearer is a newly elected member of the Institute, and a red dot to designate those attending an Annual Meeting for the first time. Keep an eye out for green and red dots so you can welcome fellow members to the Meeting. Officers and members of the Council are designated by a blue dot on a badge—don't hesitate to introduce yourself to them.

Hospitality: Coffee and tea will be available in the elevator fover.

Dress code: The dress code for the Meeting and other events is business attire.

Photographs and Recording: Your registration and attendance at the Annual Meeting constitutes your agreement to ALI's use and distribution of your image and voice in photographs, video recordings, and audio recordings of the Annual Meeting.

Persons with Disabilities: Please inform ALI at least two weeks in advance about any special arrangements required for you to be able to participate fully in the Meeting or in any of the related events.

There will be WiFi access in The Ritz-Carlton Ballroom. Details will be posted in the registration area.

Projects on the Agenda

(IN ORDER OF PRESENTATION)

Monday

Principles of the Law, Election Administration: Non-Precinct Voting and Resolution of Ballot-Counting Disputes

Restatement of the Law, Liability Insurance

Tuesday

Model Penal Code: Sexual Assault and Related Offenses Restatement of the Law, Charitable Nonprofit Organizations

Wednesday

Model Penal Code: Sentencing

Restatement of the Law Fourth, The Foreign Relations Law of the United States – Sovereign Immunity, Jurisdiction, and Treaties

Availability of Meeting Drafts

Printed copies of Annual Meeting drafts are mailed in advance to members who requested them. Electronic versions of the drafts are available to members on the Institute's website (*www.ali.org*). Members for whom ALI has a working email address will be notified by email when each draft is posted.

Motions: Submission Procedures and Deadlines

SUBMITTING MOTIONS

A member must be present at the Meeting to make a motion on a draft. Motions may not be submitted on Discussion Drafts (because they are not submitted for membership approval) or on Reporters' Notes (because they are considered the sole work of the Reporters, not the Institute).

Motions may be made from the floor without submission in advance of the Meeting. However, members appreciate the opportunity to review motions before a project session and so submission in advance of the session is encouraged. All motions submitted in advance must identify a single movant who will be present in the ballroom to make the motion and to discuss the motion with the Reporters.

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The Institute's website provides an easy method for submitting motions. To submit a motion, visit the project page on the website and be sure that you are signed in. Click on the Motions tab and follow the prompts to submit your motion. You may type your motion directly into the text box or, if you prefer, you may upload a PDF or Microsoft Word document. Please provide a brief supporting statement along with the text of the motion. Proposed changes to the draft's text should be shown in redline format. PLEASE NOTE: Motions submitted online do not appear immediately; they will be viewable on the project page after they are posted by ALI staff. The Institute reserves the right to refuse to post materials it deems too lengthy or not appropriate for the purpose.

Members may also submit motions via email. The email address for each project is listed on the Motions tab. Members who prefer to submit motions via U.S. mail may send them to Nancy Shearer, The American Law Institute, 4025 Chestnut Street, Philadelphia, PA 19104-3099. Submissions will be acknowledged upon receipt.

MOTION DEADLINES

By May 6: For all motions received by 5:00 p.m. (EDT) on Friday, May 6, ALI staff will post the motion on the website, make the motion available for screen display in the ballroom, and provide printed copies of the motion on the tables outside the ballroom.

May 7-12: Motions received by midnight on Thursday, May 12, will be posted on the ALI website and made available for screen display in the ballroom. Members who submit a motion during this period are asked to hand-deliver 300 printed copies to the Meeting registration desk (Roosevelt Room) and complete a brief form. Copies delivered to the registration desk 24 hours in advance of the session will be placed on the tables outside the ballroom. Please do not send copies to the ALI or to The Ritz-Carlton.

After May 12: Members who do not meet the May 12 submission deadline, but wish to make a motion in advance of a project session, must hand-deliver a USB drive containing the motion, along with 300 printed copies, to the Meeting registration desk and complete a brief form. If the material is delivered to the registration desk 24 hours in advance of the session, the motion will be posted on the website and made available for screen display in the ballroom. ALI staff will place the movant's printed copies on the tables outside the ballroom.

Providing Comments on Annual Meeting Drafts

Members who wish to make comments on a draft are not required to submit a formal motion.

The Institute's website provides an easy method for submitting comments. To post a comment, visit the project page on the website and be sure that you are signed in. Click on the Comments tab and follow the prompts to submit your comment. You may type your comment directly into the text box or, if you prefer, you may upload a PDF or Microsoft Word document. PLEASE NOTE: Comments submitted online do not appear immediately; they will be viewable on the project page after they are posted by ALI staff.

Unless expressed otherwise in the submission, individuals who submit comments authorize The American Law Institute to retain the submitted material in its files and archives, and to copy, distribute, publish, and otherwise make it available to others, with appropriate credit to the author.

You may also submit your comment via electronic mail or standard mail. The email address for each project is listed on the Comments tab. Mailing addresses can be found on page iv of all drafts.

CLE Credit

Most mandatory-CLE states award credit for attendance at the Annual Meeting. Information about CLE credit for this year's Meeting will be available in the Roosevelt Room. There is a \$100 administrative fee for those seeking CLE credit for any portion of the Annual Meeting. This fee—which may be paid in advance on the ticket-order form on paper or online, or in person at the ALI registration desk at The Ritz-Carlton—includes any state-required assessment to be paid by ALI. See ALI staff in the Roosevelt Room, during registration hours, to apply for CLE credit for this Meeting. (The fee referenced here is separate from tuition for the ALI CLE ethics course on Sunday, May 15. See page 12.)

Detailed Agenda

Note: The time shown for a particular project on this agenda may be adjusted during the Meeting. Changes to the agenda, if any, will be posted on the ALI website, and late changes will also be announced at the Meeting and posted in the Roosevelt Room of The Ritz-Carlton. All sessions and events are in The Ritz-Carlton Ballroom unless otherwise noted.

