THE AMERICAN LAW INSTITUTE

2025-2026 Annual Report



















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The American Law Institute was founded in 1923 in response to concerns that the body of American common law was both uncertain and complex.

A group of prominent judges, lawyers, and academics formed the "Committee on the Establishment of a Permanent Organization for the Improvement of the Law" and published a report recommending that an organization be formed to improve the law and its administration. This led to the creation of ALI. The Institute's mission, as set out in its charter, is "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."

For a century, ALI has gathered the best minds in the bar—judges, lawyers, and law professors—to accomplish its mission. The courts have come to trust and rely on ALI's work due to its careful drafting process, its independence and integrity, and the intellectual caliber of those who participate in the Institute's projects. Federal and state courts routinely look to ALI's work for guidance in resolving questions of law.

Publications and Projects

ALI drafts, discusses, revises, and publishes Restatements of the Law, model statutes, and Principles of the Law that are enormously influential in the courts and legislatures, as well as in legal scholarship and education.

ALI has long been influential internationally and, in recent years, more of its work has become international in scope. It collaborates with numerous international law organizations and served as a model for the European Law Institute founded in 2011.

The Institute addresses uncertainty in the law by developing restatements of legal subjects that are primarily addressed to courts. Restatements of the Law contain clear formulations of common law and its statutory elements or variations and reflect the law as it currently stands or might appropriately be stated by a court.

ALI also examines and analyzes legal areas in need of reform. Principles of the Law 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 may suggest best practices for these institutions. Statutory projects include the Uniform Commercial Code (in conjunction with the Uniform Law Commission), Model Code of Evidence, and Model Penal Code.

Membership

By participating in ALI's work, its members have the opportunity to influence the development of the law in both existing and emerging areas, to work with other eminent lawyers, judges, and academics, to give back to a profession to which they are deeply dedicated, and to contribute to the public good.

Funding

ALI's operating revenue is primarily derived from publishing, educational programs, and membership dues and contributions. The financial support of ALI's members and partners is vital to its long-term financial stability. As a public charity under section 501(c)(3) of the Internal Revenue Code, all donations to ALI are tax deductible to the full extent of the law.

Introduction to The American Law Institute



President's Message

Stewardship and the Work Ahead

I am delighted to present my first annual report as the President of The American Law Institute. I took office at the close of our Annual Meeting in May, just weeks before the end of the fiscal year. I am glad to look back on a consequential year and to thank the many people who made it possible.

Foremost among them is David Levi. Over nine years as President, David led the Institute through demanding projects, intense public scrutiny, a pandemic, and our Centennial with wisdom and intellectual rigor. He protected the independence of our process and fostered a culture of rigorous, respectful debate. The Institute is far stronger for his leadership, and I am grateful that he continues to serve as Chair of the Council. I am more grateful still to count him as a friend and counselor.

This year's accomplishments were considerable. Members approved the final portions of *Restatement of the Law Third, Torts: Remedies*, and three works reached publication: *Restatement of the Law Third, Torts: Intentional Torts to Persons; Restatement of the Law, Children and the Law; and Principles of the Law, Government Ethics*. A fourth was recently published just after the fiscal year closed, *Restatement of the Law Third, Torts: Medical Malpractice*.

At the Annual Meeting, members also acted on drafts from six other projects: *Conflict of Laws, Corporate Governance, Property, Torts: Defamation and Privacy, The Foreign Relations Law of the United States, and High-Volume Civil Adjudication*. These subjects differ, but each rests on the same conviction: careful analysis, informed by varied experience and tested in open deliberation, improves the law and its administration.

We also honored extraordinary service. Carolyn Dineen King received the John Minor Wisdom Award; Raymond J. Lohier Jr. received the Distinguished Service Award; and J. Harvie Wilkinson III and Diane P. Wood received the Henry J. Friendly Medal. Justice Ketanji Brown Jackson joined Judge Richard Gergel for a conversation about her memoir, *Lovely One*. These moments remind us that ALI is valued not only for its published work, but also for its community of citizens who have devoted their lives to the law.

That community depends on engagement as much as expertise. ALI needs members who read drafts closely, ask difficult questions, and listen seriously to views they do not share. Intense engagement matters especially now, as the profession confronts rapid technological change, questions of public confidence, and deep disagreement over law and policy. ALI can show that people of differing views can examine hard questions together, follow the evidence where it leads, and reach principled conclusions.

The rule of law is not self-sustaining. It depends on law that is clear and coherent, also worthy of public trust, and on institutions willing to do patient work. For more than a century, ALI has been one of those institutions. When a court turns to a Restatement or a legislature consults our Principles, they find work done in the open by people who placed the law over any client or cause. That trust is our inheritance, and it is our duty to preserve it.

Keeping it requires independence: the freedom to choose projects on their merits and to follow our deliberative process wherever it leads. Independence, in turn, requires a sound financial foundation. Convening this work, sustaining its rigor, and ensuring that it reaches the judges, lawyers, lawmakers, and scholars who rely on it all depend on financial support.

For that reason, I ask you to make a year-end gift to The American Law Institute. Thank you for all you have already given to ALI. It is a privilege to serve alongside you.

Warmly,



Wallace B. Jefferson
President, The American Law Institute



Director's Message

This year brought an important transition in the leadership of The American Law Institute. At the conclusion of the Annual Meeting, David Levi completed nine remarkable years as President. Working alongside David has been a great professional privilege for all of us. His wisdom, integrity, generosity, and devotion to the Institute have shaped ALI in lasting ways. He guided us through difficult projects and periods of extraordinary change while preserving the seriousness, independence, and collegiality that distinguish our work. I am deeply grateful for his leadership and his friendship, and very glad that ALI will continue to benefit from his service as Chair of the Council.

At the same time, I could not be more pleased to welcome Wallace Jefferson as our new President. Wallace has been a valued colleague and friend for many years, and he knows the Institute from many perspectives—as a member, Council member, Treasurer, and project participant. He brings exceptional judgment, intellectual rigor, humility, and a deep respect for the role of law and legal institutions in our society. Wallace listens closely, welcomes differing views, and understands the care with which ALI must approach its work. I look forward with great enthusiasm to working with him as we begin this next chapter.

One of the privileges of serving as Director is having the opportunity to see ALI's work at every stage of its development. Some projects are just beginning, with Reporters, Advisers, and Members Consultative Groups working together to define the questions the Institute should address. Others are being developed, step by step, by our remarkable Reporters. Once the Council has approved all or part of a project draft, it is presented to the full membership at the Annual Meeting. And even that isn't all: after passing that last hurdle, the approved text moves through an exacting editorial process that turns approved drafts into official publications. This year offered a particularly vivid view of that full cycle.

At the 2026 Annual Meeting, the membership approved the final portions of Restatement of the Law Third, Torts: Remedies. Launched in 2019, the project addresses the relief available after liability has been established in a tort action, including damages, restitution, injunctions, and other forms of specific relief. Remedies determine the real-world consequences of legal rights and obligations, and the completed Restatement brings greater clarity and coherence to an area of enormous practical importance. I am deeply grateful to Reporters Richard Hasen and Douglas Laycock and to the Advisers, Members Consultative Group, Council, and members who contributed to this work.

Four other major projects reached publication: Restatement of the Law, Children and the Law; Restatement of the Law Third, Torts: Intentional Torts to Persons; Restatement of the Law Third, Torts: Medical Malpractice; and Principles of the Law, Government Ethics. These works address very different subjects, but each reflects the same sustained effort. Publication is the culmination of years spent studying the law, preparing and revising drafts, considering written comments, debating difficult questions, and responding to the judgments of the Council and membership. Seeing these volumes completed and available to courts, lawyers, public officials, scholars, and others is immensely gratifying.

Newer projects also continued to take shape. Constitutional Torts, Election Litigation, Civil Liability for Artificial Intelligence, and Governance of Biometrics bring the Institute into areas where courts, lawyers, and policymakers are confronting difficult and rapidly developing challenges. The early meetings of these projects have already drawn new participants into ALI's work and produced the kind of rigorous exchanges that help us clarify and simplify the law. This is the best of the ALI in action.

None of this happens automatically. Reporters and Associate Reporters take on years of demanding work, while Advisers, Council members, and members of our consultative groups contribute their time and expertise at every stage. After the membership has voted, citations must be updated, editorial questions resolved, and the official text prepared for publication and placed in the hands of those who can use it. I am profoundly grateful to everyone who makes that process possible. This extraordinary service is the intellectual foundation of the Institute.

