

SYLLABUS

**CONTRACTS I, Section 3
FALL SEMESTER, 2008**

PROFESSOR MARTIN

Class Time: M, T, Th 1:00-1:50 p.m.
Room: Law 101

Required Texts: Knapp, Crystal and Prince, Problems in Contract Law: Cases and Materials 6th (Aspen 2007) and Rules Supplement

Burton, An Introduction to Law and Legal Reasoning 3rd (Aspen 2007)

Barnett, Perspectives on Contract Law 3d (Aspen 2005)

Recommended Treatise: While there are many excellent study aids for Contract Law, I recommend Farnsworth, Contracts 4th (Aspen 2004).

Attendance: You should consult Law School Academic Rule 1-110 and the Law School Attendance Policy. These may be viewed on the Law School website. In Contracts, I will circulate an attendance sheet as required by the policy. Six missed classes may result in your being withdrawn from the class with a "W". If you become aware of a problem that will affect your attendance you should inform me as soon as possible.

Goals and Objectives: As you proceed through law school you will encounter great variety among your courses. As a basic common law course, Contracts provides you with much of your introductory instruction on methods of legal reasoning, in addition to instruction on the specifics of contract law. Therefore, as you prepare assignments, you should think about the methods of reasoning and argument that you encounter. Steven Burton, Law and Legal Reasoning has been assigned to assist you in this regard. While law school has changed dramatically in the past thirty years, much effort still is devoted in the first year to learning to "think like a lawyer." Also, the teaching methods used are designed to guide you in developing your own understanding of legal methods rather than to tell you about somebody else's understanding. Consequently, while learning the rules of law is important, learning how to analyze individual cases, synthesize groups of cases and solve legal problems are the essence of the first year of law school.

Using the Contract Law Supplement: Syllabus assignments are from your casebook, Burton's Law and Legal Reasoning, and Barnett's Perspectives book. Cases and author notes in your assignments will reference and discuss provisions from the Uniform Commercial Code and the Restatement 2nd of Contract Law. As you prepare you should use the "Rules" Supplement to examine referenced U.C.C. and Restatement provisions. Class discussions will assume that you have referenced relevant supplement provisions and that you have the supplement available during class.

Grading: Your grade will be based upon a three hour final examination and upon class participation. The examination will be graded anonymously, using the regular Hamline grading system, Academic Rule 1-107. The final grade may then be raised by one-half a grade based upon class participation demonstrating a better grasp of the subject than that demonstrated on the

examination.

Computer Policy: You may use a laptop during class, as you see fit, except that you may not use your laptop in obviously inappropriate, irrelevant or distracting ways.

Pacing the Course: Below I have provided the first ten Contract assignments. I will assess the pace at which we proceed in class and later I will provide a written schedule of assignments for the remainder of the semester.

ASSIGNMENTS

The Burton Legal Reasoning book provides a look at one way to conceptualize legal reasoning, not the only way. It will be assigned in parts throughout the semester, but you may wish to read it quickly, as you have time, early in the semester. If at first it seems abstract and unclear, it will eventually help you to develop an underlying method of legal reasoning of use in all your studies.

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| 1. Thursday, August 21: | Introduction | Text 1-21
Burton: Introduction and Chapter 1 |
| 2. Monday, August 25 | Mutual Assent: The Objective Theory | Text 21-33 |
| 3. Tuesday, August 26 | Mutual Assent: Offer and Acceptance, Bilateral Contracts | Text 33-44
Barnett 109-125 |
| 4. Thursday, August 28 | Mutual Assent: Offer and Acceptance, Unilateral Contracts | Text 44-58 |
| | Monday, September 3:
Labor Day | |
| 5. Tuesday, September 2 | Mutual Assent: Other Methods | Text 58-70
Burton Ch. 2 |
| 6. Thursday, September 4 | Consideration | Text 71-78
Barnett 185-197 |
| 7. Monday, September 8 | Consideration | Text 78-93
Barnett 199-230 |
| 8. Tuesday, September 9 | Consideration | Text 93-107 |
| 9. Thursday, September 11 | Mutual Assent Pre-Acceptance Reliance | Text 108-122 |
| 10. Monday, September 15 | Mutual Assent and Promissory Estoppel | Text 122-136 |