

Current Restatement Projects - ALI

1. Principles of the Law of Liability Insurance

Purpose:

This project will develop principles of contract law in the liability insurance context, principles of liability insurance coverage, and principles of the management of insured liabilities.

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DRI Substantive Committee Liaisons: Insurance Law Committee

2. Restatement Third, Employment Law

Purpose:

This project aims to clarify the common law of employment. Although federal and state statutes regulate the employment relationship, major aspects continue to be governed by law developed by state appellate courts, and doctrine has changed significantly in recent decades.

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DRI Substantive Committee Liaisons: Employment Law

3. Restatement Third, The Law of Consumer Contracts

Purpose:

This new project will largely follow the structure of the Restatement Second of Contracts, focusing on aspects of the law unique to consumer contracts and on regulatory techniques that are prominently applied in consumer protection law. The project will be divided into three major parts: formation of contract, obligations in the contract, and enforcement and remedies.

The project will cover both common law and statutory and regulatory law. It does not intend to develop of comprehensive summary of the vast body of statutes and regulations that govern consumer contracts. Rather, the focus will be on common regulatory techniques, with examples from specific statutes and regulations.

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DRI Substantive Committee Liaisons: Commercial Law, Products Liability and Retail and Hospitality

4. Restatement Third, The U.S. Law of International Commercial Arbitration

Purpose:

This project will restate the American law of international commercial arbitration. The project is expected to cover, among other topics:

- arbitration agreements;
- conduct of and the judicial role in international arbitral proceedings in the United States;
- awards;
- recourse from and enforcement of international arbitral awards rendered in the United States;
- the judicial role in international arbitral proceedings abroad;
- enforcement of international arbitral awards rendered abroad;
- the preclusive effect of international arbitral awards; and
- ICSID Convention arbitration.

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DRI Substantive Committee Liaisons: ADR committee

5. Restatement Third, Torts: Intentional Torts to Persons

Purpose:

This is the latest installment of the ALI's ongoing revision of the Restatement Second of Torts. Portions of the Restatement Second have been superseded by the Restatement Third of Torts: Products Liability, Apportionment of Liability, and Liability for Physical and Emotional Harm.

This new project will complete the major avenues of recovery for physical and emotional harm to persons.

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DRI Substantive Committee Liaisons: Products Liability and Environmental Law

6. Restatement Third, Torts: Liability for Economic Harm

Purpose:

This project will focus on torts that involve economic loss, or pecuniary harm not resulting from physical harm or physical contact to a person or property. The project will update coverage of economic torts in Restatement Second, Torts and address some topics not covered in prior Restatements.

Sections 1-5 of the Tentative Draft of Chapter 1, Unintentional Infliction of Economic Loss, were approved at the 2012 Annual Meeting, subject to the discussion at the meeting and to editorial prerogative. There was insufficient time to consider Section 6.

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