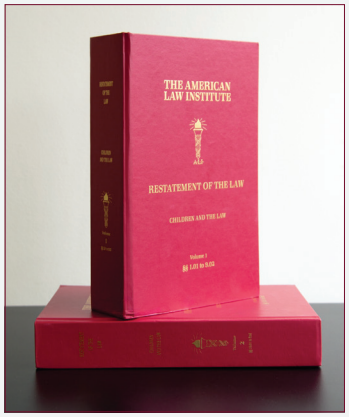
THE ALI
REPORTER

The Quarterly Newsletter of The American Law Institute
Volume 48 Number 4 Fall 2026

The Restatement of the Law, Children and the Law

This first comprehensive treatment of the law regulating children is now available for purchase.



Organized into four Parts—Children in Families, Children in Schools, Children in the Justice System, and Children in Society—the Restatement explores contemporary law across these varied settings while promoting the well-being of children and adolescents. Depending on the context, the Black Letter may support strong parental authority, justify state intervention when a child faces serious harm, require special protections for a young person in the justice system, or favor greater autonomy for an adolescent capable of making consequential decisions.

The Restatement examines each of these areas through common law, federal and state constitutional doctrine, and judicial interpretations of statutes governing areas such as abuse and neglect, foster care, and juvenile-court dispositions. The Comments and Reporters' Notes also draw extensively on developmental science and other empirical research, reflecting courts' increasing reliance on that knowledge when considering legal issues involving children.

CHILDREN IN FAMILIES

Part I examines the parent-child relationship: parents' responsibilities and decisionmaking authority, the circumstances in which the state may intervene in family life, and the rights and interests of children within those systems.

Modern law continues to provide robust protection for parents' authority to raise their children without undue state interference. Today, however, that protection is grounded substantially in children's well-being. Parents generally know their children best and are presumed to act in their

Continued on page 3

THE PRESIDENT'S LETTER
BY WALLACE B. JEFFERSON

In Good Company

The rewards of a life in the Institute

One of the great gifts of membership in The American Law Institute is the chance to step outside the familiar.

Professional lives tend to narrow our field of vision. We develop expertise. We become immersed in courts, institutions, or clients. That depth is valuable. But it can also confine us to familiar questions, familiar arguments, and familiar company.

ALI widens the circle.

Here, judges, lawyers, and scholars come together across the profession, the country, and, increasingly, the world. We may find ourselves in conversation with a federal judge in the morning, a state judge over lunch, a law professor, a corporate counsel, or a lawyer whose clients live with the practical consequences of the law under discussion. Each brings a different vantage point. Each may see something the others do not.

That exchange is one of the things I most value about the Institute.

Our projects are built through years of research, drafting, debate, revision, and reconsideration. Reporters bring extraordinary knowledge to the task, but their work is tested against the experience and judgment of others. Advisers challenge assumptions. Judges consider how a rule will work in a courtroom. Practitioners test it against the world their clients inhabit. Scholars offer other ways to seeing the problem. And members ask the question

Continued on page 2

Page 4
Taking a Look Inside Torts: Intentional Torts to Persons

Page 6
Torts: Medical Malpractice Available for Sale

Page 7
Courts Cite Recently Published Restatements

Page 8
Engage with the Institute

THE PRESIDENT'S LETTER

Continued from page 1

that exposes an ambiguity, sharpens an argument, or sends the discussion down a road no one quite expected to travel.

The work gets better because we do it together.

There is something invigorating about having our assumptions tested. There is also something deeply satisfying about helping shape the law beyond the boundaries of our daily work. A comment on a draft, a question at a project meeting, a few words spoken from the floor of the Annual Meeting may find their way into work that influences courts, legislatures, lawyers, and scholars for years to come.

That opportunity carries particular weight today.

Today, the law is confronting questions earlier generations could scarcely have imagined. Yet even novel questions draw us back to enduring ones: What is fair? Who is responsible? Where does liberty end and authority begin? At the Institute, we bring those enduring principles to bear on a changing world.

The law requires more than rules and doctrine. It depends on a legal culture that values reason, intellectual honesty, independence, and the willingness to listen. Our deliberations are not always easy. Nor should they be. But they show that disagreement need not drive us apart. It can lead us instead to firmer common ground.

And then there is the other reward of membership.

Friendship.

We are not of one mind on every hard question. But we do share certain convictions: that ideas deserve careful consideration; that difficult questions benefit from serious inquiry, and that the law can be improved when people of good faith bring different perspectives to the same table.

Working together on hard problems creates a particular camaraderie. A question at a project meeting becomes a conversation over lunch. That conversation picks up months later at the Annual Meeting. An acquaintance becomes a colleague; a colleague, a friend. Before long, someone whose path you might never otherwise has crossed becomes part of your life.

That, too, is the work of the Institute.

Read a draft outside your field. Attend a project meeting. Come to the Annual Meeting. Ask the question. Introduce yourself to someone whose work you do not know. Listen closely when another member sees the problem differently. Then continue the conversation. These are small acts, but their cumulative effect is powerful. They deepen and strengthen the community that makes it possible.

There is one more way we can strengthen this community: by thinking carefully about future members.

Consider the people you encounter in your professional life whose judgment you respect and whose perspectives would enrich our deliberations. Accomplishment matters, of course. But for membership in ALI, I would ask another question as well: What treasures would this person bring to the room?

Nominate those people.

The breadth of experience and perspective within ALI is its greatest strength, and every generation of members shares a responsibility for renewing it. To learn more about the nomination process, please see page 8.

ALI gives us the uncommon opportunity to step outside the familiar without leaving behind the things that brought us here: love of the law, respect for serious ideas, and faith in reasoned debate. We come to contribute what we know. Inevitably, we leave knowing more.

That is the bargain, and the gift, of being in good company.

Warmly,

Wallace B. Jefferson
President, The American Law Institute

LEARN MORE ABOUT HOW TO PARTICIPATE ON PAGE 8.

CHILDREN AND THE LAW

Continued from page 1

interests. Deference to parental authority also preserves important relationships, respects the diversity of families, and guards against state intervention based on racial, cultural, religious, or class bias.

That authority has limits. When parental conduct creates a substantial risk of serious harm, the state may intervene. The law may also override parental choices when there is broad agreement about what children require, including necessary medical care and an education.

Part I addresses parents' duties to provide economic support, education, medical care, protection, and supervision, as well as parental liability for harm caused by a child. It considers children's contact with third parties, the allocation of custodial and decisionmaking responsibility, and the legal recognition of de facto parents.

A substantial portion focuses on the child-protection system. It covers physical, sexual, and psychological abuse; physical, medical, and educational neglect; representation for parents and children; and the state's obligation to make reasonable efforts to prevent unnecessary removal.

When removal may be necessary, the Restatement addresses emergency action, judicial oversight, alternative care, reunification, foster care, termination of parental rights, and permanent placement. It also considers children in need of services and the emancipation of minors.