That same spirit of intellectual engagement extends beyond our formal project process. We have now presented our second annual *MDL in Motion* conference in partnership with NYU Law's Center on Civil Justice. This event brings together judges, plaintiffs' and defense counsel, and academics to examine the challenges of coordinating federal multidistrict litigation with parallel state proceedings. These conferences allow ALI to convene informed, balanced discussion of important legal issues that benefit from timely examination but may not fit our traditional project model. Like our projects, they depend on ALI members and others who are willing to contribute their time and knowledge.

Hosting events that explore current legal issues, carrying ALI's work from its earliest draft through publication, and making this work available for broad use also requires substantial financial support. Member gifts support project meetings, research, editing, publication, and the effort to bring ALI's work to courts, practitioners, public institutions, where it supports and reinforces the rule of law.

As you consider your year-end giving, I am asking you to make a contribution to The American Law Institute. Your gift will help us undertake consequential projects, preserve the rigor and independence of our process, and ensure that our completed work reaches the people it is intended to serve. Every contribution makes a meaningful difference.

Thank you for the many ways you contribute to ALI. It is an honor to work with you.



Diane P. Wood
Director, The American Law Institute

The American Law Institute

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Celebrating the Presidency of David F. Levi

At the conclusion of the 2026 Annual Meeting, David F. Levi completed nine years of service as President of The American Law Institute. Throughout his three terms, he led the Institute with intellectual curiosity, sound judgment, generosity, and an abiding belief in the value of institutions devoted to the public good.

During his presidency, ALI completed or approved 21 Restatements, Principles, and Model Codes; launched important new projects in developing areas of law; expanded its educational and public outreach; celebrated its Centennial; and strengthened its foundation for the future. Together, these accomplishments tell the story of an Institute that continued to evolve while remaining true to the values that have guided its work for more than a century.

Levi's stewardship was perhaps most evident during moments of change. When the COVID-19 pandemic disrupted courts, law schools, and legal organizations across the country, ALI adapted quickly to ensure that project work continued without interruption. At the same time, the Institute looked beyond its own work, launching the Reasonably Speaking podcast series Coping with COVID. The conversations brought together judges, lawyers, academics, and other leaders to share practical advice, thoughtful perspectives, and encouragement as the legal profession navigated unprecedented challenges.

He also guided the Institute through its Centennial year, a milestone that celebrated ALI's first hundred years while looking confidently toward its second century. During this period, the Institute convened distinguished experts from across the legal and political spectrum to provide principled guidance on the ethical administration of elections, reform of the Insurrection Act, and reform of the Electoral Count Act. The contribution of the Electoral Count Act project to significant legislative reform offered a particularly striking example of what the Institute can accomplish when it convenes wisely and works deliberately, without sacrificing its independence or standards.













Throughout his tenure, Levi encouraged the Institute to embrace new ideas and new audiences without losing sight of what has always made ALI distinctive: the willingness of accomplished judges, lawyers, and scholars to engage one another thoughtfully, independently, and in good faith.

Those who have had the privilege of with him know that he viewed the Institute's greatest strength as its members. He consistently encouraged broad participation, welcomed differing viewpoints, and believed that careful deliberation produces stronger results. Under his leadership, ALI not only accomplished an extraordinary body of work but also reinforced the collaborative culture that has long been one of its defining characteristics.

Although his presidency has concluded, his service to the Institute continues. As Chair of the Council, he remains an important part of ALI's leadership, offering the wisdom, perspective, and steady counsel that benefited the Institute throughout his presidency.

The American Law Institute thanks President Emeritus David F. Levi for his remarkable leadership, his dedicated stewardship of the Institute, and his unwavering commitment to its mission.

Wallace B. Jefferson Begins His Presidency

At the conclusion of the 2026 Annual Meeting, Wallace B. Jefferson began his service as President of The American Law Institute.

Jefferson brings to the role decades of experience as a judge, advocate, and leader within the legal profession, along with a longstanding commitment to ALI and its work. Elected to ALI membership in 2001 and to the Council in 2011, he served as Treasurer from 2014 to 2023 and has contributed to the Institute's work as an Adviser on multiple projects. As President, he chairs the Executive Committee of the Council and helps guide the direction of the Institute.

He served on the Supreme Court of Texas from 2001 to 2013, including nearly a decade as Chief Justice. He was the first African American Justice and Chief Justice in the Court's history. During his time on the bench, he led efforts to expand access to justice, supported reforms to juvenile justice, and oversaw the implementation of a statewide electronic-filing system for Texas courts. He also served as President of the Conference of Chief Justices, representing chief justices from all 50 states and the U.S. territories.

Following his judicial tenure, he returned to private practice. He is Co-Chair of the Texas Supreme Court and State Appellate Practice at Alexander Dubose & Jefferson.

Throughout his career, he has emphasized careful deliberation, principled leadership, and the importance of institutions that bring people together across perspectives to improve the law and strengthen public trust.

In his first President's Letter, Jefferson described the broader role he believes ALI can play, writing, "The Institute contributes something beyond its Restatements, Principles, and Model Codes. It shows that thoughtful people acting in good faith can confront difficult issues, learn from one another, and often reach consensus without sacrificing intellectual independence. That example is valuable not only to the legal profession, but to the nation we serve."

He also reflected on the importance of participation in the Institute's work, observing that some of the most valuable contributions come from members who ask probing questions, challenge assumptions, or offer new perspectives.

"Expertise matters at ALI. So does participation," he wrote. "The Institute is strongest when all of its members see themselves as contributors to our shared endeavor."



Wallace B. Jefferson, David F. Levi, and Diane P. Wood at the 2026 Annual Meeting









Council Elections

The American Law Institute's membership elected three new members to its Council, which determines projects and activities to be undertaken by the ALI and approves the work as representing the position of the Institute.

The new Council members are David J. Barron of the U.S. Court of Appeals for the First Circuit, William D. Savitt of Gibson Dunn, and Beth A. Wilkinson of Wilkinson Stekloff LLP. Short biographies of ALI's new Council members can be found below.



David J. Barron was appointed to the U.S. Court of Appeals for the First Circuit in May 2014. He became Chief Circuit Judge in 2022. He graduated from Harvard College in 1989 and Harvard Law School in 1994. From 1989 to 1991, he worked as a newspaper reporter. After graduating from law school, he clerked for Judge Stephen R. Reinhardt of the United States Court of Appeals for the Ninth Circuit, from 1994 to 1995, and for Justice John Paul Stevens of the United States Supreme Court, from 1995 to 1996. He then worked as an attorney advisor for the Office of Legal Counsel of the United States Department of Justice, from 1996 to 1999. Chief Judge Barron worked as an attorney advisor for the Office of Legal Counsel of the U.S. Department of Justice during the Clinton Administration before joining the faculty at Harvard Law School. He rejoined the Justice Department as Acting Assistant Attorney General for the Office of Legal Counsel from 2009 to 2010 before returning to Harvard Law School, where he taught until joining the federal bench in 2014. Chief Judge Barron continues to teach at Harvard Law School as a visiting professor. He is a member of the American Academy of Arts and Sciences.



William D. Savitt is Co-Chair of Gibson Dunn's global Litigation Practice Group and a member of the Trials and Securities Litigation practice groups. His practice focuses on complex commercial litigation and the representation of corporations and directors in litigation involving mergers and acquisitions, proxy contests, corporate governance disputes, securities class actions, fiduciary-breach derivative actions, and regulatory enforcement actions relating to corporate transactions. Savitt also regularly advises boards of directors in respect of strategic transactions, Caremark duties, and contests for corporate control. He received his B.A. from Brown University, *magna cum laude*, his M.Phil. from Columbia University, and his J.D. from Columbia Law School where he was Editor-in-Chief of the Columbia Law Review. After law school, he clerked for Justice Ruth Bader Ginsburg of the Supreme Court of the United States, and Judge Pierre N. Leval of the U.S. Court of Appeals for the Second Circuit. Savitt is an adjunct law professor at Columbia Law School in the field of transactional litigation.



