

## Column 100

### A Look In The Mirror

Perhaps the greatest (if not the only) value of the upcoming Millennium is that it encourages us to take stock of where we are and where we hope to go. This issue marks my 100th "Old Cars in Law" article for *Car Collector*, and this happy milestone similarly prompts me to pull off onto the shoulder for a brief spell and take a look back.

It was in early 1991 that I approached then Editor Don Peterson with the idea of restarting a legal column in the magazine. I had previously written the "Legal Clinic" column for *EJAG: The Jaguar Magazine*, and wanted to write on law and cars again, particularly for a publication as prestigious as *Car Collector*. Peterson kindly accepted my proposal and my first column appeared in the May 1991 issue. With a couple of exceptions caused by practice demands and production obstacles, the column has run each month thereafter. I have enjoyed writing it tremendously, have greatly appreciated the valuable input and expertise of my editor, West Peterson, and have been privileged to have my efforts appear along with those of the fine writers of this magazine.

The preparation of each installment of "Old Cars in Law" is pretty straightforward. About twice a year, I run a search on the LEXIS court decision computer database, focusing on cases decided within the prior 12 months. I run a query designed to find cases involving old cars, although the limitations of the technology cause a large percentage of "false hits"—such as lawsuits involving people named Ford and Lincoln. A careful review of the opinions found usually results in 10-12 potential candidates for columns. In addition, one or two columns a year are based on cases that I come across in my practice or that are forwarded to me by *Car Collector* readers or colleagues at my firm. The writing is done whenever time allows: on flights home from meetings, depositions, and court appearances; late at night with classic "TV Land" shows playing in the background; and, most pleasantly, on weekend afternoons sitting on a bench in the beautifully-restored Bryant Park adjacent to the main branch of the New York Public Library.

The results of the legal research for the column provide something of a comment on our society. My search always pulls up several hundred cases, reflecting the tremendous volume of litigation. A large percentage are criminal cases (usually involving theft or use of an old car in a crime), which, with rare exceptions where particularly useful information is contained, I disregard, as they are obviously not of practical application to our readers. Perhaps the

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next most common category are divorce cases, where the ownership and/or valuation of a collector car is disputed. The rest of the cases cover the broad range of lawsuits involving old cars, which this column regularly addresses: unsatisfactory or incomplete restorations or repairs; sales where the buyer fails to pay or the seller fails to deliver (at all or what was promised); accidents involving vintage cars; zoning issues regarding storage and/or maintenance of old cars; and so on. For those with particular interest or, perhaps, insomnia, the *Car Collector* page on my website lists the subject matter of each column, along with the full legal citation of the case or cases discussed to help readers retrieve them.

I hope that I have been successful in conveying useful legal information to our collector car enthusiasts without the "legalese" and verbosity that unfortunately often are (or are at least perceived to be) the trademarks of my profession. I have greatly appreciated those readers who have written in or otherwise communicated their interest and satisfaction. Please let me know if there are subjects you would like to see covered which I have not yet addressed.

Since this is a column about milestones, for me, a major and wonderful personal milestone occurred last Valentine's Day, when, after 41 years of traveling through life as a single-occupancy vehicle, I married my wife, Catherine. We were married at The Castle At Tarrytown, New York (see photo), a charming, fairy-tale setting whose owners also own a spectacular old Bentley, which complemented the classic beauty and sophistication of my bride.

Every column I write has to impart some guidance to our readers and this special installment is no exception. If there is one key point I have tried to make over the past eight-plus years it is this: Whatever you do, "Get It In Writing!"

Thanks for reading.



*Lawrence Savell is Counsel at the law firm Chadbourne & Parke LLP in New York City. This column provides general information and cannot substitute for consultation with an attorney. Additional background on this and prior "Old Cars in Law" articles can be found online at [www.lawrencesavell.com](http://www.lawrencesavell.com)*