Across these subjects, Part I recognizes that parental rights and the state's interest in children's welfare are not necessarily in opposition. In most families, supporting the parent-child relationship is itself an important means of advancing children's well-being.

CHILDREN IN SCHOOLS

Part II turns to public schools, where states fulfill their duty to provide children with an education and exercise authority over most children's education.

The responsibility to educate children is shared by parents and the state. Parents must ensure that their children receive an education and generally have broad authority to choose public, private, or home education. States fulfill their responsibility primarily by providing free public education to every school-age child within their borders. Public schools occupy a distinctive legal position. The actions of school officials constitute state action, implicating students' constitutional rights as well as the state's educational responsibilities.

CHILDREN AND THE LAW REPORTER TEAM

Reporter

Elizabeth S. Scott, Columbia Law School

Associate Reporters

Richard J. Bonnie, University of Virginia School of Law
Emily Buss, University of Chicago Law School
Martin Guggenheim, New York University School of Law [2015–2016]
Clare Huntington, Columbia Law School
Solangel Maldonado, Seton Hall University School of Law
David D. Meyer, Brooklyn Law School [2015–2020]

Part II begins with the state's duty to provide children with a sound, basic education. It addresses equal educational opportunity, the education of children with disabilities, and the obligations owed to children in state custody. It also considers charter and private schools and schools in detention, residential-treatment, and correctional facilities.

The Restatement examines school discipline, including the use of force, limitations on corporal punishment, and the protections that apply when students are suspended or expelled. It also considers student expression, including off-campus and school-sponsored speech, dress codes, compelled speech, and access to information.

Separate chapters address students' religious expression and constitutional limits on school-supported religious activities. Part II also explores searches of students, including searches of lockers, vehicles, cellphones, social-media sites, and email, as well as metal detectors, canine sniffs, and other searches conducted without individualized suspicion.

Together, these rules define the scope of school authority while recognizing students' constitutional rights and their need for fair treatment.

CHILDREN IN THE JUSTICE SYSTEM

Part III follows young people through the juvenile- and criminal-justice systems, beginning with contact with law enforcement and continuing through detention, adjudication, disposition, transfer to criminal court, sentencing, and confinement.

This Part reflects the movement away from the punitive approach of the 1980s and 1990s and toward an understanding of youth crime grounded in developmental science.

Adolescents differ from adults in ways that matter throughout the justice process. Developmental factors contribute to teenagers' inclination to engage in risky behavior. Young people are also particularly vulnerable to coercive police tactics and disadvantaged in dealing with law enforcement and participating in the adjudication process. Because they are still developing, they have a greater potential for reform.

These insights have influenced U.S. Supreme Court decisions, other judicial opinions, and legislative reforms across the country. Part III explains how they apply at each stage of the process.

The Restatement considers protections for young people during searches and interrogations, including scrutiny of Miranda waivers, and the heightened risk that youths will confess to crimes even when they are innocent. It examines

competence, the right to counsel, pre-adjudication detention, and delinquency proceedings.

In addressing dispositions, Part III emphasizes that juvenile-court intervention should promote accountability, reduce future offending, and support healthy development—not impose punishment for its own sake. It also addresses transfer to criminal court, the sentencing of juveniles prosecuted as adults, constitutional limits on the harshest punishments, and the treatment of young people in correctional facilities.

The Restatement also confronts racial bias and disparities that continue to affect young people throughout the justice system. The different treatment of adolescents not as leniency, but as an approach grounded in developmental knowledge, the well-being of youths, and the goals of reducing crime and promoting their transition to productive adulthood is presented in Part III.

CHILDREN IN SOCIETY

Part IV examines the direct legal regulation of children outside the family, school, and justice systems. It considers when the law should protect minors through special restrictions and when it should recognize their growing ability to act independently.

The Part addresses minors' authority to make certain medical decisions without parental involvement. Under the mature-minor doctrine and related rules, some adolescents may consent independently to treatment—an important protection when parents are unavailable or requiring their involvement could prevent a young person from receiving necessary care. Part IV also examines minors' freedom of expression outside school, where their rights closely approximate those of adults.

Other rules impose restrictions not applicable to adults. Juvenile-curfew laws limit minors' movement during specified hours, while the infancy doctrine in contract law protects them from agreements resulting from inexperience or exploitation. Each doctrine includes important exceptions. Curfew restrictions do not apply when minors are exercising their First Amendment rights, and minors may enter enforceable contracts for necessities.

These issues become more significant during adolescence, when young people are increasingly likely to make medical decisions, enter contracts, participate in public debate, and spend time in public independently. The law must account for both their developing autonomy and their continued vulnerability.

The Restatement of the Law, Children and the Law is now available for purchase at LexisNexis as well as available online through Lexis, WestLaw, Hein Online, and West Academic.

A RESOURCE ACROSS FIELDS

Children's lives do not fit neatly within traditional legal categories. A child may be, at the same time, a member of a family, a student, a person entitled to constitutional protections, a participant in the child-welfare or justice system, and an emerging decisionmaker.

This Restatement brings these intersecting areas together in a single resource. Grounded in contemporary doctrine, constitutional analysis, developmental science, and empirical research, it offers courts, attorneys, researchers, and others working with children and families a comprehensive account of the law regulating children.

The Restatement of the Law Third, Torts: Intentional Torts to Persons

Taking a Look Inside the Restatement

The Restatement of Torts is one of The American Law Institute's most influential and frequently cited projects. This new Volume addresses an important area of that work: liability for intentional interference with a person's autonomy, dignity, and physical and emotional security.

The Restatement Second's provisions on battery, assault, and false imprisonment have been widely adopted or referenced by courts. Over time, however, disagreements and uncertainties developed about their meaning and scope. This Restatement addresses those questions, simplifies the black letter of many provisions, adds new provisions, and provides a clearer framework for understanding how the doctrines relate to one another.

The Volume is organized into three Chapters covering the definitions of intentional torts to persons, consent, and privileges.

DEFINING INTENTIONAL TORTS TO PERSONS

The first Chapter addresses battery, purposeful infliction of bodily harm, assault, and false imprisonment. Although these torts share important features, each has developed differently and protects distinct interests.

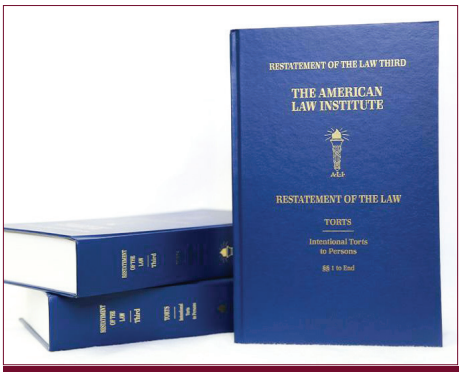
The Restatement addresses an important debate about whether the intent required for battery is the dual intent to cause a contact and to cause harm or offense or only the single intent to cause a contact, endorsing the single intent view (Section 2). It also extends the definition of what constitutes an "offensive" battery to include cases in which

the actor's purpose is to highly offend the plaintiff, even if the contact is not offensive to a reasonable person (Section 3). Its treatment of assault (Section 5) replaces the term "apprehension" with "anticipation" and explores the significance of words and conditional threats.

Section 4 also identifies a new tort of purposeful infliction of bodily harm, when the actor culpably causes bodily harm but not by means of a physical contact (as battery requires).

The Chapter's treatment of false imprisonment explains that confinement may occur through physical barriers, force, threats, duress, or an assertion of legal authority. Section 9 offers much more precise criteria for the latter category.

Additional Sections address fraud causing physical harm, participation liability through aiding and abetting or civil conspiracy, and transferred intent. The Chapter also clarifies why intentional torts are categorically distinct from negligence—a classification that can affect comparative responsibility, the scope of liability, available remedies, insurance coverage, statutes of limitation, workers' compensation, and governmental immunity.



The Restatement of the Law Third, Torts: Intentional Torts to Persons is now available for purchase at LexisNexis as well as available online through Lexis, WestLaw, Hein Online, and West Academic.

TORTS: INTENTIONAL TORTS TO PERSONS REPORTER TEAM

Reporter

Kenneth W. Simons, University of California, Irvine School of Law

Associate Reporters

W. Jonathan Cardi, Wake Forest University School of Law [from 2015]

Ellen S. Pryor, UNT Dallas College of Law [2014-2015]

UNDERSTANDING CONSENT

The second Chapter provides a detailed account of the principles governing consent to conduct that would otherwise constitute one of the intentional torts addressed in Chapter One. It distinguishes among actual, apparent, and presumed consent, as well as the emergency exception. The presumed consent category, newly formulated, is a generalization of the principles underlying the emergency exception. The Chapter also examines when consent is ineffective because of incapacity, duress, or substantial mistake or because the actor exceeded the scope of consent.

Section 19 addresses, for the first time, consent to sexual conduct, and sets forth a per se rule that a person who communicates unwillingness to engage in a sexual act does not consent to that act. Section 20 clarifies when nonconsensual medical treatment is treated as a battery and when it is treated as negligence.

Although developed for intentional torts to persons, these principles may also be useful in analyzing consent to other intentional torts including trespass, conversion, defamation, and invasion of privacy.

DETERMINING WHEN CONDUCT IS PRIVILEGED

The third Chapter addresses circumstances in which conduct that would otherwise satisfy the elements of an intentional tort is privileged, providing detailed guidance on self-defense and defense of others, including the use of deadly and nondeadly force, necessity, proportionality, reasonable mistakes, and the effects of excessive force. Section 24 provides for a narrower privilege to use force against a suspected burglary. It also considers the defense of land and personal property, the use of mechanical devices, the recovery of property (a privilege that Section 30 narrows), and responsibility for harm to bystanders.

Other Sections examine privileges associated with arrest and the prevention of crime, law enforcement, merchants investigating suspected theft, protecting a person with mental impairment from self-harm, and the authority of parents and teachers to use force to discipline or control a child. Section 34 clarifies and narrows the circumstances under which a private actor may engage in a so-called "citizen's arrest."

The Chapter concludes by setting forth the comparative responsibility rules for negligent, reckless, and intentional plaintiffs and defendants.

Restatement of the Law Third, Torts: Intentional Torts to Persons offers courts, lawyers, scholars, and others working in tort law a thorough and carefully structured account of these foundational doctrines. By clarifying the elements of intentional torts and the boundaries created by consent and privilege, the Volume provides practical guidance for some of the most difficult and consequential questions in tort law.

The Restatement of the Law Third, Torts: Medical Malpractice Now Available

Despite the volume of medical-liability litigation and its public-policy significance, previous Restatements did not address medical malpractice in detail. Earlier Restatements treated professional liability only briefly and generally, applying the same basic standard to a wide range of professionals and tradespeople, including health care professionals.

As ALI's work on the Restatement Third of Torts progressed, the material addressing medical malpractice proved sufficiently complex and extensive to warrant a separate Volume. The result is this detailed treatment of the liability issues that arise when a patient seeks or receives medical care and suffers harm.

Medical care presents distinctive legal questions. Provider-patient relationships involve substantial trust, unique vulnerabilities, and disparities in power. Medical practice is also shaped by institutional, regulatory, and financial considerations, as well as rapid developments in science, technology, and the relationships among providers, patients, and institutions. The Restatement of Torts: Medical Malpractice examines how tort principles apply within this distinctive and changing environment.

DUTIES, RELATIONSHIPS, AND STANDARDS OF CARE

The Restatement begins by defining "patient" and "provider" and explains when a patient-care relationship begins, what it encompasses, and when it ends. Its scope includes telemedicine, consulting and on-call physicians, follow-up obligations, treatment termination, teams of providers, and systems of care.

The Restatement then examines the duties medical providers owe to patients and, in some circumstances, to others. These include affirmative professional obligations of care, confidentiality, and duties arising when medical services create a risk of harm to a nonpatient.

At the heart of the work is the standard of reasonable medical care. The Restatement considers the relationship between customary professional practice and the reasonable-provider standard, deviations from standard care, clinical innovation, crisis standards of care, locality factors, and the standards applicable to residents and trainees. It also explains how breach of the duty of care may be established, including the use of expert testimony, common knowledge, an admission of medical error, and authoritative practice guidelines.

Separate Sections address res ipsa loquitur and lost chance, including the calculation of lost-chance damages and the relationship between lost chance and conventional principles of causation.

PROJECT REPORTERS:

Nora Freeman Engstrom, Stanford Law School

Michael D. Green, Wake Forest University School of Law and Washington University in St. Louis School of Law

Mark A. Hall, Wake Forest University School of Law

AGREEMENTS AND INFORMED CONSENT

The Restatement examines agreements that affect medical liability, including standardized "form" agreements, attempts to waive or limit liability, and agreements to pursue a nonstandard approach to care. It distinguishes a patient's choice of a nonstandard treatment approach from a provider's obligation competently to carry out that approach.

Its treatment of informed consent addresses the information a provider must disclose: material risks, alternatives to treatment, patients' questions, provider credentials and experience, economic factors, emergencies, placebos, and circumstances in which a patient does not want certain information. A companion Section considers factual cause and the scope of liability (proximate cause) when a provider breaches the duty to obtain informed consent.

MEDICAL INSTITUTIONS AND VICARIOUS LIABILITY

Recognizing that health care is often delivered through institutions and coordinated teams, the final Sections address the duties of medical institutions and vicarious liability.

The Restatement considers the scope and limits of an institution's responsibility for selecting and retaining medical professionals, establishing and following standards of care, and making, reviewing, or supervising medical decisions. It also examines liability arising from relationships among providers and institutions, including apparent authority, borrowed employees, referrals, consultations, and substitute providers.

The Restatement of the Law Third, Torts: Medical Malpractice focuses on the doctrinal core that distinguishes medical liability from other areas of tort law. Developed with the interests of both patients and providers in mind, it provides a detailed account of how tort principles apply to the complex and evolving delivery of medical care.