SUNDAY, MAY 15

1:00 to 6:30 p.m.	Annual Meeting Registration Roosevelt Room
3:00 to 5:00 p.m.	ALI CLE Program: Ethical Boundaries in Effective Negotiations 2 hours ethics credit - Open to all Annual Meeting attendees
	An engaging panel of experienced negotiators and ethics experts will consider a variety of ethical dilemmas that arise during negotiations in: legal transactions, litigation, and client interactions.
	Program Planning Chair Francis E. McGovern, Professor of Law, Duke University School of Law
	Salon II

MONDAY, MAY 16

8:00 a.m. to	Registration
5:30 p.m.	Roosevelt Room

9:30 a.m. Opening Session

• Call to order and report by President Roberta Cooper Ramo

Reports and Business

· Report of Director Richard L. Revesz

Registration required. See page 12.

- · Report of Treasurer Wallace B. Jefferson
- Report of the Membership Committee by Teresa Wilton Harmon
- Report of the Nominating Committee (including election of Council members) by Chair Diane P. Wood
- Report of the Governance Committee (amendment of Bylaws) by Chair Susan Frelich Appleton

10:00 a.m.	Principles of the Law, Election Administration: Non-Precinct Voting and Resolution of Ballot-Counting Disputes Reporters: Edward B. Foley and Steven F. Huefner Tentative Draft No. 1. Part I. Principles of Non-Precinct Voting (§§ 101-111); Part III. Procedures for the Resolution of a Disputed Presidential Election (§§ 301-317).
Noon	Remarks by: Paulette Brown, American Bar Association, Locke Lord LLP. Topic: Reclaiming the Promise of "And Justice for All." See page 18.
12:15 p.m.	New Member Luncheon (invitation only) Lunch for most members is "on your own." A restaurant guide is available in the registration area. Plaza Ballroom
1:15 p.m.	Cake and coffee provided through the generosity of Robert H. Mundheim. Outside The Ritz-Carlton Ballroom
1:30 p.m.	Remarks by: Sundaresh Menon, Supreme Court of Singapore. Topic: The Rule of Law: The Path to Exceptionalism. See page 21.
2:00 p.m.	Restatement of the Law, Liability Insurance Reporters: Tom Baker and Kyle D. Logue Tentative Draft No. 1. Chapter 1. Basic Liability Insurance Contract Rules (§§ 1-9); Chapter 2. Management of Potentially Insured Liability Claims (§§ 10-30); Chapter 3. General Principles Regarding the Risks Insured (§§ 31-44).
4:00 p.m.	Please join us in welcoming our special guest: Sonia Sotomayor, Supreme Court of the United States. See page 17. In a conversation with: Roberta Cooper Ramo, The American Law Institute. See page 22.
5:00 p.m.	Restatement of the Law, Liability Insurance (continued)
5:30 p.m.	Adjournment
6:30 to 8:30 p.m.	Members Reception and Buffet National Air and Space Museum (Independence Ave. at 6th St., S.W.) This is a ticketed event. See page 14.

Tuesday, May 17

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7:30 a.m. to 5:00 p.m.	Registration Roosevelt Room
9:00 a.m.	Model Penal Code: Sexual Assault and Related Offenses Reporters: Stephen J. Schulhofer and Erin E. Murphy
	Tentative Draft No. 2. Substantive Material: § 213.0(3) (definition of consent); § 213.2 (offense of sexual penetration without consent).
10:00 a.m.	We're joined on Tuesday morning by: John Paul Stevens, Supreme Court of the United States. See page 17. In a conversation with his former clerk: Carol F. Lee, Taconic Capital Advisors. See page 20.
11:00 a.m.	Model Penal Code: Sexual Assault and Related Offenses (continued)
12:30 p.m.	Members Luncheon Salon III Honoring New Life Members (Class of 1991) and
	New 50-Year Members (Class of 1966) Speaker: Larry Kramer, The William and Flora Hewlett Foundation See page 19. Topic: Fixing Congress. This is a ticketed event. See page 14.
2:00 p.m.	Presentation of Friendly Medal to Patricia M. Wald, Privacy and Civil Liberties Oversight Board. See page 16. Presented by: Harry T. Edwards, U.S. Court of Appeals for the D.C. Circuit. See page 18.
2:30 p.m.	Restatement of the Law, Charitable Nonprofit Organizations Reporters: Marion R. Fremont-Smith and Jill R. Horwitz
	Tentative Draft No. 1. Chapter 1. Definition, Choice of Form, and Autonomy (§§ 1.01-1.03); Chapter 2. Governance (§§ 2.01-2.07); Chapter 3. Changes to Purpose and Organization (§§ 3.01-3.06).
5:00 p.m.	Adjournment
5:00 p.m.	Bennett Boskey Memorial Service Plaza Ballroom
7:00 p.m.	Annual Dinner Reception 7:00 p.m., Dinner begins at 7:45 p.m. The Ritz-Carlton Ballroom Speaker: Geoffrey R. Stone, University of Chicago Law School. See page 24. Topic: Free Speech on Campus. This is a ticketed event. See page 14.