Beth A. Wilkinson is one of the nation's most highly regarded trial lawyers and a founding Partner of the nation's leading trial boutique, Wilkinson Stekloff, with over 35 years of experience in high-profile criminal cases and bet-the-company civil litigation. She has first-chaired more than 60 jury trials, with an unmatched record of success in federal and state courts throughout the country. Wilkinson's career began in the Army and continued from the U.S. Attorney's Office for the Eastern District of New York and the Department of Justice, where she took on lead roles in the prosecution of the Oklahoma City bombers, to nationally recognized work as a litigation partner at two of the nation's most prominent law firms, before founding Wilkinson Stekloff. Most recently, Beth led the trial team that secured a victory for the NFL and its 32 member teams in one of the largest antitrust class action lawsuits in the country, which challenged the distribution of the Sunday Ticket subscription package and the NFL's media agreements more generally. She received her B.A. from Princeton University, *magna cum laude*, and J.D. from the University of Virginia School of Law.

Additionally, the following Council members were reelected for another Council term: John B. Bellinger III of Arnold & Porter; Roberto Jose Gonzalez of Paul, Weiss, Rifkind, Wharton & Garrison LLP; Wallace B. Jefferson, Alexander Dubose & Jefferson LLP; Patricia Ann Millett of the U.S. Court of Appeals for the District of Columbia Circuit; Janet Napolitano of the University of California, Berkeley, Goldman School of Public Policy; Eric A. Posner of the University of Chicago Law School; Virginia A. Seitz of Sidley Austin LLP; Laura Denvir Stith of the Supreme Court of Missouri (Retired); and Larry D. Thompson of Finch McCranie LLP.

The Council elected David F. Levi as Chair of the Council and reelected Ivan K. Fong as Treasurer, in each case for a three-year term beginning at the close of the 2026 Annual Meeting.

The following Council members took emeritus status at the end of the 2026 Annual Meeting: Gary L. Sasso of Carlton Fields and Anthony J. Scirica of the U.S. Court of Appeals for the Third Circuit.

Distinguished Service Award: Raymond J. Lohier Jr.

The American Law Institute presented Judge Raymond J. Lohier Jr. of the U.S. Court of Appeals for the Second Circuit with the Distinguished Service Award at the 2026 Annual Meeting. The Distinguished Service Award is given from time to time to a member who over many years has played a major role in the Institute, accepting significant burdens as an officer, Council member, committee chair, or project participant and helping keep the Institute on a steady course as the greatest private law-reform organization in the world.

"It is a privilege to recognize Judge Raymond Lohier with ALI's Distinguished Service Award," said ALI President David F. Levi. "Ray has contributed enormously to the work of the Institute over many years. He brings a deep respect for the law and for the people engaged in its development, and he participates in our deliberations with care, patience, and an open mind. Those who have worked with him on ALI projects know how generously he gives his time and attention to the work before us. His service reflects the kind of sustained commitment that this award is meant to recognize. I have frequently benefitted from his wisdom and judgment. We are fortunate to have him as a member of the Council and deeply grateful for the example he sets within the Institute."

Elected to ALI in 2013 and to its Council in 2014, Lohier has contributed extensively to several of the Institute's major projects, including serving as an Adviser to the Restatement of the Law, Employment Law; Principles of the Law, Compliance and Enforcement for Organizations; and Principles of the Law, Policing. He currently serves as an Adviser to the Restatement of the Law, Corporate Governance.





Gerard E. Lynch, David F. Levi, Raymond J. Lohier Jr., and Diane P. Wood

Born in Montreal, Canada, he graduated from Harvard College in 1988 and received his J.D. from New York University School of Law in 1991. While at NYU, he served as Editor-in-Chief of the *Annual Survey of American Law* and received the Vanderbilt Medal, the law school's highest honor.

His broad range of legal experience spans both private practice and public service. Following law school, Lohier clerked for Robert P. Patterson Jr. of the U.S. District Court for the Southern District of New York. He worked as an associate at Cleary, Gottlieb, Steen & Hamilton's New York office from 1993 to 1997. From 1997 to 2000, he was a senior trial attorney at the Civil Rights Division of the U.S. Department of Justice.

In 2000, Lohier joined the U.S. Attorney's Office for the Southern District of New York, where he served in several leadership roles, including chief and deputy chief of the office's Narcotics Unit and later deputy chief and chief of the Securities and Commodities Fraud Task Force. In that role, he led investigations and prosecutions involving major financial crimes, including securities fraud, insider trading, Ponzi schemes, and commodities fraud. He was responsible for overseeing several high-profile financial crimes cases, including the Bernard Madoff prosecutions, as well as the investigation and prosecution of Marc Dreier.

In 2010, Lohier was unanimously confirmed to the U.S. Court of Appeals for the Second Circuit, where he serves today. He was appointed by John G. Roberts, Jr., Chief Justice of the United States, to chair the Supreme Court Fellows Commission, which oversees the program committed to offering fellows an opportunity to broaden their understanding of the judicial system through exposure to federal court administration.

Lohier is a member of the Federal Bar Council Inns of Court, serves on the New York University School of Law Board of Trustees, and is an adjunct professor of law at New York University School of Law. He is also a recipient of the New York University Alumni Association's Eugene J. Keogh Award for Distinguished Public Service.

The Distinguished Service Award was presented to Lohier by Gerard E. Lynch of the U.S. Court of Appeals for the Second Circuit on Tuesday, May 19, 2026, at ALI's 2026 Annual Meeting.

John Minor Wisdom Award: Carolyn Dineen King

On Tuesday, May 19, 2026, The American Law Institute presented the John Minor Wisdom Award to Carolyn Dineen King at the 2026 Annual Meeting. The Wisdom Award is given from time to time in specific recognition of an ALI member's contributions to the work of the Institute or a person's outstanding achievement in the area of civil rights and related fields following the example set by Judge Wisdom. The award was presented by Lee H. Rosenthal of the U.S. District Court for the Southern District of Texas.

"It is a great honor to present the John Minor Wisdom Award to Judge Carolyn Dineen King," said ALI President David F. Levi. "Judge King has long exemplified the principle that a life in the law carries obligations not only to clients and colleagues, but to the broader community that the law is meant to serve. Through her distinguished service on the Fifth Circuit, which reflected her commitment to careful judgment and the rule of law, and at The American Law Institute, where she has given so generously of her time and insight, she has demonstrated how a career in the law can be both intellectually demanding and deeply committed to the public good. Carolyn has been a deeply valued colleague and friend for many years. Her thoughtful presence in our deliberations and her spirit of collegiality have strengthened the Institute in ways that extend far beyond any single project."



Lee H. Rosenthal, Carolyn Dineen King, and David F. Levi



Born in Syracuse, New York, King was raised in a family deeply shaped by the law and by a strong sense of determination. Both of her parents were lawyers who reached the profession by unconventional paths. Her father attended Syracuse University College of Law directly from high school at a time when college was financially out of reach, later becoming a respected trial lawyer and leading the trial section at Bond, Schoeneck & King. Her mother first earned a master's degree from Columbia University before pursuing journalism and eventually enrolling in Syracuse Law School after overcoming early resistance to women entering the legal profession. Their perseverance and commitment to the law created a household where curiosity, resilience, and public service were deeply valued.

After she graduated from Smith College, *summa cum laude*, with a Bachelor of Arts—at a time when many women were expected to leave school primarily prepared for marriage—King chose a different path. Encouraged by her father's insistence that she always be able to support herself, she charted a course toward a professional life defined by independence, intellectual engagement, and determination. She attended Yale Law School, where she earned her Bachelor of Laws, and practiced law in Texas from 1962 to 1979, focusing primarily on corporate and federal securities law.

In 1979, President Jimmy Carter nominated King to a newly authorized seat on the U.S. Court of Appeals for the Fifth Circuit. She served as Chief Judge from 1999 to 2006, the first woman to do so. In 2000, Chief Justice William H. Rehnquist appointed her to the Executive Committee of the Judicial Conference of the United States, the governing body of the federal court system. King served as chair of the committee from 2002 to 2005, becoming the first woman to hold that position. During her tenure as chair, she led the development of a major cost containment strategy to enable the federal courts to cope with shrinking appropriations. In 2013, she assumed senior status.

King was elected to The American Law Institute in 1982 and to its Council in 1992. She has played a significant leadership role within the Institute, including serving as Treasurer from 2010 to 2013 and as chair of the Membership Committee. She has also contributed as a U.S. Adviser to ALI's Transnational Insolvency Project and as an Adviser to the Restatement of the Law Third, Torts: Products Liability.

In addition to her work on the bench and with ALI, a commitment to nonprofit service has been an integral part of King's life since she was 13 years old. She has been active in numerous human services, educational, and health-related organizations in Houston, Texas. Her many honors include the Smith College Medal, the American Bar Association's Margaret Brent Award, the American College of Bankruptcy Distinguished Service Award, and the federal judiciary's highest honor, the Edward J. Devitt Distinguished Service to Justice Award, which she received in 2007.

