



THE AMERICAN
LAW INSTITUTE

The American Law Institute's Publications

ALI's Books – Restatements, Principles and Codes

Restatements are primarily addressed to courts and aim at clear formulations of common law and its statutory elements, and reflect the law as it presently stands or might appropriately be stated by a court. Although Restatements aspire toward the precision of statutory language, they are also intended to reflect the flexibility and capacity for development and growth of the common law. That is why they are phrased in the descriptive terms of a judge announcing the law to be applied in a given case rather than in the mandatory terms of a statute.

Principles are primarily addressed to legislatures, administrative agencies, or private actors. They can, however, be addressed to courts when an area is so new that there is little established law. Principles will often take the form of best practices for either private or public institutions. Some examples of current or recently completed Principles include Election Administration, Policing, and Student Sexual Misconduct.

Model Codes are addressed mainly to legislatures, with a view toward legislative enactment. They are written in prescriptive statutory language. Two of ALI's most influential works are Codes: the Model Penal Code and the Uniform Commercial Code (a joint project with the Uniform Law Commission also known as the National Conference of Commissioners on Uniform State Laws).

Publication Drafts

ALI's work is produced in a series of drafts: Preliminary, Council, and Tentative or Proposed Final drafts. ALI is a bicameral body: content in drafts is not considered the position of ALI until approved by both the ALI Council (in a Council Draft) and ALI membership (in a Tentative or Proposed Final Draft at an Annual Meeting). The text of a project section may change drastically from an early draft to an approved draft.

Once a **Tentative Draft** or a **Proposed Final Draft** is approved by the Council and by the ALI membership at an Annual Meeting, it represents the most current statement of ALI's position on the subject and may be cited in opinions or briefs in accordance with Bluebook rule 12.9.4, e.g., Restatement (Second) of Torts § 847A (Am. L. Inst. Tentative Draft No. 17, 1974), until the official text is published. The vote of approval allows for possible further revision of the drafts to reflect the discussion at the Annual Meeting and to make editorial improvements.

Tracking and Reporting Citations to ALI's Work

Pocket parts, published annually and designed to be inserted in pockets in the back cover of a Restatement of the Law or Principles of the Law volume, contain summaries of court opinions that have cited the provisions of that volume. They enable users to determine quickly whether and how a particular provision has been applied in a given jurisdiction. Additionally, corrections to a Restatement or Principles volume are noted in its accompanying pocket part. Pocket parts that have grown too large to be accommodated in a volume's pocket are published as softcover cumulative annual supplements, which are shelved beside the volume or volumes they cover.

Interim case citations are softcover pamphlets issued twice yearly to update the annual pocket parts and cumulative supplements. They contain additional new case summaries, as well as a table of recent cases that have cited Restatements or Principles of the Law.

When the citations contained in pocket parts become extensive, the information is compiled into hardbound **Appendix Volumes**. Appendix volumes to some Restatement Second subjects also include Reporters' Notes and cross-references. The number of these volumes varies according to the age of the original publication and number of times the publication has been cited by the courts.