

# CONTRACTS I

Professor Michelle Boardman  
Fall 2023 Law 102 R05  
Monday 6:05-8:05 p.m.

Required texts: A **physical copy** of the correct edition of each book is mandatory. You must have both books available to you during class, this semester and in Contracts II, which will be in person.

**Casebook:** *Contract Law and Theory*, Robert Scott & Jody Kraus (6th ed.)

**Supplement:** *Contract Law and Theory: Selected Provisions* (5th ed.)

## Assignments

Your primary reading will be from the casebook. If the casebook reading refers to a Code or Restatement section that is in the *Selected Provisions* supplement, read and ponder that section. You will find that reading a section several times is necessary but rarely sufficient.

August 21: 3-34, then watch <https://www.youtube.com/watch?v=ZdackF2H7Qc>  
and then <https://www.youtube.com/watch?v=Z4TQmazYyCU>

November 22-26: Thanksgiving Break

November 27-28: Reading Period

Wednesday, November 29: Final Exam, 6:00 p.m.

## Discussion outside of class

You can meet with me during announced office hours or by appointment, in person or in my Zoom room. Most questions can be answered by reviewing the assigned reading, reviewing your notes, or talking with your classmates; think of this as practice for real lawyering. If you pose a question to me, you must also make a good faith attempt at an answer. You may email questions, and answers, to [mboardma@gmu.edu](mailto:mboardma@gmu.edu). A link to my Zoom room will be sent by email. I understand that office hours held during ordinary business hours may not be practical for you. I will make myself available as needed, including on weekends.

## Grading

The final exam will be open book, open note, and will include a series of essay and shorter answer questions, potentially including multiple choice. I reserve the right to increase your grade one step (B+ to A-, for example) based on quality class participation. I reserve the right to decrease your grade one step for lack of reading preparation.

## Learning Outcomes

This course is about contract law. Among other skills, at the end of Contracts I, students will understand and be able to apply:

- Consideration, including doctrines of contract enforcement and unenforceable promises.
- Offer and acceptance, and contract formation in general, under both the common law and the U.C.C. Art.2 Sale of Goods.

This course is also about how to read and apply cases in a common law system. At the end of Contracts I, students will have an understanding of:

- How and when to apply the common law, the Second Restatement of Contracts, and the U.C.C.
- How to read and analyze a legal opinion in the context of other sources of law.
- How to use analogical reasoning to predict, or advocate for, a legal outcome in a novel factual circumstance.

## The Class Experience

Students online should attempt to replicate in-class behavior as nearly as possible. This means that your computer camera must generally remain on; if you would not get out of your seat for a given reason in person to “leave the room,” do not do so from home. However, because one never knows when one might need to jump out of one’s chair after a hot coffee spill, might I suggest always wearing actual clothing below the waist. As I was unable last semester to completely bar the humans I live with from occasionally wandering into the room, I do understand that any student attending online may have the occasional interruption. Quiet pets welcome. We will as a group usually take a short break in the middle of class.

This class is taught by Socratic method, which means I ask questions and, at times, answer yours. All students will be called upon at random, in addition to being able to volunteer, to respectfully question one another, and to express agreement or disagreement. As I will refer to you in class by your last name, please have your last name visible on Zoom.

Class recording by students is prohibited. Under Academic Regulation 4-2.2, no portion of a class session or an examination may be preserved by means of a recording device such as an audio recording device or camera. Any exceptions to this policy must be expressly permitted in writing by me. I will, if possible, be recording most course sessions and making these available to individual students upon a request that I grant, or upon express direction from the Assistant Dean for Student Academic Affairs, in order to accommodate a student for certain absences, including illness.