WEDNESDAY, MAY 18

7:30 a.m. to 3:30 p.m.	Registration Roosevelt Room
9:00 a.m.	Model Penal Code: Sentencing Reporters: Kevin R. Reitz and Cecelia M. Klingele
	Tentative Draft No. 4. Substantive Material: §§ 102(2); 6.04A; 6.07; 6.14; and 6B.07.
11:00 a.m.	ALI Young Scholar Presentation Introduction by Goodwin Liu, Chair, Special Committee on the ALI Young Scholars Medal, California Supreme Court. See page 20. Presentation by 2015 award co-recipient Michael N. Simkovic, Seton Hall University School of Law. Topic: What Can We Learn from Credit Markets. See page 16.
11:30 a.m.	Restatement of the Law Fourth, The Foreign Relations Law of the United States – Jurisdiction, Treaties, and Sovereign Immunity Coordinating Reporters: Paul B. Stephan and Sarah H. Cleveland Reporters: Jurisdiction: William S. Dodge and Anthea Roberts; Treaties: Curtis A. Bradley and Edward T. Swaine; Sovereign Immunity: David P. Stewart and Ingrid Brunk Wuerth Jurisdiction: Tentative Draft No. 2. Part II. Prescription. Chapter 1. Exercise of Prescriptive Jurisdiction by the United States (§§ 201-203; 205); Chapter 2. Customary International Law Governing Jurisdiction to Prescribe (§§ 211-217); Chapter 3. Effect of Foreign Exercises of Prescriptive Jurisdiction (§§ 221-222); Part III. Adjudication. Chapter 1. Jurisdiction to Adjudicate in Civil Cases (§§ 301-306).
	Treaties: Tentative Draft No 1. Chapter 2. Status of Treaties in United States Law (§§ 101, 103, 107-109).
	Sovereign Immunity: Tentative Draft No. 2. Chapter 5. Immunity of States from Jurisdiction (§§ 455-456, 459, 461-463).
12:30 p.m.	Members Luncheon Salon III Speaker: William H. Pryor Jr., U.S. Court of Appeals for the Eleventh Circuit. See page 21. Topic: The Future of Federal Sentencing Guidelines. This is a ticketed event. See page 15.
2:00 p.m.	Restatement of the Law Fourth, The Foreign Relations Law of the United States – Jurisdiction, Treaties, and Sovereign Immunity (continued)
3:30 p.m.	Adjournment

Rules of the Council Pertaining to Annual Meetings*

9.02 Annual Meetings of the Membership

A. The President, in consultation with the Director, sets the agenda for the annual meeting of the Institute's membership, including the time limits for each general subject, each issue, and each speaker. The President or other presiding officer may adjust the time limits during a particular session. Members may, before the meeting, submit any motions they intend to make as well as comments on issues they wish to raise at the meeting, especially with respect to items not scheduled for plenary consideration.

B. During plenary deliberations, members should not make stylistic suggestions from the floor, but should submit them before or after the meeting or session. A maker of a main motion may speak for not more than five minutes and the reporters may respond for not more than five minutes. All other members who are recognized to speak from the floor may speak for not more than three minutes. The reporter and the maker of a main motion may each speak for one minute in closing. Notwithstanding the time limits specified here, the session's presiding officer may allow more or less time than this Rule provides.

9.03 Rules of Procedure

Subject to the Bylaws and these Rules, the procedures for the conduct of meetings under this Rule 9 should be set by the President or other presiding officer in conformity with generally accepted standards for the conduct of similar meetings. In the event of a dispute over proper procedure, if neither the Bylaws nor these Rules resolve the matter, then the President or other presiding officer should resolve it in accord with the then-current edition of Robert's Rules of Order.

Rule 4 Obligations of Institute Members

4.03 To maintain the Institute's reputation for thoughtful, disinterested analysis of legal issues, members are expected to leave client interests at the door. In communications made within the framework of Institute proceedings, members should speak, write, and vote on the basis of their personal and professional convictions and experience without regard to client interests or self-interest. It is improper for a member to represent a client in Institute proceedings and such conduct constitutes good cause for termination of Institute membership under Rule 5.02. If, in the consideration of Institute work, a member's statements can be properly assessed only if the client interests of the member or the member's firm are known, the member should make appropriate disclosure, but need not identify clients.

^{*}A complete Rules of the Council is available online at www.ali.org/about-ali/governance.

Policy Concerning Floor Privileges for Nonmembers

Nonmembers may not make or second a motion and may not vote on any matter before the Annual Meeting. The President, in consultation with the Director, may extend the privilege of the floor to a nonmember who wishes to speak on a particular matter before the Meeting.

A request for such privilege should ordinarily be submitted in writing in advance of the Meeting to the President by email at ali@ali.org (or by mail or fax to the Philadelphia office). The following information should be included: (1) the particular issue that the nonmember wishes to address; (2) the nonmember's relevant credentials and affiliations with respect to the issue; (3) the nature of the nonmember's interest in the matter; (4) the name of any employer, client, or other person or organization that may have suggested that the nonmember address the matter at the Meeting or on whose behalf the nonmember may be speaking; and (5) a summary of the nonmember's intended comments. Whether a nonmember to whom a floor privilege is extended at the Meeting will be recognized for subsequent comment or further discussion is subject to the discretion of the presiding officer.

Nonmember Advisers and Liaisons to a project under discussion shall have the same speaking privileges as members with respect to that project, without needing to request such privileges in advance, but they too may not make, second, or vote upon a motion.

Pre-Meeting CLE Course

ETHICAL BOUNDARIES IN EFFECTIVE NEGOTIATIONS

Why You Should Attend

In the course of negotiations, how far can you push the ethical boundaries to get what you – or your client – want? Join us for an engaging two-hour panel as experienced practitioners, negotiators, and ethics experts consider a variety of ethical dilemmas that arise while negotiating a transaction, during litigation, and in law practice – in interactions with other practitioners, clients, and tribunals. You'll come away more sensitized to the art of the ethical deal, and what you can (and cannot) say and do in negotiations while adhering to your obligations under the Rules of Professional Conduct.

What You Will Learn

Different hypothetical scenarios will be posed to the panel and the audience for reaction and an interactive and enlightening discussion. The applicable ethics rules and opinions will be reviewed, including confidentiality duties and the more traditional prohibition on deception, as well as potential implications and solutions to these real world dilemmas.