Henry J. Friendly Medal: J. Harvie Wilkinson III and ALI Director Diane P. Wood

The American Law Institute presented J. Harvie Wilkinson III of the U.S. Court of Appeals for the Fourth Circuit and ALI Director Diane P. Wood of the U.S. Court of Appeals for the Seventh Circuit (Retired) with the Henry J. Friendly Medal at the Institute's 2026 Annual Meeting on Wednesday, May 20, 2026. Pierre N. Leval of the U.S. Court of Appeals for the Second Circuit presented the award.

The medal was established in memory of Judge Henry J. Friendly, who was a member of the Council of The American Law Institute and a distinguished judge of the United States Court of Appeals for the Second Circuit. It recognizes contributions to the law in the tradition of Judge Friendly and the Institute. It is not limited to ALI members or those associated with its projects. The medal is awarded on a periodic basis as appropriate.

"Judge Wilkinson and Judge Wood represent the very best traditions of the federal judiciary," said ALI President David F. Levi. "In the tradition of Judge Henry Friendly, both have devoted their careers to careful judging, intellectual rigor, and service to the law. Through their opinions and engagement with the legal community, each has helped shape the development of the law while strengthening the institutions that sustain it. Both have served with distinction on the bench, in government, and in the academy. Jay has long been admired for the clarity and persuasiveness of his writing and his deep commitment to the ideals that animate our constitutional system. In addition to her distinguished service on the federal bench, Diane has also provided extraordinary leadership to the Institute over the years as first a member of the Council and now Director. Many of us have benefited directly from her wisdom and generosity. Together these two judges and ALI members exemplify the very best traditions of the federal judiciary."



Diane P. Wood, Pierre N. Leval, and J. Harvie Wilkinson III



James Harvie Wilkinson III serves on the U.S. Court of Appeals for the Fourth Circuit. Born in 1944 in New York, New York, he was nominated by President Ronald Reagan in 1984 to a seat vacated by Judge John Decker Butzner, Jr., and served as chief judge from 1996 to 2003. During his tenure, he was a member of the Judicial Conference of the United States and served on the Board of the Federal Judicial Center. He was elected to ALI in 1987.

Wilkinson earned his B.A. from Yale University and his J.D. from the University of Virginia School of Law. Following service in the U.S. Army, he clerked for Justice Lewis F. Powell Jr. of the Supreme Court of the United States. His career has included roles as a faculty member at the University of Virginia School of Law, editorial page editor of the *Norfolk Virginian-Pilot*, Deputy Assistant Attorney General in the Civil Rights Division of the U.S. Department of Justice, and a candidate for the U.S. House of Representatives from Virginia.

He has authored several books, including *Harry Byrd and the Changing Face of Virginia Politics* (1968); *Serving Justice: A Supreme Court Clerk's View* (1974); *From Brown to Bakke: The Supreme Court and School Integration* (1979); *One Nation Indivisible: How Ethnic Separatism Threatens America* (1997); and *Cosmic Constitutional Theory: Why Americans Are Losing Their Inalienable Right to Self-Governance* (2012). His memoir, *All Failing Faiths: Reflections on the Promise and Failure of the 1960s*, was published in 2017.

Diane P. Wood was appointed to the U.S. Court of Appeals for the Seventh Circuit in 1995, serving as its chief judge from 2013 to 2020. Prior to joining the court, she taught at the University of Chicago Law School, and she continues to teach there as a senior lecturer in law. She also served two years as deputy assistant attorney general in the Antitrust Division of the U.S. Department of Justice.

Elected to ALI in 1990 and to the ALI Council in 2003, Wood has been an influential and active participant in the Institute's work and its leadership. She assumed the role of ALI Director in May 2023, the first woman to hold this position. She has served as an Adviser to Restatement of the Law, The Law of American Indians; Restatement of the Law Fourth, The Foreign Relations Law of the United States – Jurisdiction; Legal and Economic Principles of World Trade Law; Principles of the Law of Aggregate Litigation; and as U.S. Adviser to Transnational Rules of Civil Procedure. She also served on the Members Consultative Group for Complex Litigation: Statutory Recommendations and Analysis.

She received her B.A. and her J.D. from the University of Texas at Austin. After law school, she clerked for Judge Irving L. Goldberg of the U.S. Court of Appeals for the Fifth Circuit and for Associate Justice Harry A. Blackmun of the Supreme Court of the United States.

Restatement of the Law Third, Torts: Remedies Approved

At the 2026 Annual Meeting, members of The American Law Institute approved Restatement of the Law Third, Torts: Remedies, completing the drafting phase of a major component of the Institute's decades-long effort to reflect the development of tort law across American courts.

Launched in 2019, Torts: Remedies addresses the principles governing the relief available after liability is established in a tort action. Organized around categories of remedies and types of harm, the Restatement provides guidance on the recovery and measurement of damages, restitution of a wrongdoer's profits, injunctions against threatened or continuing torts, and other forms of specific relief. Damages topics include general rules for measuring compensatory, nominal, and punitive damages, as well as compensation for specific harms such as lost wages or profits, medical expenses, pain and suffering, emotional distress, and damage to property.

Among other developments, the Restatement eliminates reliance on race- and sex-based assumptions in calculating personal-injury damages such as future lost earnings and medical expenses. It also provides a rule to explain and rationalize the longstanding judicial practice of compensating dignitary harm whether or not there is more direct evidence of damages.

The project was developed over several years and presented to the membership in stages, with substantial portions approved at Annual Meetings from 2022 through 2025 before the complete Restatement received final approval in 2026.

Unlike earlier Restatements of Torts, which treated remedies as a relatively brief concluding topic,





ALI President Emeritus David F. Levi, Reporters Richard L. Hasen and Douglas Laycock, and ALI Director Diane P. Wood

Torts: Remedies takes a more comprehensive and integrated approach. Remedies are addressed in greater depth and detail, recognizing their central role in determining the real-world consequences of tort liability and in shaping how courts administer relief.

The project was led by Reporters Richard L. Hasen of the University of California, Los Angeles School of Law and Douglas Laycock of the University of Texas (Emeritus) and the University of Virginia (Emeritus).

"Remedies are where the law meets real-world outcomes," said Hasen. "For litigants, the central question is often not simply whether liability exists, but what relief follows. This Restatement brings together the core principles governing damages, injunctions, and other remedies, reflecting both the broad areas of agreement across jurisdictions and the nuances that courts confront in practice."

"This project reflects a significant evolution in how remedies are treated within the Restatement framework," said Laycock. "For the first time, remedies are addressed in a dedicated volume, allowing for more detailed analysis and clearer articulation of the governing principles. We have sought to present the law in a way that is analytically precise and useful to courts and practitioners."

The Restatement also addresses areas of disagreement among courts, including the measurement of damages in complex contexts and the standards governing punitive damages, while seeking to clarify doctrine and provide a more consistent analytical framework. Even before the project received final approval, the Hawaii Supreme Court had adopted the Restatement's approach to the standards for awarding punitive damages.

"The completion of Torts: Remedies represents a major milestone in the Institute's work on the Third Restatement of Torts," said ALI Director Diane P. Wood. "This project brings clarity and coherence to an area of law that is essential to the administration of justice. By addressing the full range of tort-law remedies—from compensatory damages to injunctions and restitution—it provides courts with a comprehensive and carefully reasoned framework for determining how legal rights are ultimately enforced. That coherence is especially important in an era when many tort disputes span multiple jurisdictions and courts increasingly confront complex remedial questions."

Torts: Remedies is one of the final components in the Institute's multi-decade effort to produce a complete Third Restatement of Torts. Together with the other completed and ongoing Torts projects, it contributes to a body of work that, when complete, will supersede the Restatement Second of Torts in its entirety.

Publications

The Institute's electronic and print publications fulfill two very important purposes: they are a major source of funds that support the Institute's vital law-reform work, and they are the means by which that work is disseminated to practicing lawyers, judges, academics, and students throughout the world. Most ALI publications are accessible online through Westlaw, HeinOnline, and LexisNexis.

Beginning with the Restatement of the Law, Contracts, in 1932, the Institute's Restatements of the Law, Principles of the Law, and model codes have earned an unparalleled reputation for excellence and objectivity. As evidence of the respect the courts have customarily accorded ALI publications, the Restatements and Principles of the Law have been cited in published decisions by U.S. courts over 226,000 times through June 2026.