ORDER YOUR COPY OF THE RESTATEMENT NOW ON LEXISNEXIS.

Courts Cite Recently Published Restatements

Two of the Institute's newly published works were recently cited by the high courts of Texas and Iowa.

Restatement of the Law Third, Torts: Medical Malpractice and Restatement of the Law, Children and the Law are available now.

Read more about Torts: Medical Malpractice on page 6 or order your copy on LexisNexis.

Read more about Children and the Law on page 1 or purchase today at LexisNexis.

In *Renaissance Medical Foundation v. Lugo*, 719 S.W.3d 505 (Tex. 2025), a mother of a minor surgical patient who suffered permanent neurological damage filed a medical-malpractice action against a nonprofit health organization (NPHO) that employed the physician who performed the surgery, alleging that the organization was vicariously liable for the physician's negligent surgical technique. The trial court denied the organization's motion for summary judgment, holding that the physician's employment agreement with the organization granted the organization sufficient control over the physician to trigger vicarious liability even though the physician retained the right to exercise independent medical judgment while providing medical care. On appeal, the court of appeals affirmed, rejecting the organization's argument that it could not be vicariously liable for the physician's negligence because state statutes governing NPHOs and the practice of medicine in the state deprived it of any right to control the physician's work.

The Supreme Court of Texas affirmed, holding, among other things, that the licensing of individual physicians and their right to exercise independent medical judgment did not preclude an NPHO, as an employer of a physician, from being vicariously liable for the physician's malpractice. The court explained that it had previously considered and rejected the contention that, because a corporation could not be licensed to practice medicine in Texas, a medical institution could not direct the details of a physician's practice of medicine and thus could not be vicariously liable for a physician's malpractice, reasoning that statutes regulating the conduct and licensing of physicians did not prevent a medical institution from having such control over a physician that the physician could not be considered its employee under Texas law and Restatement of the Law Second, Agency § 220. The court noted that its conclusion was consistent with § 15 of the recently published Restatement of the Law Third, Torts: Medical Malpractice, which recognized that "[a] medical . . . institution [wa]s vicariously liable for the tortious conduct of its employee acting within the scope of employment," and the expectation that employee physicians would "exercise independent medical judgment without being controlled by lay managers or entities . . . d[id] not mean . . . that vicarious liability doctrines . . . did not apply." The court explained that, because the relevant statute limited the control that an NPHO could exercise over a physician, courts asked to impose vicarious liability had to determine whether the NPHO could exercise control over the alleged negligence of its physician employee without interfering with the physician's exercise of independent medical judgment.

The concurring opinion observed that the state's statutory prohibition on an NHPO's vicarious liability over a physician's independent medical judgment appeared to depart from the principle set forth in Restatement of the Law Third, Torts: Medical Malpractice § 15, which "permit[ed] vicarious liability for medical professionals employed by medical institutions even if the professionals retain[ed] independent medical judgment," and stressed that the court was bound to follow the Texas statute, rather than the Restatement.

In *Interest of L.P.*, 32 N.W.3d 804 (Iowa 2026), the Iowa Supreme Court cited the newly published Restatement of the Law, Children and the Law. In that case, a couple who had provided nearly daily respite care to an infant in foster care since she was three days old moved to intervene in child-in-need-of-assistance proceedings for the infant, alleging that they had a formed a relationship with the infant, were the infant's fictive kin, and thus had a placement preference over the adoptive parents of the infant's other siblings. The juvenile court entered an order determining that the couple was the infant's fictive kin and granted their motion to intervene. The court of appeals affirmed, holding that the couple's caregiving relationship with the infant qualified them as fictive kin.

The Iowa Supreme Court vacated the decision of the court of appeals, reversed the juvenile court's dispositional order, and remanded, holding that that the couple was not the infant's fictive kin under Iowa law and Restatement of the Law, Children and the Law § 2.16 (previously § 2.45 in Tentative Draft No. 6 (2024)). The court observed that § 2.16 used the term "fictive kin" "to mean someone who ha[d] a prior relationship with the child or the child's family," and that the couple's relationship with the infant developed only after her removal from her biological family's custody. The court noted that it decided only that the couple was not "fictive kin" within the meaning of Iowa law and that the state agency having custody of the infant had authority, subject to court review, to select a placement that was in the infant's best interests.

Engage with the Institute

ALI membership offers many ways to contribute to the Institute, connect with fellow members, and bring ALI's work into your own practice, scholarship, teaching, and public service. Here are six ways to become more involved.

Nominate a Candidate for ALI Membership

ALI members play an essential role in identifying candidates who can contribute meaningfully to the Institute and its work. Consider the accomplished lawyers, judges, and academics in your professional community whose experience, judgment, and perspectives would enrich ALI's deliberations.

Before beginning a proposal, review the Guidelines for Proposing a Candidate for Membership, explaining the nomination process and the information required.

Log in required

MEMBERSHIP PROPOSAL DEADLINES

Completed proposals must be submitted to the Membership Committee by:

March 15	June 15	September 15
spring consideration	summer consideration	fall consideration

Quick Refence Guide to Navigating the ALI Website

Join a Members Consultative Group

Members Consultative Groups offer members a direct opportunity to participate in the development of ALI's Restatements, Principles, and Model Codes. By joining one or more MCGs, members can read project drafts, follow a project as it develops, and submit comments online for consideration by the Reporters and project participants.

ONGOING PROJECTS

- Civil Liability for Artificial Intelligence
- Conflict of Laws
- Constitutional Torts
- Corporate Governance
- Election Litigation
- Governance of Biometrics
- High-Volume Civil Adjudication
- Property
- The Foreign Relations Law of the United States
- Torts: Defamation and Privacy

Those who join a Members Consultative Group will be alerted when future meetings are scheduled and when drafts are available.

For more information on upcoming meetings, visit *www.ali.org/meetings*.

Attend the Annual Meeting

The Annual Meeting brings members together to participate in the Institute's work, exchange ideas, and reconnect with colleagues from across the profession. It is also an opportunity to hear directly from project participants and take part in the thoughtful discussion that is central to ALI's process.

The 2027 Annual Meeting will be held May 16-19 at the Marriott Marquis Houston in Houston, Texas. Mark your calendar and plan to join us.

Use ALI's Work

One of the most meaningful ways to engage with the Institute is to put its work to use. ALI publications are created to provide clear and thoughtful guidance on the law, grounded in extensive research and a rigorous deliberative process.

Consult and cite ALI's Restatements, Principles, the Model Penal Code, and the Uniform Commercial Code in your legal research and writing. Incorporate them into briefs, opinions, scholarship, teaching, policy discussions, and client counseling when relevant. Sharing ALI's work with colleagues, students, and others in the legal community also helps extend its reach and value.

