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STEVEN O. WEISE RECEIVES BUSINESS LAW SECTION'S LIFETIME ACHIEVEMENT AWARD

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The Business Law Section awarded its Lifetime Achievement Award for 2007 to Steven O. Weise at the Annual Meeting of the State Bar of California in Anaheim. The award is given each year to a member of the State Bar who has made significant contributions to the Section or to business law generally in the State of California over an extended period and who has achieved high status in the legal community.²

Steve is a nationally recognized expert in all areas of commercial law. He is a member of the Permanent Editorial Board for the Uniform Commercial Code (UCC) and was the American Bar Association's Advisor to the Uniform Commercial Code Article 9 Drafting Committee. He is the ABA's representative to the United Nations Commission on International Trade Law (UNCITRAL) Working Group on Secured Transactions. In addition to his expertise under the UCC, he is an expert in contract law in general (including electronic contracting) and is a leading national guru in opinion letters.

Steve is the author of extensive annual updates on all areas of commercial law published by the American Bar Association and the State Bar of California. He is also a past chair of the ABA Section of Business Law and of its Committee on Personal Property Secured Financing and its Committee on Legal Opinions. At the state level, he is a former chair of the Executive Committee of the Business Law Section of the State Bar of California and of its Committee on the Uniform Commercial Code.

Steve's resume runs almost 40 pages, and none of it is filler. At age 57, he has accomplished more in his career to date than most of us could in several lifetimes. Is he a real-life version of the Energizer bunny who keeps going and going and going? What is his secret?

A Day in the Life of Steve Weise

For starters, he begins his day early. Steve typically gets up at 4 a.m., reads the newspaper, does a few things around the house and gets in to work by 6 or 6:15 a.m. each weekday morning. He says that

the paper route that he had in high school got him into the habit of getting up early, and it stuck. After putting in a 12-hour day in the office, he heads for home around 6 p.m. At home, he has dinner with his wife Lori, stepson Will and stepdaughter Brenna, takes a run with his wife, and then works some more, frequently writing articles in the evening.

After such a long day, you might expect him to turn in early. But you'd be wrong. Steve usually calls it quits around midnight. That's right—he only gets about four hours of sleep a night. He says that he doesn't need much sleep. He just keeps going and going and going...

Aha! We have discovered one of Steve's secrets—his waking hours per day are much longer than those of "normal" people. A friend of his used to tell him that it was cheating to manage to squeeze in an extra four hours per day. Maybe so, but Steve has definitely put all of those extra hours to excellent use.

A Philosophy to Live By

Another secret is that Steve has his own philosophy of life, which permeates everything that he does from the professional to the personal. He conceives of his brain as a relational database: he is constantly trying to "connect the dots," taking informational nuggets that he has learned in one area and applying them to another different area of endeavor. He often puts technology to use in a variety of ways to provide better solutions.



STEVEN O. WEISE

Lifetime Achievement Award

For example, as Chair of the Section of Business Law of the American Bar Association, Steve insisted that all meeting venues have “wi-fi” so that lawyers could easily get connected to the internet while attending the meeting, thereby allowing multi-tasking. He also ensured that all meeting materials were made available on the web, making it unnecessary to lug around a heavy stack of papers. And he had the ABA staff provide PowerPoint slides to guide attendees of meetings of the Section’s governing group through the often long agenda with relative ease and helpful organization.

Perhaps related to his “relational database” philosophy is Steve’s penchant for doing things in components so that he can arrange and rearrange the various components and come up with new ideas. He claims that this even carries through to his furniture at home and in his office. So this concept of modularity has also enhanced Steve’s versatility and effectiveness.

A Casual Lifestyle

One thing that you will notice immediately about Steve when you meet him: he doesn’t do ties. In fact, you are much more likely to see him in shorts and sandals at bar association meetings. If he decides to dress up for an ABA meeting, he might wear jeans instead of shorts. He is so adamant about his casual lifestyle that he cites it as one of the factors that he considered in taking his first job after law school at Agnew, Miller & Carlson in Los Angeles. Steve says that the 25-lawyer primarily transactional firm “had great people and was reasonably casual.”

A Clear and Effective Communicator

As you might guess from his resume, which contains a seven-page listing of significant articles he has authored in the areas of business and commercial law and opinion letters and a 28-page listing of speaking engagements in those areas, Steve is a stickler for clear and effective communication. In addition to using that skill in drafting his articles and speaking at various engagements, he has also written articles and given speeches discussing how to be an effective communicator through the use of technology and carefully honed drafting skills.