Three Restatements and One Principles Project Recently Published

Four significant ALI projects reached an important milestone with the publication of their official volumes: Restatement of the Law, Children and the Law; Restatement of the Law Third, Torts: Intentional Torts to Persons; Restatement of the Law Third, Torts: Medical Malpractice; and Principles of the Law, Government Ethics. Together, these projects address subjects ranging from longstanding areas of tort law to the evolving legal treatment of children and standards of conduct for public servants.

RESTATEMENT OF THE LAW, CHILDREN AND THE LAW

Also published was Restatement of the Law, Children and the Law, the first Restatement to comprehensively examine the legal regulation of children.

Launched in 2015, the Restatement addresses parental rights and state intervention in cases of abuse and neglect; the rights of students and limits on state authority in public schools; the rights and special protections of youth in the juvenile and criminal justice systems; and the treatment of children as legal persons, including free-speech rights and the authority of minors to consent to certain medical decisions.



Children and the Law Reporters Richard J. Bonnie, Solangel Maldonado, Elizabeth Scott, Emily Buss, and Clare Huntington after the approval of the project

The work is organized into four Parts: **Children in Families, Children in Schools, Children in the Justice System, and Children in Society.**

The project was led by Reporter Elizabeth Scott of Columbia Law School, with Associate Reporters Richard J. Bonnie of the University of Virginia School of Law, Emily Buss of the University of Chicago Law School, Clare Huntington of Columbia Law School, and Solangel Maldonado of Seton Hall University School of Law. Martin Guggenheim of New York University School of Law and David D. Meyer of Brooklyn Law School previously served as Associate Reporters.

"The law's treatment of children has become very complex over the past several decades and has been in need of clarification and coherence," said Scott upon the project's completion. She noted that children today are recognized as rights-bearing legal persons for some purposes but not others, while courts increasingly draw on developmental science and other empirical research in addressing questions involving children and families.

ALI Director Diane P. Wood emphasized that the Restatement was designed to be useful beyond the traditional audience for ALI publications. Its organization, she said, makes the work accessible not only to lawyers and judges, but also to "social workers, school administrators, and other child advocates looking for guidance on developments in any of these areas."

RESTATEMENT OF THE LAW THIRD, TORTS: INTENTIONAL TORTS TO PERSONS

Restatement of the Law Third, Torts: Intentional Torts to Persons is now available, marking the publication of the fifth completed component of the Third Restatement of Torts. The project was led by Reporter Kenneth W. Simons of the University of California, Irvine School of Law and Associate Reporter W. Jonathan Cardi of Wake Forest University School of Law. Ellen S. Pryor of UNT Dallas College of Law served as Associate Reporter from 2014 to 2015.



Intentional Torts Reporters Kenneth W. Simons and W. Jonathan Cardi at the 2019 Annual Meeting

Launched in 2012, the Restatement addresses the traditional torts of battery, assault, and false imprisonment, as well as purposeful infliction of bodily harm and intentional or reckless infliction of emotional harm. It also examines transferred intent; consent, including consent to sexual conduct and medical treatment; self-defense and defense of others; defense of property; arrest and prevention of crime; and privileges to discipline or control children.

The project reflects significant developments in both law and society since many of these subjects were addressed in the First and Second Restatements of Torts.

"We paid close attention to the Second Restatement, many provisions of which were identical to the First Restatement. But the reality is that there have been significant developments in the law and the fabric of society since 1934," said Cardi. Among the examples he cited were a broader understanding of confinement, including confinement through the assertion of legal authority, and changes affecting doctrines such as defense of property and citizen's arrest.

The Reporters worked closely with a diverse group of Advisers and members of the Members Consultative Group, producing more than 20 drafts during the life of the project. Portions of the work were considered at six Annual Meetings before receiving final membership approval.

RESTATEMENT OF THE LAW THIRD, TORTS: MEDICAL MALPRACTICE

Led by Reporters Nora Freeman Engstrom of Stanford Law School, Michael D. Green of Wake Forest University School of Law and Washington University in St. Louis School of Law, and Mark A. Hall of Wake Forest University School of Law, the project was launched as part of Restatement of the Law Third, Torts: Concluding Provision (now "Miscellaneous Provisions"), in January 2019. Beginning with the drafts prepared for the 2023 Annual Meeting, the Medical Malpractice portion of the project was produced separately as the Restatement of the Law Third, Torts: Medical Malpractice.

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.

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, including in duties, relationships, and standards of care; agreements and informed consent; and medical institutions and vicarious liability.

"As we wrap up our work, we gratefully acknowledge the invaluable contributions of the many members who have assisted us in this challenging endeavor," said Reporters Engstrom, Green, and Hall in a joint statement made at the time of the project's approval by ALI membership. "We are particularly indebted to the many dedicated Advisers and MCG members, who have volunteered their time and expertise to this effort—and to the Council members who have suggested revisions to key portions of our draft with diligence, attention, and focus."



Torts: Medical Malpractice Reporters Michael D. Green, Mark A. Hall, and Nora Freeman Engstrom after the approval of the project

PRINCIPLES OF THE LAW, GOVERNMENT ETHICS

Principles of the Law, Government Ethics, the Institute's first project devoted to the subject, was also published. Led by Reporter Richard Briffault of Columbia Law School and Associate Reporter Richard W. Painter of the University of Minnesota Law School, the Principles provide guidance on standards of conduct for current and former public employees and officials. The project does not address judicial ethics, which presents distinct concerns and operates within a different institutional structure.

The seven-Chapter work addresses gifts and financial relationships with prohibited sources; conflicts of interest and outside activities; election-related activities of public servants; restrictions associated with entering and leaving public service; disclosure; and the administration and enforcement of government-ethics rules.

"The goal of the Principles of Government Ethics project is to distill a basic set of principles that articulate the values that ought to shape the field and, where possible, to present operational rules that will vindicate those goals," said Painter. The work is intended to provide guidance particularly to state and local governments developing ethical standards or revising and strengthening existing rules.



ALI Council member John B. Bellinger III and Reporters Richard Briffault and Richard W. Painter at the completion of the Principles of the Law, Government Ethics session at the 2023 Annual Meeting

Wood credited the Reporters, Advisers, and Members Consultative Group for bringing a wide range of perspectives to the project through ALI's process of research, drafting, and deliberation. The resulting Principles, she said, are intended to provide useful guidance to those confronting these issues.

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ALI in the Courts

State Supreme Courts

The high courts of a number of jurisdictions adopted Restatement Sections during the past fiscal year. Some highlights follow:

Baldwin v. Standard Fire Insurance Company
269 N.E.3d 1197 (Ind. 2025)

Supreme Court of Indiana, adopting **Restatement of the Law, Liability Insurance** § 26

Christakos v. Boyadjis
348 A.3d 966 (N.J. 2026)

Supreme Court of New Jersey, adopting **Restatement of the Law Third, The Law Governing Lawyers** § 51

Coyle v. McFarland
28 N.W.3d 128 (S.D. 2025)

Supreme Court of South Dakota, adopting **Restatement of the Law Second, Torts** § 164

Matter of Estate of Felten
28 N.W.3d 251 (Iowa 2025)

Supreme Court of Iowa, adopting **Restatement of the Law Third, Property (Wills and Other Donative Transfers)** § 8.5, Comment *c*

Roy v. Banco Popular de Puerto Rico
80 V.I. 612 (V.I. Sep. 4, 2025)

Supreme Court of the Virgin Islands, adopting **Restatement of the Law Second, Contracts** §§ 224 and 227

Smallwood v. Little
583 P.3d 149 (Idaho 2026)

Supreme Court of Idaho, adopting **Restatement of the Law Third, Property (Servitudes)** § 3.4

U.S. Supreme Court

During its October 2025 term, the Supreme Court of the United States cited the work of The American Law Institute in 12 cases:

Case v. Montana 146 S. Ct. 500 (Jan. 14, 2026)

Concurring opinion quoting **Restatement of the Law Second, Torts** § 197(1)(b) and § 214 and Comment *a* thereto, and citing § 197, Comment *a*

Chiles v. Salazar 146 S. Ct. 1010 (Mar. 31, 2026)

Majority opinion citing **Restatement of the Law Third, Torts: Medical Malpractice** § 11 (citing § 11 of T.D. No. 2, 2024, which is now § 11 of the Official Text); dissenting opinion quoting **Restatement of the Law Third, Torts: Medical Malpractice** § 5 (quoting § 5 of T.D. No. 2, 2024, which is now § 5 of the Official Text)