Purchase print editions of ALI publications through LexisNexis. Electronic versions are available through LexisNexis, Westlaw, HeinOnline, and West Academic (select Volumes though Bloomberg). If a publication is not included in your organization's subscription, contact your law librarian or database representative about access.

Attend an ALI CLE Course

ALI CLE programs bring together experienced practitioners, judges, academics, government officials, and other leaders to examine important developments across a wide range of practice areas.

Whether you participate live online or attend in person, ALI CLE offers opportunities to deepen your knowledge, gain practical insights, and learn from distinguished faculty. In-person programs also provide valuable time to connect with others working in your field, exchange ideas, and strengthen professional relationships.

ALI members receive significant savings on our CLE Programs. Visit *www.ali.org/ali-cle-courses* for more information. (*Log in required)*

UPCOMING CLE CONFERENCES

Life Insurance Company Products 2026
November 5–6, 2026
Washington Marriott at Metro Center | Washington, D.C. or live webcast

Eminent Domain and Land Valuation Litigation 2027
February 4–6, 2027
El Conquistador Tucson | Tucson, Arizona or live webcast

Public Nuisance Litigation: Expansion of a Super Tort
February 19, 2027
NYU School of Law | New York City or live webcast

Environmental Law 2027
March 4–5, 2027
Hilton Washington, D.C. Capitol Hill | Washington, D.C. or live webcast

Legal Issues in Museum Administration 2027
April 14–16, 2027
Hilton New Orleans Riverside | New Orleans, Louisiana or live webcast

Make a Donation

Member support helps sustain the Institute and its work. A contribution to ALI supports the careful research, drafting, discussion, and review that make our projects possible.

Every gift reflects a commitment to ALI's mission and helps ensure that the Institute can continue bringing together leaders from across the legal profession to clarify, modernize, and improve the law.

When Was the Last Time You Heard from ALI?

It is important to all of us at ALI that we stay in touch with our members and project participants. Our primary method of doing so is email.

You should be receiving emails about our project meetings, draft notifications, administrative notifications, and other news items of interest.

To ensure that you receive our electronic communications, please add our domain (ali.org) to your spam filter's whitelist, also called the approved or safe-sender list. Doing so will ensure proper delivery of emails to your inbox. Because all spam filters are different, you may need to contact your technology team or service-provider helpdesk for assistance in accessing your spam settings.

Did your email address change recently?
If so, please be sure to update your member profile at *www.ali.org*.

Project Meeting Recap

High-Volume Civil Adjudication September 18

In addition to containing an updated Table of Contents, Preliminary Draft No. 4 includes new material from Chapter 8 (Systemic Administration) and Chapter 12 (Court Funding and Fees).

Chapter 8 offers principles governing the institutional administration of high-volume civil adjudication. Chapter 12 addresses the financing of court operations and the appropriate role of litigant-paid fees within that system. It builds on § 4.05 (Procedural Limits on Defenses and Counterclaims), which calls for the elimination of answer fees, but takes up the subject more broadly.

The meeting concluded with a conversation on Chapter 10 (Supply of Legal Help: Court Personnel and Legal-Services Providers), which is currently under development.

Margaret Hagan (center) of Stanford Law School, Legal Design Lab comments on P.D. No. 4.

Your Perspective Matters: Join an MCG

The American Law Institute's work depends on the active participation of our members. Members Consultative Groups (MCGs) are the foundation of how we refine and strengthen our drafts. Without your engagement, our projects cannot achieve the breadth and balance that make them so valuable to the legal community.

We need you. By joining an MCG, you contribute directly to ALI's mission—whether by reviewing drafts, attending project meetings, or submitting comments. No expertise in the subject area is required. In fact, perspectives from nonexperts are essential to ensuring our work is accessible and practical.

Your involvement ensures ALI projects continue to reflect a wide range of experience and insight.

Get involved today: join by logging in to the ALI website and visiting the Projects section of the ALI website. Those who join a Members Consultative Group and current project participants will be alerted when future meetings are scheduled and when drafts are available.

MEETINGS CALENDAR AT-A-GLANCE

Below is a list of upcoming meetings. For more information, visit *www.ali.org/meetings*.

2026

October 15-16
Council Meeting
Philadelphia, PA

October 23
Restatement of the Law Fourth, Property
Philadelphia, PA

October 30
Principles of the Law, Civil Liability for Artificial Intelligence
Philadelphia, PA

November 5
Restatement of the Law Third, Conflict of Laws
Virtual

November 13
Restatement of the Law, Election Litigation
Philadelphia, PA

2027

January 21-22
Council Meeting
Philadelphia, PA

SAVE THE DATE

2027 Annual Meeting

May 16-19, 2027
Houston, TX

Public Nuisance Litigation: Expansion of a Super Tort

February 19, 2027
NYU School of Law, New York, NY and Live Webcast
CLE Credit Available: 5.75 hours

The American Law Institute, in partnership with the Center on Civil Justice at NYU School of Law, is thrilled to announce the inaugural program, **Public Nuisance Litigation: Expansion of a Super Tort**, taking place February 19, 2027, at NYU School of Law and available via live webcast.

Public nuisance cases have exploded in recent years. The planning chairs for this program have designed a conference bringing together the people and perspectives at the forefront of public nuisance litigation. The goal of this one-day conference is to foster a constructive conversation about where this tort stands and where it's going.

PROGRAM CHAIRS

Sheila L. Birnbaum, Dechert LLP, ALI Council
Abbe R. Gluck, Yale Law School, ALI Council

PLANNING COMMITTEE

Elizabeth J. Cabraser, Lieff Cabraser Heimann & Bernstein LLP, ALI Council
Jayne Conroy, Simmons Hanly Conroy LLP, ALI member
Monica Hanna, New York State Office of the Attorney General
Samuel Issacharoff, NYU School of Law, ALI Council
Diane P. Wood, ALI Director; University of Chicago Law School; U.S. Court of Appeals for the Seventh Circuit (Retired)

FACULTY (AS OF SEPT. 25)

Paul D. Clement, Clement & Murphy PLLC, ALI member
Mark Geistfeld, NYU School of Law, ALI member
John C.P. Goldberg (tentative), Harvard Law School, ALI member
Leslie Kendrick, University of Virginia School of Law, ALI member
Marc L. Kesselman, Knoa Pharma
W. Mark Lanier, The Lanier Law Firm, ALI member
Sarah London, Girard Sharp
Thomas W. Merrill, Columbia Law School, ALI member
Zellnor Myrie, New York State Senator
Anthony Sebok, Benjamin N. Cardozo School of Law, ALI member
Sabrina H. Strong, O'Melveny & Myers LLP
Jeffrey S. Sutton, U.S. Court of Appeals for the Sixth Circuit, ALI Council

Program and Registration Information

In partnership with

CENTER ON CIVIL JUSTICE
at NYU School of Law

Sponsored by

Solomon Center
for HEALTH LAW AND POLICY
at Yale Law School

Use Your ALI Member Benefits

Don't forget that ALI members receive discounted rates to ALI Continuing Legal Education programs as well as a coupon code to share with their colleagues.

