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DRAFTING CONTRACTS

How and Why Lawyers Do What They Do

SECOND EDITION

Tina L. Stark



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Drafting Contracts By Tina L Stark

Arturo Cuomo



Drafting Contracts By Tina L Stark:

Drafting Contracts Tina L. Stark, 2007 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 ne'er 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 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 An author website to support classroom instruction using this title is available at <http://www.aspenlawschool.com/stark>

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memorializing the business deal while also advancing your client's interests New co author Monica Llorente builds on the foundation and insights of Tina Stark's landmark text with detailed introductions to the six building blocks for drafting contracts that pave the way for understanding any type of business contract Reader friendly text illustrated by examples and sample provisions demonstrates the mechanics strategy and precision of real world contract drafting In line with Tina Stark's legacy of building a bridge between law school and practice co author Monica Llorente solicited significant input from law professors practitioners and law students in the course of her work on the Third Edition NEW TO THE THIRD EDITION Covid's effect on contract drafting including force majeure provisions Expanded and updated coverage of use of qualifiers standards and risk allocation Expanded and updated coverage of endgame mechanisms such as limitations on liability specific indemnity tools and provisions All new coverage of Professional Responsibility Part summary chapters that provide a capsule overview of all topics in those chapters Online materials and updates on using AI and technology in drafting available on CC Resources page and Aspen website Professors and students will benefit from Using drafting concepts as the building blocks for understanding and writing business contracts Clear descriptions of the purpose and format of every part of a contract Guidance for developing drafting skills Hands on exercises for practice and self assessment Best practice recommendations for drafting clearly and unambiguously Integrated coverage of strategy risk management ethical considerations Online materials and updates for using AI and Technology in contract drafting Drafting Contracts Tina L. Stark, 2007 **Drafting Contracts: How & Why Lawyers Do What They Do , Second Edition (Aspen Coursebook).** Tina L. Stark, 2013 **Negotiating and Drafting Contract Boilerplate** Tina L. Stark, 2003 This resource serves to educate lawyers and business professionals on how to draft the many types of boilerplate provisions a legal term that refers to the standardized one size fits all provisions of a contract Each chapter tackles one of 20 provisions and analyzes why it is important the key legal and business issues raised and how to draft the provision to suit a particular transaction Such analysis not only helps readers better understand how to draft these provisions in their contracts but also helps them better understand the other party's process **Contract Drafting** Lenné Eidson Espenschied, 2010 Contract Drafting Powerful Prose in Transactional Practice presents an overview of the stages in the contract process and offers a comprehensive introduction to the substantive areas addressed in transactional documents In fourteen lessons readers will learn how to work from prior documents to produce effective and complete legal documents that protect the client's interests

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use as well as self study Teaching a strategic approach and sequential steps to drafting contracts the text includes examples and exercises based on cross border agreements such as distribution agreements licensing franchises and equipment leases Special drafting issues in cross border agreements are also considered choice of language clauses choice of forum clauses indemnification provisions force majeure clauses counterpart clauses international alternative dispute resolution clauses and the choice to opt in or out of the CISG By providing appropriate explanations of United States law the text increases student comprehension as suggested drafting approaches are placed in legal context This unique guide discusses the purpose of and provides drafting tips for contract parts contract organization and formatting basic contract provisions letters of intent and the craft of reviewing and revising contracts End of chapter exercises test overall comprehension and apply drafting concepts presented in the chapter To increase the non native speakers lexical range vocabulary is derived from a statistical analysis of thousands of authentic contracts To help with contract sentence structures that are challenging for non native speakers syntax structures are based on comparison to databases with authentic contracts A glossary of contract terms is based on frequency counts from thousands of authentic contracts and usage in text contextualized and cross referenced with most common collocations

Research Handbook on Contract Design Corrales Compagnucci, Marcelo, Haapio, Helena, Fenwick, Mark, 2022-05-03 Weaving together theoretical historical and legal approaches this book offers a fresh perspective on the modern revival of the concept of allegiance identifying and contextualising its evolving association with theories of citizenship

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Drafting the Consideration Provision of a Contract Tina L. Stark, 2018 After parties exchange their mutual promises of future performance the formal consideration lawyers must turn to drafting the monetary deal the financial consideration This article addresses the different issues that can arise when

drafting these financial provisions This article was an early draft of what became a chapter in my contract drafting textbook
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