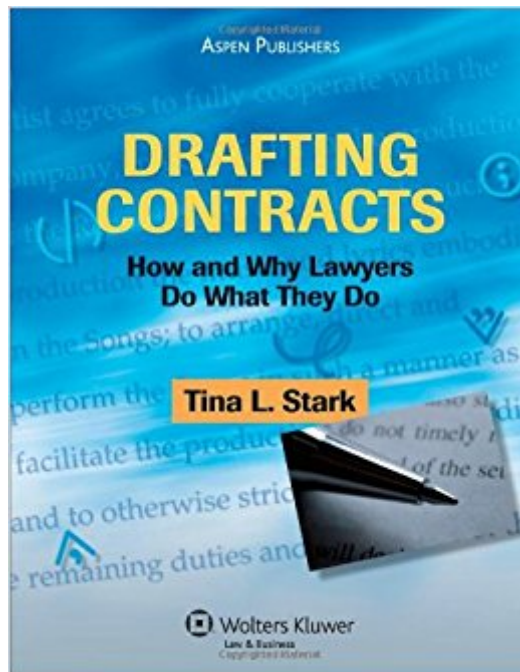




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Drafting Contracts: How And Why Lawyers Do What They Do



Synopsis

A perfect fit for the upper-level legal drafting course, **Drafting Contracts: How and Why Lawyers Do What They Do** teaches the key practices of contract drafting, with particular emphasis on how to incorporate the business deal into the contract and add value to the client's deal. By providing many solid examples of quality writing, the book helps students to master the basics and to incorporate similar techniques into their own drafting. This text is also appropriate for use in transactional simulation courses, transactional clinics, advanced writing courses, first-year writing courses, first year-contracts courses, and interviewing, negotiating, and counseling courses.

Many great features ensure the value and reliability of this text:

- PART I: introduces the building blocks of contracts and teaches the analytic skill of translating the business deal into contract concepts so that students learn how and why a drafter chooses a specific contract concept
- PART II: sets out the framework of an agreement and works through it from the preamble to the signature lines, discussing the business, legal, and drafting issues that occur in each part of a contract
- PART III: turns to drafting rules for good writing and to techniques for enhancing clarity and avoiding ambiguity
- PART IV: details how to look at the contract from the client's perspective; what does the client want to achieve and what risks does it want to avoid; in order to find and resolve business issues
- PART V: shows students how to integrate everything they have learned: how to organize a contract, how to use precedents, and how to review and comment on a contract
- PART VI: addresses ethical issues that arise in drafting
- PART VII: provides additional exercises

presents a five-prong framework for considering business issues that appear in almost every transaction: money, risk, control, standards, and endgame (Chapter 17, "Adding Value to the Deal"); includes plentiful examples of well-drafted provisions, many based on commercial agreements

provides exercises for use in or out of class, individually or collaboratively, including contract mark-ups, new drafting, and both combined into a single exercise

integrates a single fact pattern throughout many exercises in the book; the purchase of a jet by a ner-do-well with significant financial problems; and varying fact patterns relating to employment relationships and to assignment and delegation provisions.

accompanied by a Teacher's Manual that includes notes explaining

the answers to each exercise and answers to questions that students commonly ask. <li class="copymedium"> also accompanied by a website that provides all mark-up exercises that can be projected and walked through during class, a template for formatting, and multiple versions of one of the culminating exercises so that professors can use the version best suited to their classes <p> An author website to support classroom instruction using this title is available at http://www.aspenlawschool.com/stark </p>

Book Information

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Customer Reviews

The majority of law books on the market today add more confusion and fog to understanding basic legal principles. "Hide-the-ball" as opposed to "this is how you solve this type of problem" seems to be the status quo. As my first year property law professor once said, "the moment you solve a legal problem for you client is the moment you stop getting paid." So, you can understand why most attorneys and "legal experts" play hide-the-ball. Also, one major reason for the large quantity of litigation clogging our civil courtrooms is due to poor legal drafting. In "Drafting Contracts," author Tina L. Stark provides the best "How To" guide on the market today for drafting and understanding contracts in the United States. Ms. Stark has checklists, examples, and step-by-step instructions of how to draft a preventive legal document. Highly recommended.

This book is a text for teaching Contract Drafting that fills its intended purpose very well. I recommend it highly to individuals just learning contracts. If you have experience drafting contracts

or want to improve your contract drafting skills, then I recommend Manual of Style for Contract Drafting, Second Edition by Ken Adams.

Of the ten or more contracts books I've purchased in my pursuit of mastery, this one teaches more per sentence, in a readily decipherable tongue, than any other.-It is written with a generous simplicity, so that as you read you are absorbed in the information, instead of left more confused than when you started (as is the case with other contracts books I own).-The information builds as you study, so the neuronal pathways the brain requires to UNDERSTAND a new topic are properly formed, making the reader feel like they are really learning, instead of just reading.-In spite of its simplicity, it has gravity, one trusts the author and feels both inspired and educated in her company. TRULY the best of the books I've been exposed to.

This book was assigned as one of my law school class textbooks. This is one of those rare textbooks that actually teaches its students practical skills, and one of the few I actually keep around to refer to after graduation. This is the best "how-to" guide I've read on drafting and understanding contracts. The book also includes examples, checklists and step-by-step instructions on how to draft clear, effective contracts. The exercises at the end of chapter tended to be a bit lengthy and simplistic, but they covered all of the concepts discussed in the chapter.

This was required reading for my contract drafting class in law school and it was one of the only textbooks I chose to keep upon graduation. It's a straightforward manual that has great exercises, letting you practice the concepts you just covered. Even though I'm not working as a contract attorney I keep this book around for regular use throughout my life. It's a very valuable resource to have around.

This is a good intro to drafting contracts. Well organized chapters for the beginner and plenty of examples of right and wrong ways to write. Teaches "Plain English" contract writing, and avoids "Legalese". Has enough detail to make it interesting for someone familiar with writing contracts. I like the book, and used it in a paralegal course.

If you are doing contract drafting, this book is so, so valuable. Even if you aren't going to use all the advice because you are a first-year associate at a law firm where they already have precedents filled with Old English (lol) now called 'Legalese' this book explains how a contract should be

structured and the components of it. I've drafted contracts nearly from scratch with this book and the other side's lawyer had to comment about how well written it was, lol.

I have read other references by Tina Stark and she is a great authority on contract drafting. This book gives you examples of what not to do and how to avoid these mistakes. Explanations on the whys of contract are also abound through the book.

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