Receive 50% off in-person registration with code **ALIMCLE**.

Register for the live webcast at no cost using code **ALIWEB**.

Know a colleague who would benefit from our programs? Share code **ALICOLL15** for 15% off their registration.

To apply discount: Add the event to your cart, then enter code at checkout.

Global and Regional Harmonization in Private Law

On September 1, 2026, ALI Director Diane P. Wood delivered remarks at the European Law Institute's Annual Meeting and 15th Anniversary in Paris. Speaking on a panel titled "The Interplay between Global and Regional Harmonization in Private Law: The Experience of The American Law Institute," Wood discussed ALI's approach to developing its work, its influence on U.S. law, and its growing engagement in the international arena.

The following is excerpted from her remarks.

BRIDGING THE GAPS

It will come as no shock to this audience that the task of distilling the law for any given Restatement or Principles project is no small undertaking. Borrowing from the excellent account of "Torts in The American Law Institute," written by now-Dean John C.P. Goldberg of the Harvard Law School, I can give you several examples of areas where our conscientious Reporters searched the law of the 50+ jurisdictions and found a mess—certainly nothing resembling unanimity. What is the ALI to do with such a situation, where common ground among the many jurisdictions in the United States is nowhere to be found? In that situation, choice among different approaches can't be avoided. Some sort of decision principle is essential. Candidates include majority rule, oldest rule, newest rule, or most persuasive rule (even if only a minority of courts follow it). Majority rule might seem attractive at first glance, but there are real problems with it. Forcing the Institute to limit itself to a mechanical count of jurisdictions, even if that means endorsing a rule that is long out-of-date, or poorly reasoned, or questioned by thoughtful observers, is deeply unsatisfying. It would saddle the ALI's excellent Reporters and Membership with the need to incorporate and defend something second-best. The same criticism holds for other arbitrarily chosen approaches.

Importantly, no apex common-law court would feel that it was bound to the majority rule if a question of first impression came up. An example illustrates this point. Surveying the field of products liability law, the Supreme Court of California in 1963, in the pivotal case of *Greenman v. Yuba Products, Inc.*, single-handedly created the modern law of strict liability in tort for product defects. It did so at the same time that the ALI was working on the Restatement (Second) of Torts. The Reporters found the California position to be compelling, and so they drafted (and the Council and Membership accepted) section 402A, which adopted the California rule, and 402B, which dealt with misrepresentations of fact about a product sold to the public. Critically for my point here, most of the states in the United States had yet to endorse the strict liability approach. But that did not stop the ALI from endorsing it, and in retrospect, sections 402A and 402B are among the most influential provisions the Institute has ever written. This achievement was possible because of the ALI's approach to its Restatements. The Reporters are charged with putting themselves in the shoes of a distinguished common-law court and adopting whatever rule such a court would think best. The quid pro quo for this freedom is the obligation the Reporters have, when competing viewpoints exist or when they wish to adopt a minority position, to be transparent about the choices they are making and to explain the final result as clearly as they can.

HOW HAS THE ALI INFLUENCED U.S. LAW?

It is natural to wonder whether all this effort has been worth it, or if the ALI has just spent years writing books that wind up collecting dust on someone's shelf. The record shows that nothing of the sort has happened. Time permits only a few concrete examples here, but many more could be cited.

First, we know that the ALI's work product has been highly influential, because we can track citations. As of June 2026, ALI publications have been cited more than 226,000 times by courts throughout the United States, including the United States Supreme Court, the supreme courts of every state and territory, and intermediate appellate courts in every federal circuit and state. The courts turned to the ALI for all the reasons I outlined a minute ago: the work is thorough, nonpartisan, and persuasive.

Courts regularly rely on ALI publications when addressing questions of law, interpreting common-law doctrines, and evaluating legal standards. They find ALI works particularly valuable when they are seeking a neutral and comprehensive synthesis of legal principles drawn from multiple jurisdictions. And these citations come from the highest levels. The U.S. Supreme Court has cited ALI publications more than 1,400 times. In a representative term, the Court cited 14 different ALI publications in 16 separate opinions, spanning subjects from constitutional law, criminal law, torts, contracts, statutory interpretation, to commercial law.

Significant as this is at the federal level, the ALI's influence at the state level is almost certainly greater. Most American law is developed in state courts. Just as our founders hoped, ALI publications play a distinctive role in that process by synthesizing doctrines from all jurisdictions and providing frameworks that courts can adopt when confronting novel issues or conflicting authority. As a result, state courts frequently cite and, in appropriate cases, adopt ALI black-letter rules as governing law.

Finally, American law students are introduced to the ALI's work from the minute they begin their legal training. Casebooks, classroom instruction, and legal scholarship frequently draw upon Restatements and other ALI works to organize and explain core legal principles. The ALI's work is woven into the fabric of U.S. law in a way that nothing else matches.

THE ALI IN THE INTERNATIONAL ARENA

Lastly, and I would guess of particular interest to this audience, is the role the ALI has played in the international arena. The methodology that the ALI has developed over the years has proven to be flexible enough to support projects

that go well beyond the boundaries of the United States. In some instances, the Restatement or Principles treatment of a subject provides useful background for scholars and institutions in other countries. In others, the trans-border application is more obvious. The ALI is now on its third version of the Restatement of the Foreign Relations Law of the United States (called, for odd ALI reasons that no longer apply, the Restatement (Fourth) of that topic). Many of the issues addressed in the Foreign Relations work, including international jurisdictional rules, the law of treaties, and sovereign immunity, have their counterparts around the globe. While others will apply their own rules to these topics, the backdrop of public international law is always there, and it often results in a shared understanding of the legal rules, however they may be expressed in a domestic system.

Another Restatement with global reach is the Restatement of the Law of the U.S. Law of International Commercial and Investor-State Arbitration, published in 2023. Much of the law of international commercial arbitration is heavily influenced by the United Nations Convention on the Recognition and Enforcement of Foreign Arbitral Awards, signed in New York on 10 June 1958, which now boasts 172 State Parties. In addition, however, there are important NGOs (private and public) that have issued model rules for arbitration—organizations such as UNCITRAL and the American Arbitration Association, to name only two, and the progress of an arbitral proceeding can be significantly influenced by the law of the arbitral seat.

The ALI also has reached into the international realm through its Principles projects. The project on Aggregate Litigation has interesting ideas to offer any country that is thinking about some type of mass litigation, whether it takes the form of a class action, an action by a pre-formed group, or a public citizen's suit. The United States, too, has been experimenting with more procedural options for problems that reach thousands, if not millions, of people. That type of case can be an awkward fit for traditional litigation models. Another Principles project that had an international focus was the ALI's first venture into intellectual property law, called Intellectual Property: Principles Governing Jurisdiction, Choice of Law, and Judgments in Transnational Disputes, released in 2008. (This should not be confused with our recently completed Restatement of the Law of Copyright, which is now in the final editing stages before release.)

