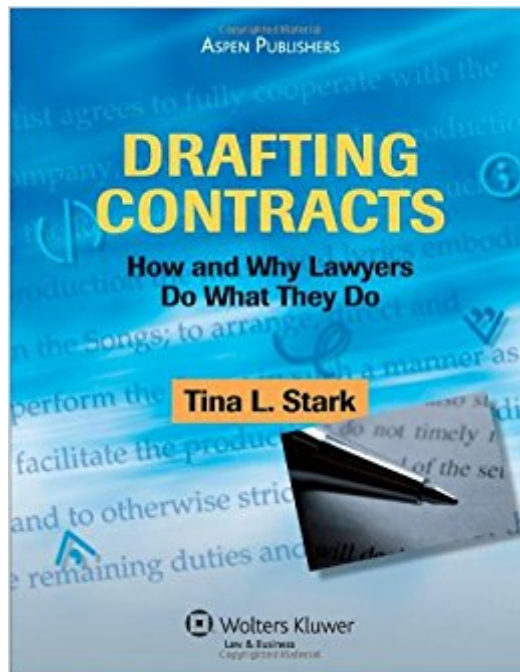




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# Drafting Contracts: How And Why Lawyers Do What They Do



## 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> <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 </li> </ul> <p> An author website to support classroom instruction using this title is available at <a href="http://www.aspenlawschool.com/stark" target="\_blank"> http://www.aspenlawschool.com/stark</a> </p>

## Book Information

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## Customer Reviews

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.TRUELY the best of the books I've been exposed to.

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.

I should have bought this book much earlier, there are many good explanation about the contract structure. The explanations from practical perspective, based on actual contract structure, Preamble, Recitals, Words of Agreement, Definition, Actions Sections, Representations and Warranties, Covenants and Rights ... very systematic. It also provides good example of simple but important use of key contract words such as "Shall" vs. "Will", sometimes drafter himself may also indecisive about when to appropriately use these 2 words, and this book clearly explain this with clear guidance for proper use of these English words. Furthermore, the book also explain the alternatives of using archaic words such as hereto, hereof etc. Legal Counsel always loves to use archaic words which in modern days may appear too much legalese which practically not necessary. Well I haven't finished the reading of the whole book, but I enjoy it, sometimes just flipping here and there, and discover new thing. This book can also be served as a reference book and placed at the book shelve or at working desk.

A+ great product and was everything I expected!

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 *A Manual of Style for Contract Drafting, Second Edition* by Ken Adams.

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 is a thoughtful and well-written lawyer's deskbook (although it's drafted as a textbook). I have been practicing litigation for over 10+ years, including litigating many breach of contract cases, and I

am still learning a tremendous amount from this book! The examples are fantastic. The author satisfies the perfectionist in me by explaining (quickly and without overburdening the text) even minor issues like grammar and punctuation choices. I highly, highly recommend it.

Had to buy this book for a two week skills class. I like it a lot and have looked at it a couple of times since the class. It explains things in plain terms and Stark is a proponent of plain language drafting. She makes it a point to remove legalese from contracts and I appreciate it. I'm keeping this one at least for now

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