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| **COURSE INFORMATON** | | | | | |
| **Course Title** | *Code* | *Semester* | *L+P Hour* | *Credits* | *ECTS* |
| Common Law of Contracts | Law 235 | 3 | 4+0 | 4 | 5 |

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| **Prerequisites** | - |

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| **Language of Instruction** | English |
| **Course Level** | Bachelor's Degree (First Cycle Programmes) |
| **Course Type** | Compulsory |
| **Course Coordinator** | Asst. Prof. Dr. Cihan Mengü Acun |
| **Instructors** | Asst. Prof. Dr. Cihan Mengü Acun |
| **Assistants** | - |
| **Goals** | Basics of Common Law of Contracts and Uniform Commercial Code |
| **Content** | The course begins with an overview of the interests in contract law: restitution, reliance and expectation.  Then it discusses formation: consideration, offer, and acceptance.  Unconscionability and adhesion contracts begin the discussion of fairness.  Then students learn about how courts police the bargaining process.  Finally, the course ends with damages and mitigation. |

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| **Learning Outcomes** | **Program Learning Outcomes** | **Teaching Methods** | **Assessment Methods** |
| 1) Students will learn the basics of contract formation at common law, as well as the equitable remedies available if a contract is found unenforceable. | 1,3,4,5,6,10 | 1,2,3,4 | A,B,C |
| 2) Students then delve into policy concerns and the way fairness is injected into the law. | 2,3,5,10,11 | 1,2,3,4 | A,B,C |
| 3) Remedies and mitigation of damages will be examined, comparing common law remedies to remedies found in the Uniform Commercial Code. | 2,3,5,9,10 | 1,2,3,4 | A,B,C |

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| **Teaching Methods:** | 1: Lecture, 2: Question-Answer, 3: Discussion, 4: Case study / practical course |
| **Assessment Methods:** | A: Testing, B: Presentation C: Homework |
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| **COURSE CONTENT** | | |
| **Week** | **Topics** | **Study Materials** |
| 1 | Introductions: Course Overview, Legal System Primer |  |
| 2 | Bases for Enforcing Promises (Read: Sullivan v. O’Connor) |  |
| 3 | Consideration (Read: Feinberg v. Pfeiffer and Kirskey v. Kirskey) |  |
| 4 | Consideration: Reliance and Restitution as a Basis for Recovery (Read: Rickets v. Scothorn and Callano v. Oakwood Parks) |  |
| 5 | The Bargaining Process (Read: Owen v. Tunison, Lefkowitz v. Great Minneapolis Surplus Store, and White v. Corlies) |  |
| 6 | Termination of the Powers of Acceptance: Lapse of an Offer, Revocation, and The Mailbox Rule (Read: Rogasta v. Wilder) |  |
| 7 | MID-TERM EXAMINATION |  |
| 8 | The Battle of the Forms and Boilerplate Terms: Adhesion Contracts and Unconscionability (Read: Dorton v. Collins) |  |
| 9 | Statute of Frauds: Writing and Signing contracts, the Reliance exception (Read: Monarco v. Lo Greco) |  |
| 10 | Policing the Bargain: Capacity, Pressure in Bargaining, Misrepresentation (Read: Austin Instrument v. Laurel and Swinton v. Whitinsville) |  |
| 11 | Remedies for Breach: Common Law versus UCC Remedies (Read: R.E. Davis Chemical Corp. v. Diasonics, Inc.) |  |
| 12 | Limitations on Damages: Mitigation, Avoidability |  |
| 13 | Finding the Law of Contract: Interpreting Contract Language, Gap Filling |  |
| 14 | Review for the Final Exam |  |

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| **RECOMMENDED SOURCES** | |
| **Textbook** | E. Allan Farnsworth, William F. Young, and Carol Sanger:  Farnsworth, Young, Sanger, Cohen, and Brooks' Cases and Materials on Contracts, 7th edition. |
| **Additional Resources** | None. |

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| **MATERIAL SHARING** | |
| **Documents** |  |
| **Assignments** |  |
| **Exams** |  |

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| **ASSESSMENT** | | |
| **IN-TERM STUDIES** | **NUMBER** | **PERCENTAGE** |
| Mid-terms | 1 | 100 |
| **Total** |  | **100** |
| **CONTRIBUTION OF FINAL EXAMINATION TO OVERALL GRADE** |  | 60 |
| **CONTRIBUTION OF IN-TERM STUDIES TO OVERALL GRADE** |  | 40 |
| **Total** |  | **100** |

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| **COURSE CATEGORY** | Expertise/Field Courses |

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| **COURSE'S CONTRIBUTION TO PROGRAM** | | | | | | | |
| No | Program Learning Outcomes | Contribution | | | | | |
| 1 | 2 | 3 | 4 | 5 |  |
| 1 | Ability to comprehend, solve, and to attain analytical and critical thought processes |  |  |  | X |  |  |
| 2 | Within the ambit of lifelong learning, to direct continuous renewal and cultivation of knowledge attained in the field of law |  |  | X |  |  |  |
| 3 | To master legal resources and legal precedents; to be able to conduct comparative legal analyses in national and international legal arenas |  |  |  | X |  |  |
| 4 | To improve settlement options; to implement creative and innovative solutions |  |  |  | X |  |  |
| 5 | To be equippet with comprehensive and comparative knowledge gained through the study of law, enabling the transfer of this knowledge into the social and economic fields. To attain analytical thinking between cross disciplines |  |  | X |  |  |  |
| 6 | To attain the ability to comprehend and solve legal problems pertaining to global economy |  |  |  | X |  |  |
| 7 | To obtain knowledge of current legal subjects, through the aid of the English language |  |  |  |  | X |  |
| 8 | To be able to utilize proficiency at an intermediate level foreign language | X |  |  |  |  |  |
| 9 | To attain professional and scientific ethical tenants in the field of law, as well as in society at large |  |  |  | X |  |  |
| 10 | To attain the ability to write, speak and listen effectively, in the field of law |  |  |  |  | X |  |
| 11 | To be open-minded, to be tolerant of different ideas, to be constructive, to have self-confidence, and to be responsible both during individual studies and/or during team studies. To work effectively and efficiently |  |  |  | X |  |  |

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| **ECTS ALLOCATED BASED ON STUDENT WORKLOAD BY THE COURSE DESCRIPTION** | | | |
| Activities | Quantity | Duration (Hour) | Total Workload (Hour) |
| Course Duration (Including the exam week: 14x Total course hours) | 14 | 4 | 56 |
| Hours for off-the-classroom study (Pre-study, practice) | 14 | 4 | 56 |
| Mid-terms | 1 | 2 | 2 |
| Final examination | 1 | 3 | 3 |
| **Total Work Load** |  |  | 117 |
| **Total Work Load / 25 (h)** |  |  | 4,68 |
| **ECTS Credit of the Course** |  |  | 5 |