The last two Principles projects, however, show the potential for further serious work in the international space. The first was the Transnational Civil Procedure project, undertaken with UNIDROIT as a co-sponsor. We will have more to say about that later today. It suffices for now to say that the Principles that the ALI and UNIDROIT jointly developed and issued in 2004 were very influential in the later ELI/UNIDROIT Model European Rules of Civil Procedure, completed in 2020. Finally, there was the Transnational Insolvency Project, undertaken by ALI and the International Insolvency Institute. That project resulted in two publications: the 2003 Principles of Cooperation Among the NAFTA Countries, and a Report to the ALI on Global Principles for Cooperation in International Insolvency Cases, issued in 2012.

READ THE COMPLETE REMARKS ONLINE.

Listen Now: Why Federal and State MDL Coordination Matters

What happens when related litigation moves forward simultaneously in federal and state courts? In the latest podcast episode of *Reasonably Speaking*, **Robert H. Klonoff** of Lewis & Clark Law School moderates a conversation on why effective coordination matters to judges, plaintiffs, and defendants alike. He is joined by panelists **John H. Beisner** of Skadden, **Elizabeth J. Cabraser** of Lieff Cabraser, and **M. Casey Rodgers** of the U.S. District Court for the Northern District of Florida. Using examples drawn from complex litigation, the panel examines how courts and counsel navigate coordination issues at key stages of litigation.

The episode offered a preview of the issues explored in greater depth at ALI/NYU MDL in Motion 2026: Federal/State Coordination, held on October 2 at NYU School of Law. Details about that program will be available in the next issue of *The ALI Reporter*.

Listen Now

Notes About Members and Colleagues

George A. Bermann of Columbia Law School was honored in March for 50 years as a member of the Columbia Law faculty. Bermann, the Walter Gellhorn Professor of Law and Jean Monnet Professor of European Union Law, joined Columbia in 1976 after receiving his second law degree from Columbia and spending several years in private practice in New York.

Columbia marked the milestone with a two-day celebration featuring professors, government officials, arbitrators, and lawyers from around the world, many of whom were Bermann's former students. The program reflected Bermann's significant contributions to international arbitration, including his leadership as director of Columbia's Center for International Commercial & Investment Arbitration and his role as Chief Reporter for ALI's Restatement of the Law, The U.S. Law of International Commercial and Investor-State Arbitration (Published 2023).

The celebration also included a dinner attended by Bermann's family and a tribute from Columbia Law School faculty member Merritt Fox, who reflected on Bermann's five decades as a scholar, teacher, colleague, and mentor. Fox highlighted both Bermann's scholarly accomplishments and his impact on generations of students and colleagues, describing the relationships he has built throughout his career as an especially meaningful part of his legacy.

George A. Bermann honored during Columbia Arbitration Day 2026 | Courtesy Columbia Law School

Carol F. Lee retired from Taconic Capital Advisors in July 2025. She is focusing on the history of Chinese immigrants to Canada (including her grandparents), their families and their communities. She published "Death of a Chinese Immigrant and the Quest for Justice," in *British Columbia History*, Winter 2025, and posted "Between Two Worlds" in December 2025 on *Active History*, a website moderated by academic historians for a general audience. In June 2026, she delivered a lecture with slides on "Wing's and the Lee Family: A Chinatown History" at the City of Montreal social history museum. The lecture, which was based on documentary research, archival photos, and oral history, was part of a campaign to preserve a historic Chinatown building as a hub for the community.

A Conversation with J. Brett Busby and ALI President Wallace B. Jefferson

Moderated by Lee H. Rosenthal

On September 24, The American Law Institute and the University of Houston Law Center hosted an event featuring a conversation with **J. Brett Busby** of the Supreme Court of Texas and ALI President and former Chief Justice of the Supreme Court of Texas **Wallace B. Jefferson**, moderated by **Lee H. Rosenthal** of the U.S. District Court for the Southern District of Texas.

Rosenthal, Busby, and Jefferson

From left to right: Jefferson, Rosenthal, Busby, ALI Director Diane P. Wood, and University of Houston Law Center Dean Leonard M. Baynes

Mark Martin, former Chief Justice of the Supreme Court of North Carolina and founding dean of the High Point University Kenneth F. Kahn School of Law, was presented the American Bar Association Judicial Division's 2026 William D. Missouri Civility Award.

James Lockemy, Judicial Division Chair; Mark Martin; and Toni Clarke, Chair of the Judge William D. Missouri Selection Committee

Bridget Mary McCormack, former Chief Justice of the Michigan Supreme Court, has joined Clio as General Manager, Judiciary. She joins the company after serving as President and Chief Executive Officer of the American Arbitration Association. In her new role, McCormack will draw on her firsthand knowledge of court operations and judicial administration to support Clio's work with courts and judicial systems.

Doreen Nánibaa McPaul of the Tribal In-House Counsel Association has been elected president of the State Bar of Arizona, becoming the first Native American to lead the organization in its 93-year history.

Stephanie Parker of Jones Day has been named to the Forbes "America's Top Lawyers" list for 2026. The annual list recognizes leading lawyers across practice areas based on the caliber of their work, the trust they have earned, and the results they deliver for clients.

Stephen Gageler of the High Court of Australia, Elizabeth S. Stong of the U.S. Bankruptcy Court for Eastern District of New York and François Kunc of the Supreme Court of New South Wales in Sydney, Australia.

ALI Members at Upcoming Brigham-Kanner Property Rights Conference

Several ALI members will participate in the 23rd Annual Brigham-Kanner Property Rights Conference, taking place October 14–16 in London.

Presented by William & Mary Law School's Property Rights Project, the annual conference brings together members of the bench, bar, and academia to examine developments in property law and property rights.

The conference has close ties to ALI's ongoing work on the Restatement of the Law Fourth, Property with participation from Reporter Henry E. Smith and Associate Reporters Molly E. Brady and Thomas W. Merrill, as well as project Advisers and MCG participants.

ALI members participating in this year's conference include:

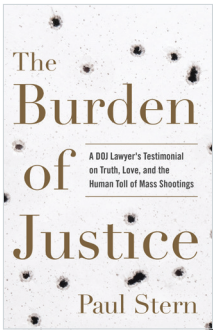
David L. Callies, University of Hawaii at Manoa, William S. Richardson School of Law
Paul B. Miller, Notre Dame Law School
Lynda L. Butler, William & Mary Law School
Maureen "Molly" E. Brady, Harvard Law School
Joseph T. Waldo, Waldo & Lyle PC
Gregory H. Fox, Wayne State University Law School
Robert H. Thomas, Pacific Legal Foundation
Danielle D'Onfro, Washington University School of Law
Christopher K. Odinet, Texas A&M University School of Law
Thomas W. Merrill, Columbia Law School
Carol M. Rose, Yale Law School (Retired)
Henry E. Smith, Yale Law School
James Y. Stern, William & Mary Law School
Eric R. Claeys, George Mason University Antonin Scalia Law School
A. Benjamin Spencer, William & Mary Law School

Members of the Restatement Fourth's International Advisory Panel will also be in attendance: James E. Penner of the National University of Singapore, who will receive the 2026 Brigham-Kanner Property Rights Prize, and Larissa Katz, who is among the conference participants.