A Really Nice Guy

Perhaps the most amazing thing about Steve is that, despite the huge number of things that he does, the pressures that he operates under and the unbelievable pace that he maintains, he is a really nice guy. At times when others in a similar situation might become impatient or rude, Steve is always even-tempered, polite and col-

legial—even in the face of sometimes hostile remarks from others around him about something that he believes strongly in.

He also is consistently upbeat and positive, frequently assisting in the resolution of difficult issues that may seem impossible to unravel and evoke strongly held opposing views. Steve always seems to have something helpful to say to move the ball forward in a positive way. And despite the fact that he is an incredibly busy person, he is forever volunteering to take on a job himself, even if it means devoting a lot of time and work to it.

He’s just an honest-to-goodness really nice guy.

The Early Years

Steve was born in Los Angeles on November 1, 1949 to Martin and Beverly Weise. He was the oldest child in a family of six, with a brother and two sisters. His father worked at Sears Roebuck & Co.

As you would expect, Steve did very well all the way through school and was valedictorian of his class of about 290 at James Monroe High School. While in high school, he served on the Student Council, which was no doubt a precursor to his many leadership roles later in life. Notwithstanding his exemplary scholarship and leadership, Steve almost didn’t get his high school diploma when, in his graduation speech, he said (to the consternation of many of the school’s assembled administrators) that persons in positions of responsibility had to earn the respect of those with whom they worked. Perhaps he was being a little too clear and effective in his communication...

Yale or Bust

Lucky for Steve, his father’s employer, Sears Roebuck & Co., had a scholarship program for the children of its employees. Steve was awarded \$2,000 per year as the winner of its National Merit Scholarship, which nicely covered the tuition, room and board (at 1967 rates) for his university of choice, Yale.

But there was a catch: his dad insisted that Steve shave off his beard for the award ceremony where Sears would hand over the check, fearing that the powers that be might rescind the award when they saw a bearded boy. It was 1967, after all. Steve reluctantly obeyed his father’s wishes, but my guess is that between the award ceremony and his actual arrival at Yale, he had regenerated his beloved facial hair. It would have gone well with the anti-war activities that Steve became immersed in while at Yale.

As it turned out, Yale also offered Steve a scholarship. So maybe he didn’t really need to lose the beard after all...

College Life

Steve was a Political Science major at Yale, graduating with his B.A. in 1971. While he was there, he made his mark in several ways. Although a native Californian at a time when the West Coast probably hadn't even heard of squash, Steve proceeded to learn how to play squash and then actually beat his East Coast classmates at their own game, much to their chagrin. Way to go, Steve!

He was also active in student government, serving as one of two students on a faculty committee that oversaw the administration of a grant from the Carnegie Foundation for small seminar classes on odd subjects. The committee wanted to use the grant to fund a photography class, but there was a problem: the teacher of choice was older than Yale's mandatory retirement age. Undeterred by this, Steve sought and obtained special dispensation to make an exception for the photography teacher. His name? Ansel Adams.

In addition to the obvious benefits of an education at a premier Ivy League university, Steve gained valuable experience working for one of his political science professors. Apparently, this professor had amassed a huge collection of monographs. Steve's job was to read each and every one of them and catalog them in some useful way. He points to this as a project that taught him key organizational skills that still serve him well today.

Back to California

Steve is, like this writer, a native Californian. So it is little wonder to me that our West Coast boy tired of the East Coast after his four-year stint there for college and returned to California. But why did he decide to become a lawyer? He had no real role models in the legal profession. He thought about being a political scientist. But upon further reflection, he thought that he would make a better lawyer. Now there's an understatement!

So Steve enrolled at Boalt Hall School of Law at the University of California at Berkeley. He admits that he was still somewhat of a counter-culture figure (who isn't in Berkeley?), but he had some great law professors. Importantly, he took some courses about the Uniform Commercial Code, which later became one of his major areas of legal expertise.

He also married a high school friend at the end of his first year of law school. Their 13-year marriage produced daughters Julie and Karen, now 28 and 25 years old. And, as they say, the apples didn't fall too far away from the tree. Both Julie and Karen have their father's smarts, did fabulously well in school and—you guessed it—went to Yale.

Settling into His Professional Career

Steve's first job as a lawyer at Agnew, Miller & Carlson in Los Angeles (which later morphed into Hufstedler, Carlson, Miller & Beardsley following a merger with a litigation firm) provided him with a perfect opportunity to prove himself. At that time, the Uniform Commercial Code was still quite new, and Steve, who had done very well in his law school UCC courses, volunteered to become the firm's UCC expert (he notes that there was no competition for the job). And what an expert he became.