Cisco Systems, Inc. v. Doe I 146 S. Ct. 1882 (Jun. 23, 2026)

Dissenting opinion quoting **Restatement of the Law Second, Torts** § 876, Comment *d*

Cox Communications, Inc. v. Sony Music Entertainment 146 S. Ct. 959 (Mar. 25, 2026)

Concurring opinion quoting **Restatement of the Law Second, Torts** § 8A, Comment *b*, and citing § 876(b), Comment *d*, and **Restatement of the Law Third, Torts: Liability for Economic Harm** § 28, Comment *c*

FS Credit Opportunities Corp. v. Saba Capital Master Fund, Ltd. 146 S. Ct. 1546 (Jun. 11, 2026)

Majority opinion citing **Restatement of the Law, Contracts** § 598

Hamm v. Smith 146 S. Ct. 1251 (May 21, 2026)

Dissenting opinion referring to **Model Penal Code** § 4.01

Hencely v. Fluor Corporation 146 S. Ct. 1086 (Apr. 22, 2026)

Dissenting opinion citing **Restatement of the Law Second, Conflict of Laws** § 145

Hunter v. United States 146 S. Ct. 1702 (Jun. 18, 2026)

Dissenting opinion quoting **Restatement of the Law Second, Contracts** § 265, Comment *a*

Landor v. Louisiana Department of Corrections and Public Safety 146 S. Ct. 1931 (Jun. 23, 2026)

Majority opinion citing **Restatement of the Law Second, Contracts** § 175(1) and **Restatement of the Law Second, Agency** § 140, and quoting **Restatement of the Law Second, Agency** §§ 328 and 385(1)

Montgomery v. Caribe Transport II, LLC 146 S. Ct. 1199 (May 14, 2026)

Majority opinion citing **Restatement of the Law Second, Torts** § 411

Sripetch v. Securities and Exchange Commission 146 S. Ct. 1403 (Jun. 4, 2026)

Unanimous opinion quoting **Restatement of the Law, Restitution** § 1, Comment *e* and **Restatement of the Law Third, Restitution and Unjust Enrichment** § 1, Comment *a*, § 3, Reporter's Note *a*, and § 51(1); and citing **Restatement of the Law Third, Restitution and Unjust Enrichment** § 51, Comments *a*, *f*, *h*, and *i*

United States Postal Service v. Konan 146 S. Ct. 736 (Feb. 24, 2026)

Dissenting opinion quoting **Restatement of the Law Second, Agency** § 228(2)

Current Projects

RESTATEMENTS

Restatement of the Law Third, Conflict of Laws

This project reexamines the increasingly important subject of conflict of laws in light of significant legal developments in the field since the influential Restatement Second was published in 1971. The project will include Chapters on Domicile, Judicial Jurisdiction, Recognition and Enforcement of Judgments, and Choice of Law, among others. At the 2026 Annual Meeting, the membership voted to approve Tentative Draft No. 6, containing Topic 4, Trusts, of Chapter 7 on Property; Chapter 8 on Contracts; Chapter 10 on Agency; and Chapter 11 on Business Organizations.

Reporter

Kermit Roosevelt III, University of Pennsylvania Carey Law School, Philadelphia, PA

Associate Reporters

Ann Laquer Estin, University of Iowa College of Law, Iowa City, IA

Laura Elizabeth Little, Temple University Beasley School of Law, Philadelphia, PA

Christopher A. Whytock, University of California, Irvine School of Law, Irvine, CA

Restatement of the Law, Constitutional Torts

This Restatement will examine the law of individual rights to sue government employees and others "acting under color of state law" under 42 U.S.C. § 1983 and Bivens actions. It will also cover restrictions on § 1983 actions imposed by the Prison Litigation Reform Act and the overlapping law of federal habeas corpus. The second Preliminary Draft and first Council Draft were presented this year.

Reporters

John Calvin Jeffries, Jr., University of Virginia School of Law, Charlottesville, VA

Pamela S. Karlan, Stanford Law School, Stanford, CA

Associate Reporters

Alan K. Chen, University of Denver, Sturm College of Law, Denver, CO

James E. Pfander, Northwestern University Pritzker School of Law, Chicago, IL

Fred O. Smith, Jr., Stanford Law School, Palo Alto, CA

Michael Wells, University of Georgia School of Law, Athens, GA



Constitutional Torts

THE ALI DRAFTING PROCESS

ALI's drafting process brings together members of the bench, bar, and academia to review and discuss drafts of Restatements of the Law, Principles of the Law, and Model Codes.

Project ideas are generally initiated by the Director and the Projects Committee. The Director then investigates a potential project and develops a project proposal, which usually includes a prospectus from a proposed Reporter (or Reporters). Once approved by the Council, work on the project begins.

A diverse group of Advisers is assembled by the Reporter, Director, and Deputy Director and approved by the Council. This group of subject-matter experts makes a commitment to review the project drafts and provide input to the Reporter. ALI members may join the Members Consultative Group (MCG) for a project. MCG participants are not necessarily experts in the project's area of law, but provide a vital perspective, as they read the drafts the way the project's intended audience would.

The Reporter prepares Preliminary Drafts of the project for review by the Advisers and MCG. After revising the material in light of comments received from these groups, the Reporter submits a Council Draft for review and approval by the Council. Once a draft is approved by the Council, the Reporter prepares a Tentative Draft, incorporating any revisions directed by the Council, to be submitted to the ALI membership for approval at an Annual Meeting. After discussion, the members vote on a "Boskey motion" to approve the draft subject to the discussion at the Meeting and to the usual editorial prerogative. This drafting cycle continues until each segment of the project has been approved by the Council and the membership. Then the Reporter, subject to the Director's oversight, readies the official text for publication.

Members interested in any of these projects can access drafts in 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.



Corporate Governance

Restatement of the Law, Corporate Governance

The Institute first tackled the subject of corporate governance more than 25 years ago in Principles of the Law, Corporate Governance: Analysis and Recommendations. Although it provided valuable guidance in a new and unfamiliar area of law at the time, this area has evolved quite a bit in the intervening decades. This project examines the state of the law today and reflects it in a Restatement. Tentative Draft No. 3 contained two definitions from Chapter 1, as well as Sections from Chapter 3 on Corporate Structure: Functions and Powers of Directors, Officers, and Shareholders; Chapter 4 on Duty of Care and the Business Judgment Rule, and Chapter 5 on Duty of Loyalty. The membership voted to approve all Sections except § 4.05, which will be revised and brought back to the membership at a future Annual Meeting.

Reporter

Edward B. Rock, New York University School of Law, New York, NY

Associate Reporters

Elisabeth de Fontenay, Duke University School of Law, Durham, NC

Marcel Kahan, New York University School of Law, New York, NY

Restatement of the Law, Election Litigation

This Restatement will provide guidance to federal and state court judges adjudicating election disputes, focusing on the areas governed by equitable principles and guided by judicial common law. The Restatement will not address broader questions bearing on the substance of election law. This project has not yet been presented at an Annual Meeting.

Reporters

Lisa Marshall Manheim, University of Washington School of Law, Seattle, WA

Derek T. Muller, Notre Dame Law School, Notre Dame, IN

Associate Reporters

Rebecca Green, William & Mary School of Law, Williamsburg, VA

Robert Yablon, University of Wisconsin Law School, Madison, WI

Restatement of the Law Fourth, The Foreign Relations Law of the United States

This Restatement will cover topics not addressed in the previous Restatement Fourth volume on selected topics in treaties, jurisdiction, and sovereign immunity, as well as selected topics that have emerged since publication of the Restatement Third. The project appeared on the Annual Meeting agenda for the first time this year. Tentative Draft No. 1 contained the Introductory Note and §§ 321-326 from Chapter 2 on Executive Agreements and Nonbinding Instruments, and §§ 471-474 from Chapter 7 on Privileges and Immunities of Foreign Officials and Diplomatic and Consular Premises. The membership voted to approve the draft.