The Brigham-Kanner Property Rights Conference was established in 2004 and is named for Toby Prince Brigham and Gideon Kanner in recognition of their contributions to private property rights.

Learn more about the 2026 Brigham-Kanner Property Rights Conference.

Robert H. Sitkoff of Harvard Law School has been reappointed by Massachusetts Gov. Maura Healey to serve as a Uniform Law Commissioner for the Commonwealth. Sitkoff has represented Massachusetts on the Uniform Law Commission since 2008 and recently chaired the drafting committee for the Uniform Conflict of Laws in Trusts and Estates Act, which the ULC approved this summer and recommended for enactment by states. He has also served on drafting committees for several other uniform acts in the trusts and estates field, including as chair of the Uniform Directed Trust Act.



Paul Stern of the National Park Service has published *The Burden of Justice: A DOJ Lawyer's Testimonial on Truth, Love, and the Human Toll of Mass Shootings* (River Grove Books). Drawing on his experience as lead counsel for the U.S. Department of Justice in litigation arising from the Sutherland Springs and Parkland mass shootings, Stern reflects on the legal and moral challenges of representing the government in cases involving profound loss. The memoir explores questions of accountability, foreseeability, gun-safety laws, and the personal toll of navigating the responsibilities of government counsel in the aftermath of tragedy.

Submissions as of September 29. If you would like to share any recent events or publications in the next ALI newsletter, please email us at communications@ali.org.

In Memoriam

ELECTED MEMBERS

Elaine A. Carlson, Houston, TX; **Melissa Hart**, Denver, CO; **Daniel J. Krisch**, Hartford, CT; **Barbara A. McDermott**, Philadelphia, PA

LIFE MEMBERS

Fortunato P. Benavides, Austin, TX; **Truman S. Casner** Boston, MA; **Bruce A. Coggeshall**, Portland, ME; **William V. Dorsaneo, III**, Dallas, TX; **David S. Doty**, Minneapolis, MN; **Michael B. Elefante**, Boston, MA; **Ronald L. Gainer**, Arlington, VA; **Boris Kozolchyk**, Tucson, AZ; **Ronald E. Mallen**, San Francisco, CA; **Paul J. Mason**, Chevy Chase, MD; **Martin D. Minsker**, Chicago, IL; **John H. Morrison**, Evanston, IL; **Joseph J. Norton**, Dallas, TX; **Roger Park**, San Francisco, CA; **Frank T. Read**, Houston, TX; **Gerald S. Reamey**, San Antonio, TX; **Thomas D. Rowe, Jr.**, Marina del Rey, CA; **Thomas J. Schoenbaum**, Seattle, WA; **L. P. Scriggins**, Great Cacapon, WV; **Richard Burleson Stewart**, New York, NY; **Rya W. Zobel**, Boston, MA

NEW MEMBERS ELECTED

In October, the Institute announced the election of the following individuals.

Terry Adams, Houston, TX
W. Edward "Ted" Afield, Gulfport, FL
Amir H. Ali, Washington, DC
Kellie M. Barr, Indianapolis, IN
David J. Beck, Houston, TX
Jean-Sébastien Borghetti, Paris, France
Teneille Brown, Salt Lake City, UT
Nathan S. Chapman, Athens, GA
Jesse M. Cross, Columbia, SC
Kabir A.N. Duggal, New York, NY
Deborah Thompson Eisenberg, Baltimore, MD
Patrick J. Fitzgerald, Chicago, IL
Thomas C. Galligan Jr., Baton Rouge, LA
Benjamin Gutman, Salem, OR
Daniel Harris, Skokie, IL
Lexi J. Hazam, San Francisco, CA
Cathy Hwang, Washington, DC
Steven R. Jensen, Pierre, SD
Andrew Kent, New York, NY
Curtis A. Kin, Los Angeles, CA
Timothy J. Lucey, Oakland, CA
Orly Mazur, Dallas, TX
Tina Q. Nguyen, Houston, TX
David L. Noll, Newark, NJ
Jennifer H. Nou, Chicago, IL
Eric G. Osborne, Nashville, TN
Tamara Beatty Peterson, Las Vegas, NV
Pascal P. Pichonnaz, Fribourg, Switzerland
John S. Polzer, Dallas, TX
Whitney Russell, Washington, DC
Stacy Sharp, San Antonio, TX
Scott Skinner-Thompson, Boulder, CO
Debra L. Stephens, Olympia, WA
Jane K. Stoever, Irvine, CA
Sean P. Tarantino, Wichita, KS
Lica Tomizuka, Minneapolis, MN
Michael S. Truesdale, Portland, OR
Lisa Sharon Walsh, Miami, FL

NOMINATE A CANDIDATE FOR ALI MEMBERSHIP

ALI members play an essential role in identifying candidates who can contribute meaningfully to the Institute and its work. Consider nominating the accomplished lawyers, judges, and academics in your professional community whose experience, judgment, and perspectives would enrich ALI's deliberations.

Log in required

Upcoming Meetings

For more information, visit *www.ali.org/meetings*.

2026

October 15-16
Council Meeting
Philadelphia, PA

October 23
Restatement of the Law Fourth, Property
Philadelphia, PA

October 30
Principles of the Law, Civil Liability for Artificial Intelligence
Philadelphia, PA

November 5
Restatement of the Law Third, Conflict of Laws
Virtual

November 13
Restatement of the Law, Election Litigation
Philadelphia, PA

Upcoming CLE Events

For more information, visit *www.ali.org/cle.*

Life Insurance Company Products 2026
November 5-6, 2026
Washington Marriott at Metro Center, Washington, D.C. or live webcast

Eminent Domain and Land Valuation Litigation 2027
February 4-6, 2027
El Conquistador Resort, Tucson, AZ or live webcast

Public Nuisance Litigation: Expansion of a Super Tort
In partnership with the Center on Civil Justice at NYU School of Law
February 19, 2027
NYU School of Law, New York, NY or live webcast

Environmental Law 2027
Cosponsored by the Environmental Law Institute
March 4-5, 2027
Hilton Washington, D.C. Capitol Hill, Washington, D.C. or live webcast

Legal Issues in Museum Administration 2027
Cosponsored by the Smithsonian Institution
April 14-16, 2027
Hilton New Orleans Riverside, New Orleans, LA or live webcast

THE AMERICAN LAW INSTITUTE

(ISSN 0164-5757)
4025 Chestnut Street,
Philadelphia, PA 19104
www.ali.org

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

MANAGING EDITOR
Pauline Toboulidis
(215) 243-1694
ptoboulidis@ali.org

ART & PRODUCTION
Kathleen A. Morton
(215) 243-1612
kmorton@ali.org