Introduction to Contracts. Spring 2016

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This course in "Introduction to Contracts" will provide a significant insight into how common lawyers and judges think and how they shape their arguments and decisions in cases involving the obligations between parties that they have undertaken to each other. Of all law school courses, it probably presents the best introduction to how the common law process, with its goal of faithfulness to precedent, while acknowledging and accepting new realities in the market place, actually works. The main focus will be on judges' decisions but we will certainly discuss, where appropriate, the Uniform Commercial Code that deals with the distinct subject of sales of goods.

It is hard to imagine a commercial transaction that does not begin with a contract that specifies the roles each party to the transaction will have. We will therefore study how a contract does or does not come into existence and, once it does, how its terms are interpreted. We will examine under what circumstances courts will decline to enforce contracts because there is a legitimate defense to such liability or because the terms of the contract are unconscionable or violate public policy.

Requirements

Our textbook is George Korobkin, _A Common Law Approach to Contracts_ (Aspen Casebook Series 2012)

The reading assignments for each class are listed in one of the "Pages" files called "Reading Assignments". You will be expected to read the assigned pages listed in the "Reading Assignments." You will also notice that the author of the textbook has created "Problems" at the end of each subsection which are based on reported cases. The author, however, does not reproduce the case and you are certainly not required to find it. Instead, you should read the problem and be ready to discuss it in our next class. Thus, for each class you are required to read the assigned pages in the textbook and the assigned problems. Note that we will not be discussing all the problems and the assigned problems are indicated in the "Reading Assignments" page.

Quizzes

After each class you will be required to take a quiz devoted to the material covered in the class. **Your answers to the quizzes will not be graded and will have no impact whatsoever on your final grade.** Instead, the quiz is a teaching device designed to increase your understanding of the course materials. Your performance on the quiz helps me to ascertain whether there are certain topics that have to be reviewed before we move on. The quizzes can therefore be an effective assessment of your progress.

Each quiz will have an opening and a closing date. You cannot access a quiz before it opens or after it closes. I will create a generous deadline for each quiz. I appreciate that you have other obligations, however, and I am more interested in your doing the quiz rather than doing it quickly. You can always ask me to reopen a quiz. I would urge you, however, to keep up with the reading assignments and the quizzes. We will be covering over 600 pages of material and hoping to learn all of it the night before the exam would be foolish.

Exams

The exams are **OPEN BOOK** exams. You may use your hard drive, your notes, your textbook and any other written materials. You may not, however, access the Internet during the exam for any purpose whatsoever.

There will be a midterm exam and a final exam. Both will be combined in determining your final grade.

Meetings

You are more than welcome to meet with me. While I do not have an office, we will find a place and I look forward to meeting you. Please make an appointment by sending me an email using Canvas.

Canvas

I will use Canvas to communicate with you and to organize. You should use Canvas to communicate with me and I will get back to you promptly.

Welcome and good luck!
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