Anticipated topics include:

- · Settlement authority
- · Multiple defendants
- Direct/ex parte communications with parties, including unrepresented adversaries
- · Puffing vs. lving
- · Omissions of material facts
- Negotiations between employers and lateral hires
- · Negotiating with clients when seeking conflicts consent
- Communicating with a tribunal what happens when the tribunal is not aware of:
 - one party's future plans (such as an impending bankruptcy filing) adversaries' mistakes that have not been corrected the court's own mistakes

Planning Chair and Moderator

Francis E. McGovern, Duke University School of Law

Faculty

Kim J. Askew, K&L Gates LLP

Teresa Wilton Harmon, Sidley Austin LLP

Randolph D. Moss, U.S. District Court for the District of Columbia

Thomas E. Spahn, McGuireWoods LLP

Steven O. Weise, Proskauer Rose LLP

Total 60-minute hours of instruction: 2.0 ethics; total 50-minute hours, 2.4 ethics.

Tuition for this program is \$150 for ALI members and ALI project Advisers, \$195 for all others. To register, use the ALI Annual Meeting registration form (online or in print). Registrations will be accepted at the door if space permits.

CANCELLATIONS

If your plans to attend this program change, please contact us by **5:00 p.m. (EDT)** on Wednesday, May **11**, via fax to (215) 243-1636, or email membership@ali.org.

Special Events

Members Reception and Buffet

Members and guests are invited to a reception and buffet on Monday, May 16, from 6:30 p.m. to 8:30 p.m. at the Smithsonian National Air and Space Museum.

The Smithsonian's National Air and Space Museum maintains the world's largest and most significant collection of aviation and space artifacts, encompassing all aspects of human flight, as well as related works of art and archival materials. It operates two landmark facilities that, together, welcome more than eight million visitors a year, making it the most visited museum in the country. It also is home to the Center for Earth and Planetary Studies.

Transportation will be provided from The Ritz-Carlton Hotel to the Museum and returning to the hotel after the reception. The National Air and Space Museum is located at Independence Avenue at 6th Street, SW, Washington, DC 20560.

Tickets for this event are \$75 per person.

Members Luncheon

HONORING NEW LIFE MEMBERS (CLASS OF 1991) AND NEW 50-YEAR MEMBERS (CLASS OF 1966)

All ALI members and nonmembers are welcome to attend a luncheon on Tuesday, May 17, at 12:30 p.m. in Salon III to honor those who will become new life members and new 50-year members this May. Class co-chairs Donald B. Ayer, Linda Sheryl Greene, Michael Alexander Kahn, John J. "Mike" McKetta III, and Henrietta Wright will present ALI with the 1991 Class Gift. The luncheon speaker is Larry Kramer, president of The William and Flora Hewlett Foundation and former dean of Stanford Law School. See page 19 for Mr. Kramer's full biography.

Tickets for this event are \$65 per person.

Annual Dinner

The Institute's Annual Dinner will be held on Tuesday, May 17, at 7:45 p.m. in The Ritz-Carlton Ballroom, preceded by a reception in the Ballroom Prefunction area beginning at 7:00 p.m. This year's dinner speaker is Geoffrey R. Stone. Professor Stone will present the topic of "Free Speech on Campus."

Black tie is optional. Detailed information about reservations and seating arrangements for the dinner can be found on the ALI website. See page 24 for Professor Stone's full biography.

Tickets for this event are \$125 per person.

Members Luncheon

The Members Luncheon on Wednesday, May 18, at 12:30 p.m. in Salon III will feature an address by The Honorable William H. Pryor Jr. of the U.S. Court of Appeals for the Eleventh Circuit. He will be speaking on the topic of sentencing. See page 21 for Judge Pryor's full biography.

Tickets for this event are \$65 per person.

REGISTRATION AND TICKET ORDERS

Those who plan to attend the Annual Meeting are requested to register in advance. Registration for scheduled events, including the pre-Meeting sessions, may be made at the same time. Please use the online link on the Annual Meeting website. Tickets for the paid events must be picked up, in advance of the event, at the ALI registration desk in the Roosevelt Room of The Ritz-Carlton Hotel. The Institute realizes no profit from our ticketed events; the ticket price covers only a portion of the cost for our members and guests.

CANCELLATIONS AND REFUNDS

Cancellation of a paid order for any function must be submitted in writing by fax to (215) 243-1636 or email to <code>membership@ali.org</code> (for cancellation guidelines on the ALI CLE Ethics course, please see page 13). Refunds will be made provided that the cancellation is received no later than 5:00 p.m. (EDT) on Wednesday, <code>May 11</code>. After that time, refunds will not be provided, although we would still appreciate knowing if you are not able to use your ticket.

Special Sessions During the Meeting

Presentation of Henry J. Friendly Medal

This year, the Henry J. Friendly Medal will be presented to Patricia M. Wald of the Privacy and Civil Liberties Oversight Board. Established in memory of Judge Friendly and endowed by his former law clerks, the Medal recognizes contributions to the law in the tradition of Judge Friendly and the Institute. The Medal is not awarded on an annual basis but reserved for recipients who are considered especially worthy of receiving it. The award will be presented by Judge Harry T. Edwards of the U.S. Court of Appeals for the D.C. Circuit on Tuesday, May 17, at 2:00 p.m., in The Ritz-Carlton Ballroom. See page 24 for Judge Wald's full biography and page 18 for Judge Edwards's full biography.

Presentation by 2015 Young Scholars Medal Co-Recipient

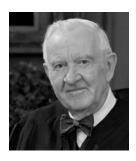
Every other year, The American Law Institute awards the Young Scholars Medal to one or two outstanding early-career law professors whose work is relevant to the real world and has the potential to influence improvements in the law. Michael N. Simkovic of Seton Hall University School of Law, a 2015 Young Scholars Medal co-recipient, will address this year's Annual Meeting. He will be introduced by ALI Council member Justice Goodwin Liu of the California Supreme Court and Chair of the Special Committee on the ALI Young Scholars Medal on Wednesday, May 18, at 11:00 a.m., in The Ritz-Carlton Ballroom. See page 23 for Professor Simkovic's full biography. Justice Liu's biography can be found on page 20.

