University of Baltimore School of Law
Spring 2012
Contracts II – Law 603, Section 329
Tuesdays & Thursdays, 10:30 a.m. – 11:45 a.m.
Room: Law Center 207

Office Hours:
To be determined

Syllabus

Contracts II Course Overview

This course will present an overview of contractual remedies, including expectancy and reliance damages, restitution, and specific performance. It will also cover the techniques of contract interpretation, including duties, conditions, and the parol evidence rule. The course will also focus on excuses and defenses, including infancy, duress, undue influence, misrepresentation, fraud, mistake, unconscionability, impossibility, impracticability and frustration of purpose.

Course Materials

The required and optional texts, as well as the first week’s reading assignments, are set forth below. Other readings, including case hypotheticals, will be periodically assigned during the semester. These will be posted on the TWEN site or be distributed in the form of handouts. Please be prepared for class at least one full assignment in advance.

Required Texts:


Optional Text:


ASSIGNMENTS

**Reading Assignments:** It is expected that students will have read the assigned pages (as well as any Restatement sections and U.C.C. provisions referenced in the reading assignments) and be prepared for class.

EVALUATION

**Evaluation:** Grading for the course will be determined on the basis of a final exam. Students’ exams will be identified by blind grading numbers, which are obtained online on MyUB before the exam period. Exam numbers are randomly generated by the registrar’s office and assigned to each student. The final exam is currently scheduled for Monday, April 30, 2012, at 1:00 p.m.

The Contracts II course is subject to the law school’s mandatory grading range for first-year courses. Under the mandatory grading range, each faculty member teaching a section of any first-year course shall have an average grade (i.e., the arithmetic average of all of the grades assigned to students in the section) that is no lower than 2.67 and no higher than 3.00. The law school’s mandatory grading range is more fully described on the law school’s website at http://law.ubalt.edu/template.cfm?page=290.

**Attendance:** Class attendance is a primary obligation of each student and you are expected to attend each class on time. Per ABA and law school policies you may have no more than five absences. A student who exceeds the maximum allowable absences may be compelled to withdraw from the course or may be barred from sitting for the final exam. A student who is compelled to withdraw or is barred from sitting for the final exam may receive an “F” in the course. A student who is present, but unprepared for class, may be treated as absent. The law school’s attendance policy can be found online at http://law.ubalt.edu/template.cfm?page=267.

**Class Participation:** Class participation is expected and demonstrates that you have read and reflected on the issues raised in the reading assignments. Grades may be raised or lowered up to a half letter grade (e.g., A- to B+ or C+ to B-) based on the overall quality of a student’s class participation.
OTHER ISSUES

TWEN: I will use Westlaw’s TWEN website to communicate with the class. (Go to lawschool.westlaw.com and link to TWEN.) You are responsible for checking it regularly and making sure your current e-mail address is listed properly.

Office Hours: I have an open-door policy, so please feel free to stop by my office. Otherwise, feel free to make an appointment (either by phone or e-mail) to see me. You are welcome to contact me via e-mail, and my e-mail addresses are listed above. My regular office hours will be determined at the beginning of the semester.

Academic Integrity: The School of Law Honor Code sets the standards of integrity and professionalism for law students, and each student is bound by the Honor Code. The Honor Code is available at http://law.ubalt.edu/template.cfm?page=477.

Laptops: Laptops may be used in class for note-taking, but may only be used in class for course-related work. Students may also use laptops on the final exam.

Disability Policy: If you are a student with a documented disability who requires an academic accommodation, please contact the Office of Academic Affairs at (410) 516-5623.

Class Cancellation: If a class is cancelled, notices will be sent to students via e-mail on TWEN. If there is inclement weather, students should visit the University of Baltimore web page or call the University’s Snow Closing Line at (410) 837-4201. If the University is not closed, students should presume that classes are running on the normal schedule.

Course Coverage: A list of reading assignments for the entire semester will be distributed at the beginning of the semester. (Below is the list of reading assignments for the first week.) Additional reading assignments may also be added, and I may modify the syllabus during the course of the semester. I will announce any such modifications in class or through a posting on TWEN.

FIRST WEEK READING ASSIGNMENTS

Tuesday, January 10, 2012

Topics: Course Overview; Introduction to Contract Remedies

Required Reading: Casebook, pp. 198-209; Supplement, pp. 1-4, 213-14 (Compilers’ Notes), 175-76 (Restatement (Second) of Contracts §§ 344, 345), 187-89 (Restatement (Second) of Contracts § 352), 216 (U.C.C. § 1-103) & 230 (U.C.C. § 1-305)
Assigned Cases:  Sullivan v. O’Connor, 296 N.E.2d 183 (Mass. 1973); Curtice Brothers Co. v. Catts, 66 A. 935 (N.J. Ch. 1907)

Optional Reading: Blum, pp. 655-60

Thursday, January 12, 2012

Topics: Introduction to Contract Remedies; Restitution; “Foreseeability”


Optional Reading: Blum, pp. 263-71, 676-81