 informatie, Policies & Preliminary Syllabus

Contact Information:

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Required Textbooks:

2. Supplemental Materials: UCC Articles 1 (revised), 2 and 2A; the CISG; plus full text of official comments (we can talk more about this in class)

You should bring these books to class every day.

Class Schedule:

1:00 – 2:20 p.m., Mondays and Wednesdays (room 305)

Course Aims

My goals in the class are to help students:

(1) learn advanced contract doctrines relating to the sale of goods and leases (law);
(2) learn methods of analyzing advanced contract issues (legal reasoning);
(3) learn contract drafting skills (legal writing); and
(4) develop a critical stance and creative approach toward law in general, and contract law in particular (critical and creative legal thinking).

What to Read:

We will essentially go through the casebook. I may also assign other readings from time to time, designed to broaden the context of the course materials, and in particular as it relates to drafting. You are responsible for everything I assign.

The readings in the casebook frequently refer to specific provisions of the Restatement (2d) of Contracts (“the Restatement”), the Uniform Commercial Code (“UCC”), and the U.N. Convention on the International Sale of Goods (“CISG”). Make sure you look up these materials in the Supplement each time they are referenced. You will be expected to have read and understood them in class. As a lawyer you will learn that the specific language of a rule is very important; it’s a good idea to get in the habit of carefully reading the specific language of a statute or provision when you come across a reference to it.
OFFICE HOURS

I have tentatively scheduled office hours on Wednesday mornings, from 10:00 – noon. In addition, however, I am always available by email, by phone (303-735-0207), or by appointment – you should feel free to contact me any time.

LUNCHES

I would like to get to know you better, so I will be posting a sign-up sheet for informal group lunches. Participation is entirely voluntary and will not affect your final grade.

CLASS PARTICIPATION, ATTENDANCE, SEATING AND GRADING

I will pass around a seating chart in the first week of class – please stay in that seat for the remainder of the semester. It will help me to get to know your names.

Your final grade for this course will be based on the following:

Annotated Contract for the Sale of Goods – 80%
Class Participation – 20%

I will be giving you a detailed handout regarding your annotated contract; in addition, we'll discuss it more in class.

By class participation, I mean that you are expected to be in class, willing and able to discuss the material assigned to date. I highly value class participation, and will call on you without notice. I understand, however, that sometimes life gets in the way and you can’t always be as prepared as you like. Please attend class anyway, and just leave a note with your name on it on the desk at the front of the classroom before class begins, and I won’t call on you. Please submit no more than three of these “passes” over the course of the semester. If you do not leave me a note but are unprepared when I call on you, your class participation grade will be negatively affected.

**PLEASE NOTE – you will need to print out any problem answers, notes, or other documents you require for classroom participation in advance of class. We will not be using computers in the classroom, except on review days.

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1 Please note that the Law School rules provide that: “Absence by a student from more than twenty percent of the total number of classes or lectures in any course will exclude the student from examinations in the course and the grade given shall be ‘F’ (numerical grade 50) save in exceptional cases when, by vote of the faculty upon written petition, the student will be permitted to drop the course, and except when this rule is waived as provided hereinafter. In his or her discretion, the instructor of the course may permit a student who has been absent from more than twenty percent of the classes to take the final examination, subject to a penalty of five points on the student's numerical grade for each excessive absence, or some lesser penalty as determined by the instructor. Such penalties shall be subtracted from the student's grade before recording in the Dean's Office, and the lowered numerical grade shall control the official letter grade reported to the University.” This is referred to as the “20% rule.”
CLASS POLICIES

I strongly support the campus policy regarding religious observances, which requires me to make every effort to reasonably and fairly deal with all students who, because of religious obligation, have conflicts with scheduled exams, assignments or required attendance. Please inform me of such absences in advance and in writing, so that we can work something out. See http://www.colorado.edu/policies/fac_relig.html.

