I am sitting down to write this letter at the end of two weeks that were enormously productive for the ALI. At the Council meeting in mid-October, we discussed nine ongoing projects, including two of our new projects: the Restatement of Children and the Law, and Principles of Policing, both of which now have approved Sections. And, the following week, we had project meetings with Advisers and Members Consultative Groups all five weekdays, shuttling between Philadelphia and New York. This level of activity is not wholly aberrational. During 2015–16, we had a total of 40 full-day project meetings (not including the Annual Meeting, Council Meetings, and the Young Scholar Symposium).

As a result, we are making significant progress moving our projects forward. Of our 20 ongoing projects—12 that I inherited when I became Director and seven new ones that were launched over the last two-and-a-half years—six are on track for possible final approval at the Annual Meeting this coming May, and another four are on track for completion the following May. Even if a few of the projects get somewhat delayed, a significant proportion will be completed over the next 18 months. As a result, the Council’s Projects Committee, chaired by Justice Goodwin Liu, has begun to discuss possible new undertakings and we are likely to launch several during 2017. Like always, please write to me with any suggestions that you might have.

During 2015–16, we also had many productive membership meetings around the country: These took me to Boston, Burlington, Dallas, Miami, San Francisco, and Tampa. (In 2014–15, I spoke at receptions in Chicago, Los Angeles, and San Francisco, and, in 2016–17, I do so in Albuquerque, Houston, and New York.) The purpose of these receptions is to better connect our far-flung members to the ALI’s substantive work. Each had a somewhat different format and program. Most were generously hosted by law firms, but our Burlington reception was at the official residence of our member E. Thomas Sullivan, the President of the University of Vermont. Tom and his wife Leslie, both extraordinarily warm hosts, opened their home to the leadership of the legal community in the state: a majority of Vermont Supreme Court justices and federal district judges, and the U.S. Attorney attended the discussion. This august group participated actively in a wide-ranging conversation about the nature of the ALI’s work. In San Francisco, we were treated to a fascinating conversation between two California Supreme Court Justices, Goodwin Liu and Leondra Kruger, who focused on their remarkable legal careers and their approaches to judging.

We are very fortunate that Roberta Ramo, our extraordinary President, attended many of these receptions and talked about the crucial role that members play in the work of the ALI. Our work gets its legitimacy from our bicameral approval process by both the Council and the membership. Roberta explains very persuasively that members can play an important role if they are experts on the projects being discussed but that they can play a different, equally important role if they are generalists and are facing that subject for the first time. And she does so with so much warmth and enthusiasm that it’s somewhat surprising that our members don’t all quit their jobs immediately and dedicate themselves exclusively to the work of the ALI!

At these gatherings, I generally talk about our projects and answer questions about our work. The conversations typically focus on the selection of our projects; the roles of the Advisers, Members Consultative Group, Council, and membership; and the boundaries that define the difference among Restatements, Principles projects, and model or uniform codes. Must Restatements follow the majority rules? (No; but if they depart from them, for example, because of a strong trend in the courts in a different direction, they need to indicate that explicitly.) What is the difference between Restatements and Principles projects? (The former provide guidance to the courts on matters on which judges exercise discretion whereas the latter are directed at institutions other than courts, both public and private.) The ALI has benefited greatly from the Council’s clarification of these and related issues in January 2015, as part of the revisions of our Style Manual.

Through these conversations, as well as in my quarterly letters, I try to explain the nature of our work and clear up some commonly held misconceptions. For example, Restatements are generally identified with state common law rules. And, definitely, the state courts are an important audience for our work and we have been very influential with them. But the federal courts are an important audience as well. My Fall 2016 quarterly letter, Restatements and the Federal Common Law, shows the extent to which the development of federal common law is guided by our Restatements. For example, the Supreme Court has noted that for the determination of divisibility of harm under the federal Superfund statute, “the courts of appeals have acknowledged that ‘[t]he universal starting point . . . is ... the Restatement (Second) of Torts.’” The courts of appeals have similarly relied on Restatements of Conflict of Laws and of Contracts to fashion federal common law rules. And, my Winter 2016 quarterly letter, The American Law Institute and the U.S. Supreme Court, shows that, over the last three Terms, the Supreme Court has cited the ALI’s work in approximately one-sixth of its cases, to decide federal constitutional, statutory, and procedural questions. For example, while the Restatements of Torts and of Contracts are thought to be directed at the development of state common law rules in these areas, the Supreme Court has relied on them to interpret particular federal statutory provisions. Similarly, while state legislatures are the main audience for the Model Penal Code, the Supreme Court has relied on it repeatedly to determine the scope of federal criminal law.

To keep all of our important activity going, we rely not only on the critically important intellectual contributions of our members but also on their financial support. As a result of this support, we are able to undertake additional projects, including ones that have great public-policy significance but are unlikely to generate significant royalties from the sale of books. Your contributions also allow us to significantly subsidize the cost of attendance at the Annual Meeting for individuals outside the private sector, making our decisional process a great deal more inclusive. I would be so grateful if you could help the ALI financially before 2016 comes to an end, in the form of sustaining dues, annual gifts, Life Member class gifts, bequests, or other forms of support! During a time when our society is so polarized, the thoughtful, independent, consensus-building approach of the ALI to matters of central importance in our legal system acquires great significance. Member contributions are crucial because they help to preserve both the reality and appearance of our treasured independence and objectivity.