This past year was a very productive one for The American Law Institute. At our Annual Meeting, it was very exciting to complete projects in three important areas: Charitable Nonprofit Organizations, Data Privacy, and the U.S. Law of International Commercial and Investor–State Arbitration. The ALI had never dealt directly with these matters before, and we therefore are significantly expanding the footprint of our work.

A great deal of wealth in our society is controlled by the institutions that are the subject of the Restatement of Charitable Nonprofit Organizations. The rules governing these institutions have traditionally received less scrutiny than those governing for-profit corporations. And volunteer nonprofit boards are often less knowledgeable about their responsibilities than their paid, for-profit counterparts. I am extremely grateful to the Reporter, Professor Jill Horwitz of the University of California at Los Angeles School of Law, for expertly guiding this complex project past the finish line.

Principles of Data Privacy seeks to provide a set of best practices for entities that collect and control data concerning individuals, as well as guidance for a variety of actors at the federal, state, and local levels, including legislators, attorneys general, and administrative agency officials. The Reporters, Professors Paul Schwartz of the University of California at Berkeley School of Law and Daniel Solove of the George Washington University Law School, faced the significant challenge of grappling with a cacophony of disparate measures in the area and succeeded at setting forth a comprehensive framework to effectively implement privacy protections.

The Restatement of the U.S. Law of International Commercial and Investor–State Arbitration identifies the role of the courts over the life cycle of an arbitral proceeding, including enforcement of the arbitration agreement, the judicial role in arbitral proceedings, and post-award relief. It also addresses the ways in which the basic principles governing U.S. court involvement in investor–state arbitration in some instances are different from those applicable to international commercial arbitration generally. The Reporter, Professor George Bermann of Columbia Law School, led a remarkable team and deserves our collective admiration.

In addition to completing these three projects, during this past year the ALI launched four new ones. Three of them are Restatements in the Torts area, on Remedies, Defamation and Privacy, and Concluding Provisions. They are the last three components of the Restatement Third of Torts, launched in the early 1990s, which also comprises three projects that have already been completed and two that have been underway for several years. It is terrific that arguably our most influential project, with more than 80,000 citations in the courts, is moving forward in this manner.

Significant legal developments have taken place since the ALI completed Principles of Corporate Governance in 1994, and two particularly salient ones are going to be a significant focus of our new Restatement of Corporate Governance: the ever-increasing concentration of equity ownership and the changing role of shareholders, and the growing incorporation of environmental, social, and governance (ESG) considerations into the mainstream of corporate governance. The timely nature of this project was underscored in August when the Business Roundtable issued a statement on the nature of corporations, signed by 181 CEOs, which, departing from shareholder primacy, endorses the view that corporations should be run in a manner that benefits all of their stakeholders.

With the completion of three projects and the launching of four, the ALI now has 17 ongoing projects. There is a constant flurry of activity as drafts move through our various stages. It is a real joy for me to work with our extraordinary Deputy Director Stephanie Middleton on the substance of each of these projects. And the terrific ALI staff make even the most complex logistical feats seem effortless.

I am enormously gratified that, for each of our projects, our Reporters are typically the top academics in their respective fields, many of whom see this work as a crowning achievement of their careers. But however talented our Reporters are, the final work benefits enormously from the strength and commitment of our members, who contribute tens of thousands of hours each year through their participation in Advisers/Members Consultative Group meetings and Annual Meetings, and their close scrutiny of drafts whenever they are posted. I am in awe of the talent and expertise that so many members bring to each of our projects; you are what makes the ALI such an extraordinary institution!

I am also enormously grateful for the financial support that our members provide to make this work possible. By becoming Sustaining Members, contributing to our Annual Fund, supporting the class gift after 25 years of membership, and through estate planning and bequests, you enable us not only to carry out our projects, but also to engage in a variety of other institutionally compelling activities, such as providing generous assistance for members outside of the private sector to be able to attend our meetings, and promoting the work of the next generation of leading legal scholars. Without your support, we simply would not be able to do our work. I therefore hope that you will keep the ALI in mind as you plan your year-end philanthropic giving. Strengthening the rule of law is a compelling goal and, day in and day out, The American Law Institute does so much on that score as a result of your substantive and financial commitment to our success!