Speakers, Presenters, and Award Recipients



Sonia Sotomayor, Associate Justice of the United States Supreme Court, was born in Bronx, New York, on June 25, 1954. She earned a B.A. in 1976 from Princeton University, graduating *summa cum laude* and receiving the university's highest academic honor. In 1979, she earned a J.D. from Yale Law School where she served as an editor of the *Yale Law Journal*. She served as Assistant District Attorney in the New York County District Attorney's Office from 1979 to 1984. She then litigated international commercial matters in New York

City at Pavia & Harcourt, where she served as an associate and then partner from 1984 to 1992. In 1991, President George H.W. Bush nominated her to the U.S. District Court, Southern District of New York, and she served in that role from 1992 to 1998. She served as a judge on the United States Court of Appeals for the Second Circuit from 1998 to 2009. President Barack Obama nominated her as an Associate Justice of the Supreme Court on May 26, 2009, and she assumed this role on August 8, 2009.



John Paul Stevens (Retired), Associate Justice of the United States Supreme Court, was born in Chicago, Illinois, April 20, 1920. He married Maryan Mulholland, and has four children - John Joseph (deceased), Kathryn, Elizabeth Jane, and Susan Roberta. He received an A.B. from the University of Chicago, and a J.D. from Northwestern University School of Law. He served in the United States Navy from 1942 to 1945, and was a law clerk to Justice Wiley Rutledge of the Supreme Court of the United States during the 1947

Term. He was admitted to law practice in Illinois in 1949. He was Associate Counsel to the Subcommittee on the Study of Monopoly Power of the Judiciary Committee of the U.S. House of Representatives, 1951–1952, and a member of the Attorney General's National Committee to Study Antitrust Law, 1953 to 1955. He was Second Vice President of the Chicago Bar Association in 1970. From 1970 to 1975, he served as a Judge of the United States Court of Appeals for the Seventh Circuit. President Ford nominated him as an Associate Justice of the Supreme Court, and he took his seat December 19, 1975. Justice Stevens retired from the Supreme Court on June 29, 2010.

 $Photographs\ of\ Associate\ Justices\ Sotomayor\ and\ Stevens\ provided\ courtesy\ of\ The\ Collection\ of\ the\ Supreme\ Court\ of\ the\ United\ States.$



Paulette Brown is the first woman of color to lead the American Bar Association in its 136-year history. President Brown is a labor and employment law partner and chief diversity officer with the Morristown, N.J., office of Locke Lord LLP. She has held many positions throughout her career, including as in-house counsel to a number of Fortune 500 companies and as a municipal court judge. In private practice, she has focused on all facets of labor and employment and commercial litigation. In 2009, President Brown was a recipient of

the Spirit of Excellence Award from the ABA Commission on Racial and Ethnic Diversity in the Profession. In 2011, she was honored with the Margaret Brent Women Lawyers of Achievement Award by the ABA Commission on Women in the Profession. Last year President Brown, who served as President of the National Bar Association from 1993 to 1994, received the NBA's highest honor, The C. Francis Stradford Award. She was elected to The American Law Institute in 2013.

President Brown has made diversity and inclusion, pro bono activities, service to the ABA's members, and community service priorities during her year as the ABA President.

She earned her J.D. at Seton Hall University School of Law and her B.A. at Howard University.



Harry T. Edwards is a Senior Circuit Judge on the U.S. Court of Appeals for the D.C. Circuit. He was appointed to the court in 1980 and served as Chief Judge from 1994 to 2001. Before joining the court, he practiced law for five years in Chicago, Illinois. He then became a tenured professor of law at the University of Michigan and Harvard Law Schools. Since joining the court, he has taught part-time at a number of law schools, including Michigan, Harvard, University of California Irvine, Duke, Pennsylvania, and Georgetown. Since 1990, he has

taught at NYU School of Law, where he is a Professor of Law. He has coauthored five books, the most recent of which is the second edition of *Federal Standards of Review* (2013) (coauthored with Linda A. Elliott and Marin K. Levy); he has also published scores of articles and presented numerous papers dealing with forensic science, legal education, the effects of collegiality on appellate decisionmaking, the pitfalls of empirical studies that purport to measure judicial decisionmaking, judicial process, federalism, legal ethics, judicial administration, professionalism, labor law, equal employment opportunity, labor arbitration, higher education law, and alternative dispute resolution. In 1992, he published "The Growing Disjunction Between Legal Education and the Legal Profession," 91 Mich. L. Rev. 34 (1992), which has been recognized as one of the most cited law review articles of all time.

He is currently a member of the Committee on Science, Technology, and Law at the National Academy of Sciences; The American Law Institute; and the American Academy of Arts and Sciences.



Larry Kramer became president of The William and Flora Hewlett Foundation in Menlo Park, California, in September 2012.

Before joining the Foundation, Mr. Kramer served from 2004 to 2012 as Richard E. Lang Professor of Law and dean of Stanford Law School. During his tenure, he spearheaded significant educational reforms, pioneering a new model of multidisciplinary legal studies, enlarging the clinical education program,

fostering a public service ethos, and developing the international law program to support a growing emphasis on globalization in legal practice. His teaching and scholarly interests include American legal history, constitutional law, federalism, separation of powers, the federal courts, conflict of laws, and civil procedure.

At the start of his career, Mr. Kramer served as law clerk to U.S. Court of Appeals Judge Henry J. Friendly of the Second Circuit and U.S. Supreme Court Justice William J. Brennan, Jr.