Reporters

Curtis A. Bradley, University of Chicago Law School, Chicago, IL

William S. Dodge, George Washington University Law School, Washington, DC

Oona A. Hathaway, Yale Law School, New Haven, CT

Counselors

John B. Bellinger III, Arnold & Porter, Washington, DC

Jack Landman Goldsmith, Harvard Law School, Cambridge, MA

Harold Hongju Koh, Yale Law School, New Haven, CT

M. Margaret McKeown, U.S. Court of Appeals, Ninth Circuit, San Diego, CA

Restatement of the Law Fourth, Property

This Restatement seeks to bring comprehensiveness and coherence to American property law. Subjects to be covered include the classification of entitlements, possession, accession, and acquisition; ownership powers; protection of and limits on ownership; divided and shared ownership; title and transfer; easements, servitudes, and land use; and public rights and takings. Tentative Draft No. 7 included material from three areas: Concurrent Ownership, Leasing, and Mortgages on Real Property. The membership voted to approve the draft.

Reporter

Henry E. Smith, Yale Law School, New Haven, CT

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Molly E. Brady, Harvard Law School, Cambridge, MA

Sara C. Bronin, George Washington University Law School, Washington, DC

Richard R.W. Brooks, New York University School of Law, New York, NY

Yun-chien Chang, Cornell Law School, Ithaca, NY

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Brian A. Lee, Brooklyn Law School, Brooklyn, NY

Thomas W. Merrill, Columbia Law School, New York, NY

Christopher M. Newman, George Mason University, Antonin Scalia Law School, Arlington, VA

Restatement of the Law Third, Torts: Defamation and Privacy

This project is part of ALI's ongoing revision of the Restatement Second of Torts. This Restatement addresses torts dealing with personal and business reputation and dignity, including defamation, business disparagement, and rights of privacy. Among other issues, the work will cover the substantial body of new issues relating to the internet. The project appeared on the Annual Meeting agenda for the first time this year. The draft contained Chapter 1 on Invasions of Interest in Reputation, covering five Topics: Elements of a Cause of Action for Defamation (§ 1); Publication of a Defamatory Statement (§§ 2-5); Defamatory Communications (§§ 6-10); Applicability of Defamatory Communication to Plaintiff (§§ 11-13); and The Fault of the Defendant (§ 14). The membership voted to approve the draft.

Reporters

Lyrissa Barnett Lidsky, University of Florida, Levin College of Law, Gainesville, FL

Robert C. Post, Yale Law School, New Haven, CT

PRINCIPLES

Principles of the Law, Civil Liability for Artificial Intelligence

This project seeks to identify a set of principles, grounded in existing common-law tort doctrines, for assigning responsibility for harm caused by artificial intelligence systems. The project aims to help courts, regulators, and technologists understand the legal implications of artificial intelligence to help guide decision-making and provide clarity for all parties. This project has not yet been presented at an Annual Meeting.

Reporter

Mark Geistfeld, New York University School of Law, New York, NY

Associate Reporter

Ketan Ramakrishnan, Yale Law School, New Haven, CT



Principles for the Governance of Biometrics



Civil Liability for Artificial Intelligence

Principles for the Governance of Biometrics

Biometric data, which includes information extracted from the human body through technological means, is increasingly being used for purposes beyond medical treatment. This joint project with the European Law Institute will investigate the underlying technologies and socio-technical systems through which biometric data is collected and processed, as well as the legal, political, technological, and economic context in which these technologies are being developed and used. This project has not yet been presented at an Annual Meeting.

Reporters

Nita Farahany, Duke University School of Law, Durham, NC

Gianclaudio Malgieri, Universiteit Leiden, Leiden, Netherlands

Chairs

Lord Thomas of Cwmgiedd, Essex Court Chambers, London, England

Steven O. Weise, Proskauer Rose LLP (retired), Los Angeles, CA

Principles of the Law, High-Volume Civil Adjudication

This project will address a serious challenge facing state courts: the adjudication of high-volume, high-stakes, low-dollar-value civil claims. These types of claims, which arise in such areas as debt collection, evictions, home foreclosure, and child support, comprise a significant proportion of state court cases and are shaping the lives of millions of Americans. At the 2026 Annual Meeting, the membership voted to approve Tentative Draft No. 1, containing Chapters on Notice and Service of Process, Pleading and Information Exchange, Hearings, and Entry and Enforcement of Judgments.

Reporter

David Freeman Engstrom, Stanford Law School, Stanford, CA

Associate Reporters

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Emily S. Taylor Poppe, University of California, Irvine School of Law, Irvine, CA

Project Fellow

Larisa G. Bowman, Stanford University, Stanford, CA

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The Membership Committee and the Council are committed to a membership that reflects the diversity of highly capable and accomplished lawyers, judges, and academics in the U.S. and abroad, across an array of factors including age, gender, race, ethnicity, expertise, geographic region, viewpoint, and type and size of practice or other professional work. The overall goal is to ensure a membership that will keep the Institute a vibrant, relevant, and distinguished membership organization as it carries out its mission throughout the 21st century. Candidates for elected membership must have demonstrated exceptional professional achievement, outstanding personal character, and an avid interest in law reform.

During the 2025–2026 fiscal year, 161 distinguished legal professionals were elected upon accepting the nomination and committing to participate. Members make invaluable contributions to our work by donating their time and expertise in numerous areas of the law. As of June 30, 2026, ALI membership included 2,816 elected members, 1,749 life members (a status achieved after 25 years of service to the Institute), 230 ex officio members, and two honorary members. While ex officio members are generally considered members only during the time they hold a specific office or position, the Chief Justice and Associate Justices of the Supreme Court of the United States are ex officio members for life.

CURRENT MEMBERSHIP

(as of June 30, 2026)

Elected Members	2816
Life Members	1749
Ex Officio Members	230
Honorary Members	2
Total ALI Membership	**4797**

MEMBERS BY CATEGORY

Includes Elected, Elected & Ex Officio, Life, Honorary, and Ex Officio



- **40%** ACADEMICS
- **34%** ATTORNEYS IN PRIVATE PRACTICE
- **14%** JUDGES
- **12%** CORPORATE, GOVERNMENT, AND NONPROFIT ATTORNEYS

161 NEW MEMBERS



- **63** ACADEMICS
- **46** ATTORNEYS IN PRIVATE PRACTICE
- **38** JUDGES
- **14** CORPORATE, GOVERNMENT, AND NONPROFIT ATTORNEYS

Continuing Legal Education Programming

The past year marked a strategic evolution in the Institute's continuing legal education (CLE) curriculum. Refocusing on core strengths, ALI shifted its efforts to high-impact, in-person conferences with a live web stream component, offering a portfolio of established conferences and new programs featuring exemplary faculty and addressing some of today's most pressing legal issues.

2026 ALI ANNUAL MEETING

This year's Annual Meeting featured two timely and forward-thinking Sunday CLE programs.

At **AI in Chambers and Legal Practice**, federal court judges Anna Blackburne-Rigsby of the District of Columbia Court of Appeals and Xavier Rodriguez of the U.S. District Court for the Western District of Texas were joined by legal technologist Ed Walters of Clio and practitioner Jeffrey L. Huelskamp of Winston Taylor. The panel examined how lawyers and courts are leveraging generative AI for legal research, document review, and drafting, while staying mindful of the potential ethical pitfalls.

The second session featured a live recording of ***Divided Argument***, the renowned constitutional law podcast hosted by professors William Baude of the University of Chicago Law School and Daniel Epps of the Washington University School of Law. Joined by guest Pamela Karlan of Stanford Law School, the conversation provided thought-provoking insights into recent Supreme Court's decisions, emergency docket orders, election law, and separation of powers.

IN-PERSON CONFERENCES

MDL in Motion: Evolving Practices, Emerging Leaders, and Reform
Launched in September 2025 in partnership with the Center on Civil Justice at NYU School of Law, this one-day conference examined the forces shaping multidistrict litigation practice today. Featuring a distinguished faculty of judges, practitioners, and academics, the program was chaired by Robert H. Klonoff of Lewis & Clark Law School and co-chaired by Troy A. McKenzie, Samuel Issacharoff, both of NYU School of Law, John H. Beisner of Skadden, and Elizabeth J. Cabraser of Lieff Cabraser. The inaugural event was a resounding success and returns in October 2026 with a modified focus on managing simultaneous federal and state mass tort litigation.

Life Insurance Company Products
For over 40 years, this conference has served as an essential hub for lawyers and financial professionals navigating regulatory priorities, complex product structures, emerging technology, and market uncertainty in the life insurance, broker-dealer, investment adviser, and asset manager spaces. This year's distinguished speakers included FINRA President and CEO Robert Cook, Executive Director of the Interstate Insurance Product Regulation Commission Karen Schutter, and senior leadership from FINRA, the SEC, the IRS, and state insurance regulators.