I also strongly support the campus learning environment policy on classroom behavior. It provides that students and faculty each have a responsibility to maintain an appropriate learning environment. Students who fail to adhere to such behavioral standards may be subject to discipline from the university (and will lose class participation points from me). Faculty have the professional responsibility to treat all students with understanding, dignity and respect, to guide classroom discussion and to set reasonable limits on the manner in which they and their students express opinions. Professional courtesy and sensitivity are especially important with respect to individuals and topics dealing with differences of race, culture, religion, politics, sexual orientation, gender variance, and nationalities.

Please note that class rosters are provided to me with your legal name, but I will gladly honor your request to address you by an alternate name or gender pronoun. Please advise me of this preference early in the semester so that I may make appropriate changes to my records. You can see these polices at http://www.colorado.edu/policies/classbehavior.html and http://www.colorado.edu/studentaffairs/judicialaffairs/code.html#student_code.

I strongly support the university policy of accommodating people with disabilities. If you believe you might qualify for accommodations because of a disability, please contact me, Dean Trujillo, or Disability Services (303-492-8671, donahuec@colorado.edu, or www.Colorado.EDU/disabilityservices). Disability Services determines accommodations based on documents disabilities, so the sooner you contact them, the sooner your needs may be addressed.

Finally, although the university does not have a policy regarding people who are pregnant, nursing, or taking care of young or elderly dependants, I am open to making reasonable accommodations for such students. Please see me if you fall into one of these categories.

DISCRIMINATION AND HARASSMENT

The university’s policies on Discrimination and Harassment, Sexual Harassment, and Amorous Relationships apply to all students, staff and faculty. Any student, staff or faculty member who believes he or she has been the subject of discrimination or harassment based upon race, color, national origin, sex, age, disability, religion, sexual orientation, or veteran status may speak to me, but in any case should contact the Office of Discrimination and Harassment (ODH) at 303-492-2127 or the Office of Judicial Affairs at 303-492-5550.

Information about the ODH and the campus resources available to assist individuals regarding discrimination or harassment (including a list of groups you can speak to in confidence) can be obtained at http://www.colorado.edu/odh.

Information about the policy on Discrimination and Harassment can be found at http://www.colorado.edu/policies/discrimination.html.
CLASS WEB SITE

This course has its own web page. It is a LexisNexis WebCourse. You must “enroll” for my class on-line (it does not happen automatically). Course documents (including the most up-to-date Syllabus) will be available on my WebCourse page. In addition, there will be links to resource materials (including the Restatement, the UCC, the CISG, and on-line treatises) and course announcements. We will talk more about this in class, but it is your responsibility to check the WebCourse page on a regular basis.

ELECTRONIC COMMUNICATION/EMAIL

I will communicate with you through both CU Connect and our WebCourse page. If you use different email addresses for these two services, please make sure to check both addresses regularly.
CHAPTER 1 - FORMATION

1. Monday, January 14
   Casebook, pp. 1-20
   Problem Set 1

2. Wednesday, January 16
   Casebook, pp. 23-40
   Problem Set 2

3. Monday, January 21 – no class (Martin Luther King Jr. Day)

4. Wednesday, January 23
   Casebook, pp. 44-65
   Problem Set 3

5. Monday, January 28
   Casebook, pp. 69-84
   Problem Set 4

6. Wednesday, January 30
   Casebook, pp. 86-101
   Problem Set 5

7. Monday, February 4
   Casebook, pp. 104-115
   Problem Set 6

8. Wednesday, February 6 – Library Lecture on drafting sources

9. Monday, February 11
   Casebook, pp. 117-129
   Problem Set 7

CHAPTER 2 - TERMS

10. Wednesday, February 13
    Casebook, pp. 131-149
    Problem Set 8

11. Monday, February 19
    Casebook, pp. 153-163
    Problem Set 9

12. Wednesday, February 21
    Casebook, pp. 163-179
    Problem Set 10