

## Contracts I Practice Exercises

As the saying goes, “Practice makes perfect.” Accordingly, you will be handing in a series of practice exercises over the course of the semester, which collectively will be worth 10% of the grade. At least at the outset, these exercises will be very straightforward and are simply intended to get you to articulate, in narrative form, the basic doctrines you are learning.

For instance, let’s assume your first exercise is as follows: *Discuss mutual assent. Must be at least 500 words. Must include at least two examples.* My expectation is that you articulate everything you have learned about mutual assent in a way that a person who is not familiar with the doctrine would understand it. You must use complete sentences and paragraphs. Grammar, spelling, and organization will count. Integrate policy and history, where you think appropriate. During the course of your discussion, you must provide examples of what you are saying so that a reader will better understand your point.

As the semester progresses, I will begin to give you application-based exercises (i.e. fact patterns). Exactly when this will occur will depend on how well the class is doing with the narrative exercises.

### Detailed Instructions

Please see below for specific instructions on the exercises:

1. Use only the class materials (discussion, classes, readings) to complete the exercise.
2. Each exercise will have a minimum word limit. Be sure to adhere to this word limit. There is no maximum word count limit, though you should exercise professional judgment (e.g. if the minimum count is 500 words, please do not submit 5000 words).
3. Each exercise will have an “example” requirement (for instance, you might be required to include 3 examples in your exercise). You must underline each example in your exercise so I can readily see that you incorporated three examples.
4. Submit your exercise as a Word document. I will be using Word’s word count to determine whether you have met the minimum requirement.

### Deductions

1. All exercises will be run through an anti-plagiarism software. If I determined that you plagiarized, you will receive a grade of 0 and you will be reported to the Honor Board.
2. If you do not meet the minimum word requirement, you will automatically lose 50% of the grade.
3. If you do not meet the example requirement, you will automatically lose 50% of the grade.
4. If you fail to underline your examples, you will lose 0.5 points. (This is so that the TAs can readily identify that you have satisfied the parameters of these exercises).

5. If you fail to submit a Word document, you will lose 0.5 points.
6. If you hand in the exercise late, you will receive a 0 (unless there are extenuating medical or other personal circumstances).

### Topics, Due Date, How to Submit

Each exercise will be due on Sunday at 5:00pm. You must submit your exercise in a Word document through Bridges' Exercise link. Please be on the lookout for a confirmation that your exercise has, in fact, been submitted.

You will be given 5 minutes leeway in terms of submission. If you are having trouble uploading the document, email me the document instead. Any exercise received after 5:05pm will be marked late and will receive a grade of 0.

Here are the topics that you will be required to write about:

TOPIC	MINIMUM WORDS	EXAMPLES	SPECIAL INSTRUCTIONS
1. Offer and Acceptance in bilateral contracts	750 words	At least 3	Do not discuss silence as acceptance.
2. Unilateral contracts	500 words	At least 3	
3. Article 2 Battle of the Forms	750 words	At least 2	
4. Formal Contract Contemplated	500 words	At least 2	
5. Consideration	750 words	At least 3	Do not discuss forbearance from suing
6. Promissory estoppel	500 words	At least 2	Be sure to discuss the two different ways PE comes up.
7. Statute of Frauds	750 words	At least 3	
8. Parol Evidence Rule	750 words	At least 3	

\*\* Ordinarily, due dates will be the Sunday *after* the relevant material has been covered in class. For instance, let's assume we finish unilateral contracts on Wednesday Sept. 22 – the exercise must be handed in that Sunday September 26.

## Grading

You will be graded on THREE of the eight exercises you hand in (one from each of the groups designated in different colors). You will not know which exercises are graded. Two of the exercises will be worth 3% each of the grade; one of the exercises will be worth 4% of the grade.

The exercises will likely be graded by the TAs (and or by me in conjunction with the TAs). The TAs have received training over the summer on the grading to ensure accuracy and consistency.

If you believe that the grade assigned by the TA is erroneous, you may appeal the grade to me. At this point, I will do a full re-grade (i.e., grade the assignment from scratch). Your grade can go up, down, or stay the same.

## Feedback and Re-Submission

The TAs will be providing redline comments on your exercises. These comments are intended to provide the feedback you need as you go forward with these exercises – please review the redline comments carefully. If you have specific questions about the redline comments, please make an appointment with the relevant TA. Please note that I will not be taking appointments to review these exercises with students on an individual basis.

One good way of testing whether you have actually understood and are able to integrate the feedback is to resubmit your exercise. Accordingly, you should feel free after you get the feedback to take a second try at the exercise and see if you have improved. The TA will hypothetically re-grade the exercise (but this is only for your purposes; the grade will not count in any way).

## Final Note

These exercises are not intended to be a “heavy lift.” If you are doing the reading, coming to class, and taking good notes, these exercises shouldn’t take too long (probably about an hour to an hour and a half). The overwhelming feedback to these exercises last year was positive. For instance, here are a few comments on the exercises:

*The writing assignments were so helpful and as I continue to review for finals I realize that they not only taught me to write an exam answer for her but also forced me to start reviewing throughout the entire term which I might not have otherwise*

*The written assignments were the perfect self evaluators.*

*The individual assignments were very helpful. Not many students (myself included) have the complete discipline to be constantly reaffirming and memorizing what we learned. So doing a deep dive on each topic like that helped like a forced return to the material.*

The “forced” review of the material on a regular basis, coupled with the extremely low-stakes nature of the exercises, really helped prepare students:

- a) to learn substantive material for the final exam;
- b) to discover their mistakes and identify what they know and don’t know early on; and

c) to practice the skill of writing for exam purposes.

While these exercises might feel like a chore sometimes, please know that they are designed to help you practice study, review, and writing skills that might not come naturally.