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JAMES A. MARTIN

*Ronald DeKoven**

In the fall of 1982 the National Conference of Commissioners on Uniform State Laws designated Jim Martin and me as reporters for the Personal Property Leasing Act. Although we were then strangers, that designation created a unique partnership.

Because I did not know Jim, I thought it wise to learn a bit about him. A review of the Index to Legal Periodicals indicated that Jim had written several articles on conflict of laws. The articles were thoughtful and well written. I was pleased to be joined by such a distinguished scholar.

Our first meeting was by telephone. That could have been awkward, but it was not. We quickly agreed to ignore the request that we produce a draft of the proposed act. Instead we decided to produce a memorandum listing the significant issues related to the subject of the act. This unusual approach to the project produced substantial benefits. Not only did this approach allow all the members of the drafting committee to participate fully in the first meeting, but also it established that these reporters would produce the unexpected.

We did that in spades. Perhaps our finest moment was when a compromise codifying the law with respect to proceeds of chattel paper fell apart when Jim abruptly attacked the rationale of the compromise at the next committee meeting. His approach was refreshing. We always had a full and frank exchange.

Once the committee decided how to resolve each issue, we were left with the task of drafting the text. We quickly agreed to divide the task into two parts, exchange drafts, and meet in New York to review our comments.

That meeting, in the summer of 1983, was eventful. We were excited by the thought of creating a solid draft and that excitement permeated each negotiating session. Our discussion of the issues went far into the night. We did little drafting and raised more issues than we resolved. Yet, during that three-day session the act began to take shape. Many months and drafts later, we produced a public draft for review by the drafting committee.

The National Conference of Commissioners on Uniform State Laws had a first reading of the text in July of 1984 and a second and final reading of the text in August of 1985. By then Jim was weakened by his illness, but he did not want to miss the final approval and

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designation of the act as the Uniform Personal Property Leasing Act. While he lacked the strength to stay for the vote by the states, he knew when he left that our work was done. That was the last time I saw Jim.

Early in December of 1985 the Uniform Commercial Code Permanent Editorial Board recommended that the act be promulgated as a new article to the Uniform Commercial Code; Jim was pleased to learn of that recommendation.

The act is now to be reshaped for inclusion in the Uniform Commercial Code. It saddens me that we will not carry out that task together. Jim's great mind and sharp wit will be missed.