Welcome back from what I hope was a relaxing and enjoyable semester break. Also, welcome to Contracts II, Section 2. We will be meeting this semester in the Room 202 at 1:00 pm on Tuesdays and Thursdays.

You can get a copy of the Contracts II Syllabus (Weeks One to Five) at the course TWEN site. Please prepare the assignment as set out in the Syllabus for our first class meeting on Tuesday, January 14.

We will continue to use Knapp, Crystal & Prince, *Problems in Contract Law* (Aspen, 7th ed. 2012) as our course book for this semester along with the *Rules of Contract Law, 2012-13* supplement. I will also continue to post hypotheticals and questions before classes at TWEN in the “Questions and Discussion” forum. Be sure to review them. Additionally, as reflected in the syllabus, we will again be doing selected problems for analysis and review in our course book. I will again ask you to prepare written responses to the assigned problems to be turned in to me for review. We will also again be having four unannounced quizzes during the semester. The format will be the same as in the first semester as will the use of quiz scores in calculating your final course grade. If you have any questions, let me know.

In terms of basic course rules and expectations, they will be the same as in Contracts I. You should therefore refer to the Course Introduction memo from that course for information in this regard. Let me know if you have any questions about these matters.

There is one change from the first semester, however. Hopefully, you now have a sense of how to “actively” listen in class and how to effectively take class notes. So, if you wish, you may now use a laptop in class. If you decide to do so, keep in mind that this is a privilege. You should use your laptop only for appropriate class purposes such as notetaking. Playing games, surfing the web, emailing friends etc. during class are not appropriate in-class uses of your laptop. I don’t expect to see this. If I do, laptop privileges may be terminated for the entire class.

I am sure many of you will want to review your exams from Contracts I. This can be very useful in determining how to improve your performance--by seeing both what you did wrong and, just as importantly, what you did right. I will be available by appointment to go over with you your exams starting in the second week of the semester. Before your scheduled review time, you should see Bonnie Miller in Room 212A to get your exam and review it (you’ll need to have your exam number for Bonnie). You'll need to remain in Rooms 212A or 219 to review your exam. Please be sure to look over your exam before we meet. I will do so as well and will prepare notes and observations about your performance to go over when we meet.
The following notice is provided to you as required by the University:

*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](http://www.bert.siu.edu), Department of Safety’s website [www.dps.siu.edu](http://www.dps.siu.edu) (disaster drop down) and in 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.

Finally, as in the first semester, our Contracts II class sessions will be **routinely recorded (video) by our IT staff.** These recorded classes will be available for viewing by students in the Computer Lab in the Law Library. Other than this, **any other audio or visual recordings** of a class session in this course without my permission are **prohibited.**
SOUTHERN ILLINOIS UNIVERSITY
SCHOOL OF LAW

Contracts II
Spring 2014

Syllabus
(Weeks One through Five)


I. WEEK ONE (1/13)

Class 1: Avoiding contract enforcement—minors and their capacity to contract. Read in Knapp et al. 533-42, including Dodson and accompanying Notes and Questions.

Class 2: Avoiding contract enforcement—mental incapacity. Read in Knapp et al. 542-53, including Hauer and accompanying Notes and Questions. Also beginning discussion of duress. Read in Knapp et al. 553-63, including Totem Marine and accompanying Notes and Questions.

II. WEEK TWO (1/20)

Class 1: Avoiding contract enforcement—completion of discussion of duress and undue influence. Read in Knapp et al. 563-71, including Odorizzi and accompanying Notes and Questions. Beginning discussion of misrepresentation and nondisclosure Read in Knapp et al. 571-82, including Syester and accompanying Notes and Questions.

Class 2: Avoiding contract enforcement—continued discussion of misrepresentation and nondisclosure. Read in Knapp et al. 582-95, including Hill and accompanying Notes, Questions, and Comment.

III. WEEK THREE (1/27)

Class 1: Avoiding contract enforcement—completion of discussion of misrepresentation and nondisclosure. Read in Knapp et al. 595-99, including Park 100 and accompanying Notes and Questions.
Class 2: Avoiding contract enforcement—unconscionability—basic principles. Read in Knapp et al. 599-612, including Williams, accompanying Notes, Questions, and Comment.

IV. **WEEK FOUR (2/3)**

Class 1: Completion of discussion of unconscionability—basic principles. Also, unconscionability and arbitration agreements. Read in Knapp et al. 613-26 including Higgins and accompanying Notes, Questions, and Comment.

Class 2: Avoiding enforcement—public policy and covenants not to compete. Read in Knapp et al. 638-53 including Valley Medical and accompanying Notes and Questions.

V. **WEEK FIVE (2/10)**


Class 2: Justifications for nonperformance—mistake. Read in Knapp et al., 667-78 including Lenawee County Bd., Wilfred’s Inc. and accompanying Notes and Questions.