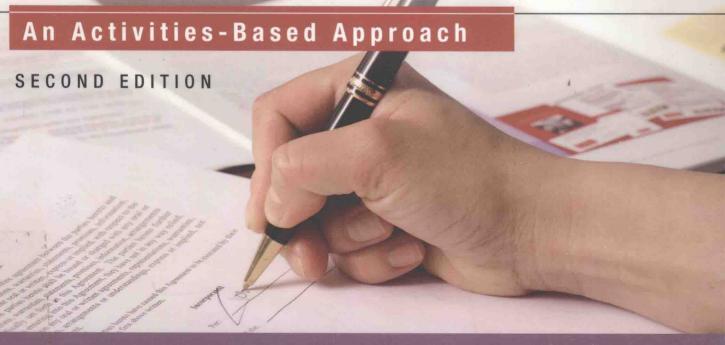
Laurel A. Vietzen

UNDERSTANDING, CREATING, AND IMPLEMENTING CONTRACTS





Understanding, Creating, and Implementing Contracts

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An Activities-Based Approach

Second Edition

Laurel A. Vietzen

Elgin Community College



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Preface

Since 1989 I have been a full-time teacher in, and coordinator of, an ABA-approved paralegal program. Before that, I was a transactional lawyer in private practice and worked with many excellent paralegals. My experiences in practice, in surveying countless graduates and employers, and in working to obtain initial approval and reapproval by the ABA have taught me the importance of:

- Teaching students to be independent learners so that they can arrive on the job as self-starters
- · Integrating ethics into every topic
- Integrating the use of research and communications skills into every topic
- · Ensuring that students have adequate computer skills
- Encouraging students to engage with the material so that they retain what they learn
- Teaching state-specific law and procedures

It is not easy to achieve these goals with a traditional textbook. Many such books tend to speak in generalities. Many paralegal teachers are adjuncts and may not have the time or resources to create challenging, practical, state-specific assignments to supplement the texts. They may want to develop alternatives to the lecture format, or they may be trying to offer the class alternative formats: online, hybrid, or even independent study.

This book is intended to go beyond the limitations of the traditional textbook and lecture format to:

- Engage students by making them responsible for finding local law
- · Require students to use computer skills to complete assignments
- Include enough hands-on assignments (and guidance for doing those assignments) to ensure that a course offered in an alternative format will be the equivalent of a traditional class
- Include assignments requiring student-led discussion of cases as an alternative to lecture in a classroom setting or to stimulate interaction in an online setting
- Ensure hands-on experience doing legal research, summarizing cases, and finding their own answers so that students can hit the ground running in a law office

 Make students aware of job opportunities and the skills required for those opportunities

 Be adaptable to schools that schedule in semesters, trimesters, or quarters and to schools that integrate contract law into a course that includes other topics

The sample cases are not cases that were highly controversial or that were landmarks in the development of law. Paralegals must understand legal theory, but they are not responsible for developing strategy or arguing cases. The cases were chosen to provide short, easy-to-read vignettes of the real-life practice of law. Many involve lawyers and paralegals as parties. They are intended to give students insights that will help ease the transition from school to the law office.

Textbook Resources

The companion Web site for *Understanding*, *Creating*, and *Implementing Contracts:* An Activities-Based Approach, Second Edition at http://www.aspenparalegaled.com/vietzen_contracts offers additional resources for students and instructors, including:

- Study aids to help students master the key concepts for this course. Visit the site to access interactive StudyMate exercises such as flash cards, matching, fill-in-the-blank, and crosswords. These activities are also available for download to an iPod or other handheld device.
- Instructor resources to accompany the text
- · Links to helpful Web sites and updates

The text comes packaged with four months of prepaid access to Loislaw's online legal research database at http://www.loislawschool.com.

Blackboard and eCollege course materials are available to supplement this text. This online courseware is designed to streamline the teaching of the course, providing valuable resources from the book in an accessible electronic format.

Instructor resources to accompany this text include a comprehensive Instructor's Manual, Test Bank, and PowerPoint slides. All of these materials are available on CD-ROM or for download from the companion Web site.

Laurel A. Vietzen

May 2010

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Note to Students

Students have historically demonstrated their mastery of course material by taking tests. Tests remain an important part of assessment. In this course, you will probably take several tests so that you and your instructor can determine how well you have achieved the knowledge-based goals outlined at the beginning of each chapter.

Employers want more. The paralegal field demands graduates who can apply that knowledge and perform assignments with little or no on-the-job training. To demonstrate your ability to do the job, you should assemble a portfolio of work. Your portfolio can be burned to a CD, uploaded to a Web site, or assembled into a folder or binder. The contents will depend on the job you are seeking. In interviewing for a job at a small general practice firm, you might submit a portfolio containing a selection of assignments from all of your classes. If you are looking for a job in contract compliance, you will want to include many of the assignments you do in this class.

The chart at the beginning of each chapter is intended to correlate the skills employers want with the assignments you will do. Knowing that employers value these skills should inspire you to do your best work and, when appropriate, follow your instructor's comments and suggestions to create an improved version for your portfolio. Of course, many of the skills, such as reading and briefing a case, require lots of practice. Assignments calling for those skills are, therefore, repeated in almost every chapter. Choose your best effort for your portfolio.

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An Activities-Based Approach

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