Following his clerkships, Mr. Kramer served as professor of law at the University of Chicago and University of Michigan law schools. He joined the faculty of New York University School of Law in 1994, where he served as Associate Dean for Research and Academics and Russell D. Niles Professor of Law until leaving for Stanford in 2004. Until joining Stanford, he also served as a special consultant for Mayer, Brown, Rowe & Maw LLP.

Mr. Kramer is a fellow of the American Academy of Arts and Sciences and a member of the American Philosophical Society and The American Law Institute. He serves on the boards of a number of nonprofit organizations, including ClimateWorks Foundation, the National Constitution Center, and Independent Sector.

Mr. Kramer received an A.B. in Psychology and Religious Studies from Brown University, graduating *magna cum laude* in 1980, and a J.D. from the University of Chicago Law School, *magna cum laude*, in 1984. He is the author of numerous articles and books, including *The People Themselves: Popular Constitutionalism and Judicial Review*.



Carol F. Lee is Special Counsel at Taconic Capital Advisors, an SEC-registered investment advisor based in New York City that manages eight private investment funds, with total assets under management of approximately \$8 billion.

Ms. Lee was elected to the ALI in February 2008 and was elected to the Council in May 2012. She is on the Members Consultative Groups for Restatement Fourth, The Foreign Relations Law of the United States, and the Restatement Third, Torts: Intentional Torts to Persons, projects.

From 1983 to 1993, she was an associate and then a partner at Wilmer, Cutler and Pickering in Washington, D.C. Her practice included international corporate transactions and joint ventures, Supreme Court and appellate litigation, international aviation regulation, and campaign finance law.

From 1993 to 1995, she was General Counsel of the Export-Import Bank of the United States, the U.S. government export credit agency. From 1995 to 2002, she was Vice President and General Counsel of the International Finance Corporation, the private sector investment arm of the World Bank Group. From 2007 through 2012, she was General Counsel of Taconic Capital Advisors.

She clerked for Judge J. Skelly Wright of the U.S. Court of Appeals for the District of Columbia Circuit, and for Justice John Paul Stevens of the United States Supreme Court.



Goodwin Liu is an associate justice of the California Supreme Court. Elected to The American Law Institute in 2008 and to the Council in 2013, he has twice served as Chair of the Special Committee on the ALI Young Scholars Medal.

He was previously a professor of law and associate dean at the University of California, Berkeley School of Law, before joining the court in 2011. Before that, he was a litigator in the Washington, DC, office of O'Melveny &

Myers and also served in the U.S. Department of Education and the Corporation for National Service.

Justice Liu holds a B.S. from Stanford University, an M.Phil. from Oxford University, which he attended as a Rhodes Scholar, and a J.D. from Yale Law School. Immediately after law school, he clerked for Judge David S. Tatel on the U.S. Court of Appeals for the District of Columbia Circuit and later clerked on the U.S. Supreme Court for Justice Ruth Bader Ginsburg.



Sundaresh Menon is the Chief Justice of the Supreme Court of Singapore and the President of the Singapore Academy of Law. Chief Justice Menon studied law at the National University of Singapore in 1986 and later obtained a Master of Laws from Harvard Law School. He was admitted as an advocate and solicitor in Singapore in 1987 and as an attorney and counsellor-at-law in New York in 1992. He was appointed senior counsel in January 2008.

As a private practitioner, Chief Justice Menon appeared before as well as in arbitration tribunals in various jurisdictions. He has also served as the deputy chairman of the Singapore International Arbitration Centre and has represented Singapore at the UNCITRAL Working Group on Arbitration.

From April 2006 to March 2007, he served as a judicial commissioner of the Supreme Court and presided over several prominent criminal and civil cases in the High Court. After completing his term on the bench, he returned to Rajah & Tann becoming its managing partner in August 2009. He was appointed as the attorney general of Singapore in October 2010. He stepped down as the attorney general in June 2012. He was appointed as a judge of appeal of the Supreme Court on August 1, 2012, and as the chief justice on November 6, 2012. He was elected to The American Law Institute in 2014.



William H. Pryor Jr. serves as a federal circuit judge on the U.S. Court of Appeals for the Eleventh Circuit. President George W. Bush appointed Judge Pryor during a Senate recess in 2004, and the Senate confirmed his appointment in 2005.

In 2013, President Barack Obama appointed Judge Pryor to serve four years on the U.S. Sentencing Commission, a seven-member, bipartisan agency that establishes federal sentencing guidelines and policies.

For several years, Judge Pryor has served as a distinguished visiting professor at the University of Alabama School of Law and as an adjunct professor at the Cumberland School of Law of Samford University.

Judge Pryor served as Attorney General of Alabama from 1997 to 2004. When first appointed, he was, at 34, the youngest attorney general in the nation. He was later elected and reelected to that office in 1998 and 2002. In his reelection, Pryor received the highest percentage of votes of any statewide candidate.

Judge Pryor graduated, magna cum laude, from Tulane Law School where he was editor in chief of the Tulane Law Review, a member of Order of the Coif, recipient of the George Dewey Nelson Memorial Award for the highest grade point average

in the common-law curriculum, and a charter member and president of the Tulane Federalist Society.

After graduating from Tulane, Judge Pryor served as a law clerk for Circuit Judge John Minor Wisdom of the U.S. Court of Appeals for the Fifth Circuit. After his judicial clerkship, Pryor engaged in a private practice of commercial litigation in Birmingham.

Judge Pryor is an elected member of The American Law Institute and serves as an Adviser for the Restatement of the Law Third, Conflict of Laws. He serves on the boards of advisory editors of the *Tulane Law Review* and the *Yale Law & Policy Review*. He is a life fellow of the Alabama Law Foundation, a former vice president of the Alabama Center for Law & Civic Education, and a former chairman of the Federalism and Separation of Powers Practice Group of the Federalist Society. In 2002 and 2003, Pryor served as a member of the State and Local Senior Advisory Committee of the White House Office on Homeland Security. Judge Pryor has been awarded honorary doctorates of law from John Marshall Law School in Atlanta and Regent University in Virginia.

