Restatement of the Law, or Advocacy for Change?

Mary Massaron (Moderator)

*Plunkett Cooney*

Bloomfield Hills, MI

Professor John C.P. Goldberg

*Harvard Law School*

Cambridge, MA
Mary Massaron is a past president of DRI. She is president of the Lawyers for Civil Justice and chairs its Class Action Reform Committee. She is a fellow in the American Academy of Appellate Lawyers, a member of the American law Institute, and has served as chair of the ABA Council of Appellate Lawyers, a division of the Appellate Judges Conference, the ABA TIPS Appellate Advocacy Committee, and the Appellate Practice Section of the state Bar of Michigan.

John C.P. Goldberg is the Eli Goldston Professor of Law at Harvard Law School. From 1995 to 2008 he taught at Vanderbilt Law School, where he also served as associate dean for research. He is the author or co-author of numerous articles on tort law, a co-author of a leading Torts casebook, and has taught Civil Procedure, Contracts, Criminal Law, Torts, and numerous upper-level courses. An associate reporter for the American Law Institute’s Fourth Restatement of Property, Professor Goldberg also serves as an advisor to the Third Restatement of Torts.
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I. Introduction

The American Law Institute’s Restatements—whether of the law of agency, contracts, liability insurance, property, torts, or other subjects—walk a fine line between following doctrine and revising it. A leading torts scholar who has occupied both the role of Restatement critic and Restatement Reporter will describe the process through which Restatements are forged, and share his thoughts on their viability and value as a resource for state judiciaries.

II. Selective Bibliography: Scholarly Debates Concerning Restatements

The citations below are to individual articles and collections of articles published by law journals addressing the validity and utility of various Restatement projects.


Third Restatement of Torts, 44 Wake Forest L. Rev. 4 et seq., 1109 et seq. (2009).