In 1982, six of the business lawyers (including Steve) and two litigators, unhappy with how the law firm merger was panning out, left to start Sachs & Phelps. Steve served as Managing Partner. When the real estate market turned south in the early 1990s, they decided to shut down the firm, paid all of their bills and moved on. Three lawyers (including Steve) went to Heller Ehrman White & McAuliffe in Los Angeles, where they were tapped to build up Heller's business practice in the Los Angeles area. Steve became Chair of the Los Angeles Business Department right out of the box, serving as such until 2000. He also served as the office's Managing Partner from 1992 to 1993, and as Chair of the firmwide Finance Group from 1995 to 1999. Also notable were his appointment as Chair of the Opinions Committee and his service as a member of the Technology Committee. Steve still practices with Heller Ehrman today.

Building His Legendary Expertise

Even those of us who do not practice commercial law have known of Steve Weise for many years because of his incredible expertise and prolific writings and presentations in the area of commercial law, in particular with respect to Article 9 on secured transactions. He is truly a legend in his field.

Steve clearly distinguished himself early on and was appointed as a member of the prestigious American Law Institute in 1992 at the relatively young age of 42. In that same year, he became a member of the American College of Commercial Finance Lawyers, serving as its President from 2004 to 2005 and as a Fellow since then. He has served on the Permanent Editorial Board for the UCC, which is a joint governing body of the National Conference of Commissioners on Uniform State Laws (NCCUSL) and the American Law Institute, since 1998. On the global front, Steve has been the American Bar Association Representative to UNCITRAL, which deals with secured transactions under international law, since 2002. UNCITRAL is involved in the important project of developing a guide for countries that want to adopt or upgrade their secured transactions

Lifetime Achievement Award

law. As Steve points out, there is a serious drag on the economy of those jurisdictions that don't have the legal framework necessary to permit secured lending.

Prior to assuming these current positions, as he worked his way up through a chain of bar association committees and subcommittees in the area of commercial law, Steve served as Chair of the UCC Committee of the ABA Young Lawyers Division (1979-1981), Chair of the Subcommittee on Secured Transactions (Article 9) of the ABA UCC Committee (1990-1996), Editor of the Commercial Law Newsletter of the ABA Committee on Commercial Financial Services (1990-1999), Chair of the UCC Committee of the Business Law Section of the State Bar of California (1990-1991), ABA Section of Business Law Advisor to the UCC Article 9 Drafting Committee (1993-1995), Co-Chair of the ABA Section of Business Law Task Force on International Secured Transactions (1995-1997) and ABA Advisor to the UCC Article 9 Drafting Committee (1995-2000). He is still very active on many of these committees, but now serves primarily in the capacity of advisor or "elder."

Steve also has significant expertise in the other articles of the UCC, as well as the Uniform Electronic Transactions Act and the Federal Electronic Signatures in Global and National Commerce Act, which seems entirely natural given his love for and aptitude in technology.

Maintaining (and Spreading) His Expertise

You might wonder how Steve keeps up to date in commercial and contract law. Would you believe that he reads *every* case in United States courts about the UCC? How about *every* California case about contract law? Not only does he do both, he writes a column about California contract law for the CEB publication *The Business Reporter* every month and an Article 9 survey that appears every year in the ABA Section of Business Law publication *The Business Lawyer*. He has also written extensively about the relationship of Article 9 to security interests in intellectual property, bringing together his UCC and technology expertise. He also shares his effective communication skills in a number of articles about drafting contracts in "plain English" and the conceptual framework necessary to good drafting, all of which he put to good use when serving on various Article 9 drafting committees.

A Man of Many Opinions

Not content to merely be the top expert in the substantive area of commercial law, Steve is also a national legal opinions guru. It all

started around 1980 when he had to negotiate a very difficult Article 9 opinion for a borrower. Always thinking ahead, he converted his work on the opinion for that transaction into an annotated opinion letter. There followed lots of programs where he taught other lawyers about legal opinions. Steve recalls that at his first talk on the subject, then icon and demanding critic (and subsequent inaugural winner of the Lifetime Achievement Award that Steve himself is now receiving) Harold Marsh, after hearing the talk, said, "That was good. By the time you get done with all of the assumptions and exceptions, what's left of the opinion?"