Judge Pryor has lectured and published widely. He has lectured at the Ronald Reagan Presidential Library and several law schools and universities. He has published dozens of articles in law reviews and journals, including the *Columbia Law Review*, *Virginia Law Review*, *Harvard Journal of Law & Public Policy*, *Yale Law & Policy Review*, and *Tulane Law Review*. He has published op-eds in *The Wall Street Journal*, *The New York Times*, *The Washington Times*, and *USA Today*. He has testified before committees of the U.S. Senate on capital punishment, environmental law, and the role of the judiciary. A champion debater in college, Judge Pryor has debated a former Solicitor General of the United States and a President of the American Bar Association at National Lawyers' Conventions of the Federalist Society (the former was broadcasted on National Public Radio), and he has debated secularist leaders in Britain at the Oxford Union in the United Kingdom.

Judge Pryor is married with two adult children.



ALI President Roberta Cooper Ramo is a shareholder in the law firm of Modrall Sperling, where she concentrates her practice in the areas of mediation, arbitration, business law, real estate, probate, and estate planning. She has been a member of the Institute since 1991 and was elected to the Council in 1997. She has served as ALI's President since 2008 and she previously served as First Vice President from 2004 to 2008.

On August 1, 2015, Roberta received the American

Bar Association's highest award, the ABA Medal. Roberta previously served as president of the American Bar Association from 1995 to 1996, the first woman in

history to lead the largest nationwide organization of attorneys. She also serves as the first woman president of The American Law Institute, elected in 2008. In 2011, she was elected into the American Academy of Arts and Sciences, adding her name to a prestigious list of members including George Washington and Albert Einstein, among other notables.

A Fellow of both the American College of Trust and Estate Counsel and the American Bar Foundation, Roberta also has served as a panel member for the American Arbitration Association. In 2013, Roberta was elected Board Chair of Think New Mexico, a non-partisan think tank, and she serves as a member of the Board of the Santa Fe Opera and Albuquerque Economic Development.

Roberta was appointed by the United States Senate and served as co-chair of a committee to review governance issues of the U.S. Olympic Committee in 2003. She was named an honorary member of the Bar of England and Wales, and of Gray's Inn in 2000. She served on the Board of Regents for the University of New Mexico from 1989 to 1995, and as President of the Board from 1991 to 1993. She also served on the New Mexico Board of Finance.



Michael N. Simkovic is a co-recipient of the 2015 Young Scholars Medal. He is an Associate Professor at Seton Hall University School of Law.

Professor Simkovic's research focuses on the regulation of credit markets through the United States Bankruptcy Code, and the regulation of financial markets in general through mandatory disclosure requirements. His research was cited in the U.S. Congress's Joint Economic Committee report recommending sweeping

reforms of the credit card industry, which were enacted in 2009. His research has also been cited by researchers at the Federal Reserve Bank of New York and the Government Accountability Office and in popular publications such as *The New York Times, The Washington Post, Bloomberg, The Atlantic*, and *USA Today*. He has presented his research at the American Law & Economics Association Conference, the Conference on Empirical Legal Studies, the National Tax Association, and at Harvard, Stanford, NYU, Berkeley, Northwestern, University of Virginia, UCLA, and USC.

Professor Simkovic has served as a visiting professor at the University of North Carolina, Chapel Hill, and at Fordham University. Before joining the Seton Hall faculty, he was an attorney at Davis Polk & Wardwell in New York concentrating in bankruptcy litigation; a strategy consultant at McKinsey & Company, specializing in legal, regulatory, and business issues affecting financial services companies; and an Olin Fellow in Law and Economics at Harvard Law School. At the New York Attorney General's Office, Professor Simkovic investigated retail financial service companies engaged in illegal and deceptive sales practices. He was elected to The American Law Institute in 2015.



Geoffrey R. Stone is the Edward H. Levi Distinguished Service Professor at the University of Chicago Law School. Professor Stone joined the faculty in 1973 after serving as a law clerk to Supreme Court Justice William J. Brennan, Jr. He later served as Dean of the Law School from 1987 to 1994 and Provost of the University of Chicago from 1994 to 2002. He is the author of many books on constitutional law, including Speaking Out: Reflections of Law, Liberty and Justice (2010); Top Secret: When Our Government Keeps Us in the Dark

(2007); War and Liberty: An American Dilemma (2007); Perilous Times: Free Speech in Wartime (2004); and Eternally Vigilant: Free Speech in the Modern Era (Chicago 2002). He is currently chief editor of a 20-volume series, Inalienable Rights, which is being published by the Oxford University Press.

Professor Stone recently served on the President's Review Group on Intelligence and Communications Technologies. He is a Fellow of the American Academy of Arts and Sciences, a member of the America Law Institute, the National Advisory Council of the American Civil Liberties Union, and a member of the American Philosophical Society. In recent years, he has served as Chair of the Board of the American Constitution Society.



This year, the Henry J. Friendly Medal will be presented to Patricia M. Wald.

Judge Wald served for 20 years on the U.S. Court of Appeals for the District of Columbia Circuit, from 1979 to 1999, including five years as Chief Judge. She is currently a member of the Privacy and Civil Liberties Oversight Board.

Judge Wald has had an enormously distinguished career and is known for her modesty, humanitarianism, and

great wisdom. She is a respected leader in the legal community, recognized for the manner in which she handled cases involving the rights of women and children in the U.S. and abroad. She was the first woman appointed to the D.C. Circuit and the first woman to serve as Chief Judge of a Circuit; she also was the first woman to serve on ALI's Executive Committee and the first woman officer, holding the offices of Second Vice President and First Vice President.

