

## [The policyholder's view on the Restatement of Liability Insurance](#)

With spring just around the corner, things at the [American Law Institute](#) (“ALI”) are heating up. The ALI is a Philadelphia-based group of law professors and lawyers that draft consensus treatises called “Restatements” on various areas of law. These treatises are oft-cited and taught in law schools around the country. They are also very persuasive to courts, generally representing the majority view on a particular area of law. There is a Restatement on Contracts, Torts, etc., and now Liability Insurance. UP Executive Director Amy Bach is an official Advisor to the [Restatement of Liability Insurance](#) project (formerly the Principles of the Law of Liability Insurance).

ALI Director Lance Liebman has said that the project aims to draft “coherent doctrinal statements based largely on current state law, but also grounded in economic efficiency and in fairness to both insureds and insurers.” To achieve this goal, the ALI has brought together advocates on both sides to debate fair rules that govern the insurer-insured relationship, including the duty to defend, the duty of good faith, and policy interpretation. [UP has worked closely over the past few years](#) with policyholder advocates, [submitting letters](#) and discussing topics of concern with project leadership, to ensure that the final product necessarily reflects the policyholder’s view.

This week, UP Staff Attorney Dan Wade will be traveling to Philadelphia to attend a conference on the project at [Rutgers University Law School](#), hosted by UP adviser Distinguished Professor of Law Jay M. Feinman. Next month, Executive Director Bach will also travel to Philadelphia for the annual meeting of ALI Advisors to debate the next chapter of the project.

Policyholder attorney Lori Masters is coordinating with UP on the Restatement project.

