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DEDICATION TO PROFESSOR RICHARD COSWAY

Charles Horowitz*

It is not too often that the Washington Law Review seeks to do honor to a law professor who has distinguished himself by his teaching and activities in the law.

I first met Professor Cosway in 1966 after he was appointed by Governor Daniel Evans to become a member of the Washington Uniform Legislation Commission. By the time that Professor Cosway began his duties, it was quite obvious that the people of the State of Washington were very fortunate in having a man of his caliber join the Commission.

His academic background is impressive. He was a member of Phi Beta Kappa as well as the Order of the Coif. He was a law instructor, assistant law professor and a professor of law at the University of Cincinnati. In 1958, he was appointed professor of law at the University of Washington and tenure was granted to him at the same time. He was a visiting law professor at Southern Methodist University (1966–67) and at the University of California, Hastings (1981–82). In 1971 he was elected to the American Law Institute, and in 1980 the University of Washington awarded him the Distinguished Teaching Award.¹ Although he primarily taught commercial transactions, he also taught contracts and criminal law.

Given this impressive background, it is not at all surprising that his publications on legal matters were many and frequent. Between the years 1941 and 1982, he published some forty-one legal articles. He also, together with Professor Warren L. Shattuck of the University of Washington School of Law, authored a two-volume work on the Uniform Commercial Code.² To this list of publications should be added a book that he helped edit, published in 1973, entitled *Trade and Investment in Taiwan: The Legal and Economic Environment in the Republic of China*.³

The high quality of his teaching is demonstrated by the care he exercised in the preparation of his class materials. For example, in his commercial

* Preston, Thorgrimson, Ellis, & Holman, Seattle, Washington; Justice, Washington State Supreme Court, 1975–80; Chairman, Washington Uniform Legislation Commission; Member, American Law Institute; A.B., University of Washington, 1925; J.D., University of Washington, 1927; Rhodes Scholar, Oxford University (B.A., 1929, M.A. 1952).

1. The award constitutes a recognition of superior classroom performance by teachers. The final selections of those receiving the award are based on nominations by students, alumni, deans, and faculty of the University's various colleges.

2. 7, 8 W. SHATTUCK, R. COSWAY, WASHINGTON PRACTICE UNIFORM COMMERCIAL CODE FORMS WITH PRACTICE COMMENTS (1967).

3. TRADE AND INVESTMENT IN TAIWAN: THE LEGAL AND ECONOMIC ENVIRONMENT IN THE REPUBLIC OF CHINA (R. Cosway, H. Ma, & W. Shattuck ed. 1973).

transactions class, he painstakingly prepared a 149-page summary of problems and answers that was the basis of his teaching of the Uniform Commercial Code. Moreover, he did not rest content with the teaching of the law as it had been. He kept abreast of new developments, both by his continued study and by his continued activities in the National Conference of Commissioners on Uniform State Laws, of which he was an active member for so many years.⁴

The drafting committees of the National Conference of Commissioners on Uniform State Laws on which Professor Cosway served were the Trade Secrets Act Committee, Rules of Criminal Procedure Committee, and the Crime Victims' Reparations Act Committee, of which committee he was chairman. His service on the Crime Victims' Reparations Act Committee was especially noteworthy because of the difficult questions that arose in the course of drafting that act. Among the questions were whether compensation should be awarded to victims of intrafamily claims; whether false claims should affect eligibility for compensation; whether the victims' economic need should be considered a factor in eligibility for compensation; whether standards should be adopted for assessing need; and whether the victims' receipt of social security and medicare payments should affect the receipt of compensation. Solutions to these problems were worked out, and the act was adopted by the National Conference. It has since been adopted in at least five states.⁵

Professor Cosway kept busy on a variety of other matters. He made numerous speeches. He was an editor of the Washington State Bar Association's deskbook for the Uniform Commercial Code.⁶ He also served on a number of law school and University of Washington committees, being chairman, for example, of the University Retirement and Insurance Committee and the University Discipline Committee.

One cannot get to know a man such as Professor Cosway without appreciating his fine qualities and without appreciating his friendship. He is a warm yet modest man. When he retired from the teaching of law at the age of 68, he left a large hole in the lives of his fellow teachers, his students, and his other friends. When later he resigned his position as a Uniform Legislation Commissioner in Washington, all who knew him knew that the

4. During his nineteen years' service with the Conference, a number of uniform acts were adopted in Washington. A list of these acts and the dates of their adoption appears in the *HANDBOOK OF THE NATIONAL CONFERENCE OF COMMISSIONERS ON UNIFORM STATE LAWS AND PROCEEDINGS OF THE ANNUAL CONFERENCE MEETING IN ITS NINETY-FIRST YEAR (1982)* [hereinafter cited as *HANDBOOK OF THE NATIONAL CONFERENCE*]

5. *HANDBOOK OF THE NATIONAL CONFERENCE* 469 (1982) (enactments as of September 1, 1982).

6. *Continuing Legal Educ. Comm.*, *The Washington State Bar Ass'n, WASHINGTON COMMERCIAL LAW DESKBOOK* (1982).

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people of the state had sustained a serious loss. Certainly, it can be fairly said that the University of Washington School of Law was the better for his having been there. Fortunately, he is still a vigorous man, and I hope and believe that we will continue to hear from him.