After her retirement from the federal bench, she went on to serve as a judge on the International Criminal Tribunal for the Former Yugoslavia at The Hague for two years and also was a member of the President's Commission on the Intelligence Capabilities of the U.S. Regarding Weapons of Mass Destruction, an independent commission charged with evaluating the intelligence and policy decisions that led to the 2003 invasion of Iraq.

Before her elevation to the court, Judge Wald was the Assistant Attorney General for Legislative Affairs at the Department of Justice. She also previously worked as an attorney at the Mental Health Law Project, the Center for Law and Social Policy, the Neighborhood Legal Services Program, and the Office of Criminal Justice at the Department of Justice, and as the co-director of the Ford Foundation Drug Abuse Research Project.

She has received innumerable honors and awards, including the ABA Medal and perhaps, most notably, the Presidential Medal of Freedom, the nation's highest civilian honor.

Judge Wald has been a dedicated member of ALI for 43 years. She served on the Council for 31 years, and on the Nominating Committee, which identifies candidates for ALI's Council and other leadership positions, for 26 years. She is currently an Adviser on the Sentencing and Election Administration projects. She delivered the Annual Dinner address in 2002.

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^{*}Director Emeritus

^{**}President Emeritus and Chair of the Council Emeritus

New 50-Year Members

This year, The American Law Institute honors 13 members of the Class of 1966 on becoming 50-Year members.

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Frequently Asked Questions

Can nonmembers attend the Meeting?

Yes, members may invite nonmember colleagues to attend the Meeting and related events. Nonmembers must register and/or purchase tickets in advance or on site at The Ritz-Carlton. Note that the Policy Concerning Floor Privileges for Nonmembers (see page 11 of this program) provides that nonmembers may not make or second a motion and may not vote on any matter before the Meeting.

Where can I pick up my badge on site?

You should pick up your badge at the ALI registration desk. You must pick up your badge before entering The Ritz-Carlton Ballroom and wear it for all Meeting sessions and events.

Why are there colored dots on some badges?

We use a green dot on a badge, together with a green lanyard, to indicate that the wearer is a newly elected member of the Institute, and a red dot to designate those attending an Annual Meeting for the first time. Keep an eye out for these members, so you can welcome them to ALI and to the Meeting!

Officers and members of the Council are designated by a blue dot on a badge — don't hesitate to introduce yourself to them.

Are there any special events for new members?

Yes. On Monday, May 16, ALI will hold a luncheon for members elected since May 2015. In addition, there is a dinner organized by newer members on Sunday, May 15. If you are in that group, you should receive an invitation. Pre-registration is required. Please contact Beth Goldstein at *bgoldstein@ali.org* or (215) 243-1666 for more information.

How can I find information on the status of the projects being presented at the Meeting?

The agenda will note whether projects are being presented for approval or for discussion. You also can visit the Projects section of our main website for more information on the projects.

How can I get copies of the Meeting drafts?

You will receive by mail in advance of the Meeting any drafts that you requested via our draft-selection invitation. You also can download drafts in PDF format after they are posted on our website (access is free for members and project participants). If we have a working email address for you, we will notify you by email when each draft is posted. In addition, printed copies of the drafts will be available at the Meeting.

Can I make comments on Meeting drafts?

Yes. In addition to comments and suggestions made from the floor at the Meeting, written comments on Annual Meeting drafts are welcome. Please submit your comment in accordance with the procedure described on page 5 of this program.

Submitted comments are posted by ALI staff as soon as possible.

I'd like to present a motion at the Meeting. How do I go about doing so?

Please submit your motion in accordance with the procedure described on page 3 of this program.

Submitted motions are posted by ALI staff as soon as possible.

Is CLE credit available?

Yes. For a \$100 administrative fee, CLE credit is available for attendance at the project sessions at the Annual Meeting. In addition, a program by ALI CLE on Sunday, May 15, offers two hours of ethics credits. The tuition for the program is \$150 for ALI members (and project Advisers) and \$195 for all others. Advanced registration is required.

I have a disability. How can I make special arrangements to participate in the Meeting?

Please inform our Meetings Department (by phone at (215) 243-1675 or by email to *meetings@ali.org*) at least two weeks in advance of any special arrangements required for you to participate fully in the Meeting or any of the related events.

Is financial assistance available?

Financial assistance is available for members of the judiciary and public-sector and public-interest lawyers. Please contact the Membership Department by email to *membership@ali.org* or by phone to (215) 243-1666 for more information.

Will there be wireless access at the Meeting?

Yes. Free wireless access will be available in The Ritz-Carlton Ballroom.

What is the dress code for the Meeting and related events?

The dress code is business attire. The Annual Reception and Dinner are semi-formal (black tie optional).

I cannot attend, but would like to know what happens at the Meeting. Is there a way to see daily project updates? Will the Meeting be available by webcast?

A steady stream of news about the Meeting will be posted on the Annual Meeting website, and email updates will be sent daily after the Meeting adjourns. We'll also provide a full report on the Meeting in next issue of *The ALI Reporter*.

The Annual Meeting will not be broadcast online, but videos of speeches and remarks at events will be posted on ALI's website after the Meeting.

If your question isn't covered here, please contact ALI Membership Manager Jane Giacinto at jgiacinto@ali.org or (215) 243-1623.

FUTURE ANNUAL MEETING DATES

May 22-24, 2017 May 21-23, 2018 Washington, DC Washington, DC

CONTACT

If you have any questions or need additional information, please contact us as set forth below.

Registration, ticket purchases, cancellations, and general meeting information

membership@ali.org (215) 243-1623

Hotel and travel information

meetings@ali.org (215) 243-1675

Drafts, comments, and motions

publications@ali.org (215) 243-1626

Media inquiries

Jennifer Morinigo - *jmorinigo@ali.org* (215) 243-1655



The particular business and objects of the society are educational, and are to promote the clarification and simplification of the law and its better adaptation to social needs, to secure the better administration of justice, and to encourage and carry on scholarly and scientific legal work.

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