Eminent Domain and Land Valuation Litigation
This long-running staple in our curriculum is the only national gathering for eminent domain lawyers. From relocation and valuation to regulatory takings and inverse condemnation, the conference offers more than 30 topics taught by 50+ faculty drawing from the public, private, and nonprofit sectors, as well as academics, valuation experts, and relocation specialists. In addition to getting a 360-degree view of the latest trends, strategies, and challenges in this evolving field, robust networking and social events have enabled attendees to build relationships with colleagues across the country who share their passion for this niche area of law.

Environmental Law
Cosponsored by the Environmental Law Institute
Co-sponsored with the Environmental Law Institute since the passage of early federal environmental legislation, this annual gathering offers expert guidance across all of the major facets—from air, water, and species protection to climate, chemicals, and energy. Balanced panels of public and private practitioners, law professors, and representatives of environmental non-governmental organizations also addressed the current administration, the Supreme Court, and congressional activities, keeping attendees informed of the constant changes affecting their practices and clients.

Legal Issues in Museum Administration
Cosponsored by the Smithsonian Institution
Now in its 53rd year, this event brings together museum professionals and their legal counsel for in-depth, specialized guidance on the most pressing issues facing museums today. From dynamic breakout sessions to evening receptions at area museums, the peer-to-peer learning and networking have made this conference a "go to" educational event. Following a keynote address from the Chief Creative Officer of History Colorado, the 2026 agenda addressed immigration, DEI updates, crafting AI policies, copyright, tax, employment law, crisis communications, and much more.

Accountants' Liability
During an uncertain regulatory landscape, this long-running conference has become an essential annual gathering for attorneys, accountants, and in-house counsel for accounting firms. This year's program featured two "fireside chats" with the SEC's Deputy Chief Accountant, Michal Dusza and Acting Chief Counsel, Shaz Niazi, as well as PCAOB member George Botic. Both days were packed with expert panels addressing all aspects of audits and oversight in the face of regulatory compliance, with topics ranging from emerging issues with cryptocurrency and prediction markets to gatekeeper liability, enforcement, and investigations.

LOOKING AHEAD

In February 2027, the Institute will expand its curriculum with a new conference presented in partnership with NYU Law's Center on Civil Justice, focusing on the rise of public nuisance litigation. This program will bring together judges, practitioners, academics and other experts to explore the evolving use of public nuisance claims.

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Condensed Statements of Activities

for the Years Ended June 30, 2026 and 2025

NET ASSETS WITHOUT DONOR RESTRICTIONS	2026	2025
Publications and program revenue	$ 6,524,758	$ 7,733,656
Membership dues and other income	1,363,530	1,420,668
Contributions	637,289	808,937
Investment spending policy income	1,900,000	2,000,000
Net assets released from purpose restrictions	150,714	113,168
Total operating revenue and other support	**10,576,291**	**12,076,429**
Program expenses	7,060,159	8,787,202
General and administrative expenses	3,811,541	3,492,828
Total operating expenses	**10,871,700**	**12,280,030**
Change in net assets from operations	**(295,409)**	**(203,601)**
Investment return, net of spending policy	16,117,908	9,505,692
Contributions and bequests	250,000	155,001
Non-operating expense, net	(519,743)	(142,094)
Change in net assets without donor restrictions	**15,552,756**	**9,314,998**
NET ASSETS WITH DONOR RESTRICTIONS		
Investment return	$ 1,809,709	$ 1,121,585
Net assets released from purpose restrictions	(150,714)	(113,168)
Contributions	48,530	65,697
Change in net assets with donor restrictions	**1,707,525**	**1,074,114**
CHANGE IN NET ASSETS	**$17,260,281**	**$ 10,389,112**
Net assets, at beginning of year	113,919,531	103,530,419
Net assets, at end of year	$ 131,179,812	$113,919,531

Condensed Statements of Financial Position as of June 30, 2026 and 2025

ASSETS	2026	2025
Cash and cash equivalents	$ 3,586,757	$ 4,021,489
Receivables and other assets	3,571,628	3,837,894
Investments, at fair value	123,712,294	106,273,475
Land, buildings, and equipment, net	1,809,370	1,813,937
Intangible asset, net	690,709	883,012
Total Assets	**$133,370,758**	**$116,829,807**
LIABILITIES AND NET ASSETS		
LIABILITIES		
Accounts payable and accrued expenses	$ 690,091	$ 1,169,434
Deferred revenue	355,489	565,500
Postretirement health benefit obligation	1,145,366	1,175,342
Total Liabilities	**2,190,946**	**2,910,276**
NET ASSETS		
Without donor restrictions	118,782,718	103,229,962
With donor restrictions	12,397,094	10,689,569
Total Net Assets	**131,179,812**	**113,919,531**
Total Liabilities and Net Assets	**$133,370,758**	**$116,829,807**

The condensed financial statements as of and for the year ended June 30, 2025, include the accounts of The American Law Institute Publishers joint venture through dissolution.

Annual Giving Report

Contributions to The American Law Institute provide a key source of support that allows us to remain independent as we continue our mission of clarifying and improving the law. By becoming a Sustaining Member, joining a Giving Circle, or making a general contribution or recurring gift during our 2025-2026 fiscal year, the generous donors recognized on the following pages have helped reinforce the Institute's capacity to address emerging legal challenges and guide the profession through continued change.

Your gift helps us:

PRODUCE, PROMOTE, AND DISTRIBUTE WORKS IMPORTANT TO THE PUBLIC INTEREST

The Institute's projects focus on areas of law that are most in need of clarification, regardless of financial return. The current legal landscape includes a number of topics that are ripe for review, but the resulting publications may not generate revenue to cover the costs of the projects in the way ALI's Restatements do. Our Principles projects on Civil Liability for Artificial Intelligence, High-Volume Civil Adjudication, and Policing are examples of this type of work. Gifts to the Institute provide funding necessary to produce, promote, and distribute works that benefit the public interest.

RESPOND TO LEGAL DEVELOPMENTS MORE QUICKLY

While we will continue to follow our careful, deliberative process for Restatement, Principles, and Model Code projects, ALI must be able to quickly provide judges and practitioners with a way of understanding and organizing new fields that are rapidly developing. We have previously used reports and white papers to fill this gap; in the coming years, we expect to experiment with complementary models that build on ALI's traditions of convening leading thinkers from varying perspectives to address urgent or rapidly emerging legal topics.

For example, ALI has in recent years convened bipartisan working groups to address pressing rule-of-law challenges like Electoral Count Act reform. These initiatives, although not in the form of ALI work product, have the potential for significant impact.

COORDINATE LEGAL RULES AND FACILITATE COOPERATION ACROSS BORDERS

By working with organizations in other countries to create transnational legal principles, ALI can coordinate legal rules and facilitate cooperation and harmonization across borders. In the past, we have partnered to produce important work on cross-border coordination in insolvency cases, principles of transnational civil procedure, legal and economic principles of World Trade Law, and Principles for a Data Economy.

In 2024, we launched Principles for the Governance of Biometrics, our second joint project with the European Law Institute. This project investigates the underlying technologies and socio-technical systems through which biometric data is collected and processed, as well as the legal, political, technological, and economic context in which these technologies are being developed and used.

MAXIMIZE PROJECT EFFICIENCY AND ATTRACT TOP TALENT

ALI pays stipends to top-tier law professors best suited to produce its project drafts, and also pays for the research assistants who support them. By providing funding necessary to maintain an increased number of Reporters, your gift helps to expedite project completion times while retaining the high level of quality for which the Institute is known.

SECURE THE INSTITUTE'S FUTURE

Your gift to the Institute allows us to properly maintain our equipment, technology, and infrastructure, and ensures that any reduction in revenue from print publications will not inhibit ALI's work.

To inquire about making a donation, please contact the Development Office, at 215-243-1660 or development@ali.org. **To make a gift online, please visit www.ali.org/support.**

The 2001 Life Member Class Gift

The 2001 Life Member Class Gift will be used to fund important aspects of the Institute's mission, including our travel assistance programs, the Early Career Scholars Medal and annual conference, and our many influential law-reform projects.

The American Law Institute celebrates each gift that contributed to the success of this campaign. We deeply appreciate your generosity.

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In the event of an error or omission, please contact us at 215-243-1660 or development@ali.org. This report is produced exclusively for the ALI community. The Institute prohibits the distribution of this booklet to other commercial or philanthropic organizations.

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