

National Conference of Commissioners on Uniform State Laws
211 E. Ontario Street, Suite 1300, Chicago, IL 60611
312-915-0195, 312-915-0187, www.nccusl.org

For Immediate Release:

UCITA WITHDRAWN FROM ABA AGENDA WITHOUT ACTION

Monday, February 10, 2003 – A resolution concerning the Uniform Computer Information Transactions Act (UCITA) which was before the American Bar Association's governing body, the House of Delegates, was withdrawn today without consideration or substantive debate by the President of the National Conference of Commissioners on Uniform State Laws (NCCUSL).

K. King Burnett, NCCUSL President and the organization's representative to the House, withdrew the resolution approving UCITA, citing requests by a number of ABA sections and leaders to defer an extensive debate on the floor over the substantive merits of the Uniform Act. "For over a century, NCCUSL and the ABA have worked together to advance the state of the law. Consistent with our usual practice, we have presented the merits and substance of UCITA to the ABA. When it became evident that a clear consensus on the act was unlikely to emerge, we were advised by a number of ABA Section officers and other leaders that the members of the House of Delegates would prefer not to take a formal position on UCITA, for or against, at this time. We withdrew the act from consideration in response to this advice."

UCITA, which has generated unusually vigorous debate for a NCCUSL act, would create a standard framework of rules, closely modeled after the Uniform Commercial Code, applicable to software and other computer information licensing transactions. It was significantly amended by NCCUSL in 2002 in response to substantive recommendations made by a Working Group on UCITA appointed by the ABA. UCITA has been enacted in Maryland and Virginia, and is under consideration for introduction in a number of additional states in the 2003 legislative session.

The National Conference of Commissioners on Uniform State Laws is now in its 112th year. The organization comprises more than 300 lawyers, judges, and law professors, appointed by the states as well as the District of Columbia, Puerto Rico, and the U.S. Virgin Islands, to draft proposals for uniform and model laws and work toward their enactment in their legislatures. Since its inception in 1892, the group has promulgated more than 200 acts, among them such bulwarks of state statutory law as the Uniform Commercial Code, the Uniform Probate Code, and the Uniform Partnership Act.

For further information, please contact Michael Kerr, John McCabe or Katie Robinson at NCCUSL's offices in Chicago at 312-915-0195.