Notwithstanding that criticism, Steve continued to build up his expertise and national recognition in the area of legal opinions. He served on the ABA Drafting Committee for the Silverado Accord (1989-1991), as Vice Chair of the Subcommittee on Legal Opinions of the ABA Section of Business Law Commercial Financial Services Committee (1989-1995), as Chair of the ABA Section of Business Law Committee on Legal Opinions (1992-1995), as Co-Reporter for the ABA Legal Opinions Principles (1998), as Reporter for the ABA Guidelines for the Preparation of Closing Opinions (2002) and as a member of the Steering Committee of the State Bar of California Business Law Section Opinions Committee.

Steve was so preeminent in the area of legal opinions that in 2000 the TriBar Opinion Committee, a New York-centric national leader in opinions lore, invited Steve to become the first member of that organization hailing from anywhere west of Chicago. He remained the only person on TriBar from our fine state of California until 2006. The entire group consists of about 35 members who meet approximately every four to six weeks. Since his initial appointment, Steve has served as TriBar's Reporter for the Special Report on Security Interest Opinions under Revised Article 9 (2003) and as Co-Reporter for the Statement on Customary Practice (2007).

He's the Top

By now you should have a pretty good picture of the tremendous expertise that Steve brings to the areas of commercial law and legal opinions. You may have also noticed that he is extremely involved in bar association activities in these areas. But he didn't stop there—his leadership skills extend far beyond his chosen fields of practice. Steve has literally made it all the way to the top of both the California State Bar Business Law Section and the ABA Section of Business Law, serving as Chair of the Executive Committee of the Business Law Section of the State Bar of California from 1994 to 1995 and as Chair of the ABA Section of Business Law from 2003 to 2004.

As alluded to above, the thread of technology is laced throughout Steve's activities. His principal project when he was Chair of the ABA Section of Business Law was to promote the use of technology in the work of the Section. This included putting materials for the educational programs presented at ABA meetings on CDs (rather than printing hard copies) and using technology to great effect at the meeting sites through a "wi-fi" network, access to communal computers to check e-mail and the availability of printers for use by attendees.

Educating the Bar

Steve had so much first-hand experience as a presenter that the ABA Section of Business Law put him to work on continuing legal education (CLE) projects. To that end, he served as Chair of the ABA Section of Business Law Committee on Institutes and Seminars (1995-1999) and Liaison from the ABA Section Officers' Conference to the Standing Committee on Continuing Legal Education (1996-1999). Having executed those positions with much success, he was appointed by the ABA President to serve on the Standing Committee on Continuing Legal Education and became its Chair in 2004, a position that he still holds today. Steve has continued his efforts to make information readily available, including making podcasts of educational programs available to ABA members.

Previous Awards

In 2002, Steve was presented with two major awards from different entities. On the national level, the American College of Commercial Finance Lawyers gave him their Distinguished Service Award for distinguished service in the development and nationwide enactment of Revised Article 9 of the UCC. At the state level, the California Bankers' Association chose him as the recipient of the Frandzel Award for superior and noteworthy legal assistance by an outside counsel to the California banking industry.

And the Winner is...

We are extremely pleased that the recipient of the California State Bar Business Law Section Lifetime Achievement Award for 2007 is Steven O. Weise. He has clearly shown his qualifications for the award many times over. We applaud his extensive work and development of expertise in the field of commercial law, his many contributions to the literature and thinking about legal opinions, his leadership of bar associations on many different levels, his innovative and pervasive use of technology in the legal arena and his devotion to the continuing education of fellow lawyers. He has truly lived

his philosophy of life, permitting so many of us to benefit from his ideas in so many different ways.

You know, this is where the Energizer bunny metaphor breaks down. The infamous bunny may keep going and going and going, but he only does one thing. Steve, on the other hand, does many things and he keeps growing and growing and growing.

Keep up the good work, Steve. At this rate, you may be the first person to be awarded two lifetime achievement awards in one lifetime. ■

Endnotes

¹ Ms. Walker, Chair of the Business Law Section's Lifetime Achievement Award Committee, is a former Chair of the Business Law Section's Executive Committee, served as a Special Advisor to the Executive Committee from 2000 to 2005, and is a member of the firm of Wilson Sonsini Goodrich & Rosati P.C. Thomas L. Ambro, Roland E. Brandel and John B. Power each contributed to this article.

² Past recipients are: Roland E. Brandel (2006); Harry C. Sigmans (2005); John B. Power (2004); William B. Burke (2003); Marshall L. Small (2002); George R. Richter (2001); William D. Warren (2000); R. Bradbury Clark (1998); Richard Jennings (1998); and Harold Marsh, Jr. (1997).