Contracts II Syllabus  
(subject to change)

Spring 2014  
Assoc. Prof. Drennan

Tuesday & Thursday, 1:00 to 2:15  
wrennan@siu.edu

Room 204  
618-453-8729 (office)

Law 512-3 § 001  
314-943-4683 (cell)

Room 220

Required Materials:  SAME AS CONTRACTS I


Writing Assignments:  We will have one or more writing assignments during the semester. One writing assignment will be designated as our writing-across-the-curriculum assignment. Satisfactory completion of the writing-across-the-curriculum assignment is required to be eligible to take and exam and complete the course.

PROJECTED READING ASSIGNMENTS FOR THE FIRST WEEK:
There may be additional handout materials.

Tuesday, January 14, 2014:  No new reading assignment.  We will review the essay questions from the exam for Contracts I, and review the material on the parol rule that we considered at the end of Contracts I (covered in Knapp Casebook pages 405-416 middle).


Attendance Policy:  Attendance will be taken at the beginning of class by passing around a roll sheet for you to sign.  Under the Rules of the School of Law, a first year student may not accumulate absences in a course numbering in excess of twice the credit hours for the course during the semester.  Thus, because we meet twice a week, the maximum number of absences in this course is four (4) classes.  The Rules provide for three options if a student accumulates absences in excess of the allowable number.  The professor may recommend that:  (a) the student be given the lowest possible grade;  (b) the student be given a “W”;  or (c) the student be allowed to continue in the course with a grade reduction.

Recording of Classes:  Like many other courses in the School of Law, our Contracts II class sessions will be routinely recorded (video and audio) by our IT staff.  These
recorded classes will be available for viewing by students in the Computer Lab in the Law Library in accordance with the customary procedures.

**Final Exam & Grading:** There will be one exam at the end of the semester. Your grade for the course will be based on the final exam. The final exam is scheduled for Tuesday, May 6, 2014 at 8:15 a.m.

**Course Description:** This course continues the study of contract law from Contracts I. After a brief review of the exam from Contracts I that will highlight many of the major principles learned in Contracts I, we will resume the study of the parole evidence rule. We will then consider terms which the law may imply to a contract even though the parties have not expressly agreed to such terms, such as the obligation of good faith and certain warranties. There are various situations in which courts refuse to enforce agreements that satisfy the basic elements we studied in Contracts I. Courts may refuse to enforce an otherwise valid agreement between the parties because of the incapacity of a party (for example because the party is a minor or lacks the requisite mental capacity), or because of duress or undue influence, the unconscionability of the bargain, or because the deal violates public policy. Also, there can be situations when a court will permit a party to fail to perform the duties it agreed to in a contract, for example because of mistake, changed circumstances, or contractual modifications. If there is time remaining, we may choose to study the rights and duties of third parties, consequences of nonperformance, or damages.

**Emergency Procedures:** Southern Illinois University Carbondale is committed to providing a safe and healthy environment for study and work. Because some health and safety circumstances are beyond our control, we ask that you become familiar with the SIUC Emergency Response Plan and Building Emergency Response Team (BERT) program. Emergency response information is available on posters in buildings on campus, available on BERT’s website at www.bert.siu.edu, Department of Safety’s website www.dps.siu.edu (disaster drop down) and in an Emergency Response Guideline pamphlet. Know how to respond to each type of emergency.

Instructors will provide guidance and direction to students in the classroom in the event of an emergency affecting your location. It is important that you follow these instructions and stay with your instructor during an evacuation or sheltering emergency. The Building Emergency Response Team will provide assistance to your instructor in evacuating the building or sheltering within the facility.

**Contract Law Generally; Not Specifically Illinois or Missouri Law.** With some exceptions, our study will not focus specifically on Illinois or Missouri contract law, but rather on general principles of contract law as well as certain areas of conflict among states on various topics. This approach is consistent with the method of analysis in the Knapp Casebook.

**Certain Materials on Reserve in the Library.** Thanks to others, the following materials are on reserve in the library:

