

Western State College of Law

**CONTRACTS DRAFTING**

Course # 423A, CRN # \_\_\_\_

Spring semester 2016; classroom #\_\_\_\_; one credit

Fridays, 5:00 – 7:00 p.m., see schedule below

*Prof. Steven E. Shube*

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Office hours: By appointment

**Required text:** Tina L. Stark, *Contracts Drafting: How and Why Lawyers Do What They Do –2nd EDITION* (Aspen Publishers / Wolters Kluwer, 2014).

**Course description / Learning Objectives:** This course instructs the student, through written exercises, drafting assignments and real life examples, in applying the principles of contract law to planning, organizing, and preparing a written agreement that effectuates a client’s intentions. It also provides instruction on issues of legal ethics related to transactions.

**Prerequisites:** Contracts I & II

**Required reading, with *suggested approximate reading schedule:***

<u>Class</u>	<u>Date</u>	<u>Topics</u>	<u>Read Textbook</u>
1	Jan. 22	Introduction; Translating the Business Deal into Contract Concepts; Parts of a Contract	Chapters 1-5
2	Jan. 29	Drafting Contract Parts: Preambles, Recitals, Words of Agreement; Definition Sections	Chapters 6-7
3	Feb. 5	Drafting Contract Parts: Action Sections, Representations and Warranties	Chapters 8-9
4	Feb. 19	Drafting Contract Parts: Covenants; Conditions; Discretionary Authority; Declarations	Chapters 10-12
5	Feb. 26	Drafting Contract Parts: Will vs. Shall; Review Chart; Endgame Provisions	Chapters 13-15
6	March 4	Drafting Contract Parts: General Provisions; Signatures; Organizing Contract Provisions	Chapters 16, 17, 26
7	March 18	Drafting Clearly, Unambiguously and Ethically; Review	Chapters 18-21, 30

**Grades:** Your grade will be based on: (1) your statistically scaled score on the final examination (70%), and (2) your statistically scaled total score on six weekly written assignments (30%). However, I require attendance, preparation, and participation, so your grade may be reduced by up to 10% if you do not prepare for, attend and actively participate in class. You will be dropped from the course if you miss more than the equivalent of two full hours of class sessions; missing any portion of any session will adversely affect your grade. You must personally sign the attendance sheet at each class session for your attendance to qualify.

**Homework assignments:** I will hand out an assignment at the end of each class session, and the assignment is due at the beginning of the next class session. The first assignment will be due at the beginning of the second class. Please do your own work (i.e., do not work in groups).

**Final examination:** The final examination will be a take-home exercise due by 12:00 p.m. P.S.T. on a date to be announced at the last class session. I will describe it further in the first class session, and will make the assignment available to you after the last class session but at least one week in advance of the due date.

**Disability Services Statement:** Western State College of Law provides accommodations to qualified students with disabilities. The Disabilities Services Office assists qualified students with disabilities in acquiring reasonable and appropriate accommodations and in supporting equal access to services, programs, and activities at Western State College of Law.

To seek reasonable accommodations, a student must contact Senior Assistant Dean Donna Espinoza, Student Services Director and Disabilities Services Coordinator, whose office is in the Second Floor Students Services Suite. Dean Espinoza’s phone number and email address are: (714) 459-1117; [despinoza@wsulaw.edu](mailto:despinoza@wsulaw.edu). When seeking

accommodations, a student should notify Dean Espinoza of her or his specific limitations and, if known, her or his specific requested accommodations. Students who seek accommodations will be asked to supply medical documentation of the need for accommodation. Classroom accommodations are not retroactive, but are effective only upon the student sharing approved accommodations with the instructor or professor. Therefore, students are encouraged to request accommodations as early as feasible with Dean Espinoza to allow for time to gather necessary documentation. If you have a concern or complaint in this regard, please notify Dean Espinoza; or please notify Associate Dean of Students Charles Sheppard at [cshppard@wsulaw.edu](mailto:cshppard@wsulaw.edu) or (714) 459-1152. Complaints will be handled in accordance with the College of Law's "Policy against Discrimination and Harassment."