

A Brief Discussion on Key skills to be assessed

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ABSTRACT:

A person's comprehension and ability in this intricate area of law must be assessed by looking at crucial contract law abilities. The creation, interpretation, and enforcement of commercial agreements are governed by a wide variety of concepts, rules, and doctrines together referred to as contract law. Several crucial factors need to be taken into account in order to evaluate contract law abilities successfully. It is essential to have a thorough grasp of the core ideas and components of contract law. This information encompasses the offer, acceptance, consideration, and desire to establish legal connections that are a part of contract creation. In order to guarantee the proper implementation of contractual requirements, it is also essential to evaluate understanding of the words, circumstances, and interpretation of contracts. A critical competency in contract law evaluation is the capacity to analyse and assess contractual difficulties and conflicts. A person's ability to recognise legal difficulties, apply pertinent legal concepts, and provide logical analysis to settle contractual conflicts should be assessed by assessors. This competence entails evaluating a candidate's capacity to decipher legal jargon, spot possible violations, and choose the right course of action.

KEYWORDS:

Agreements, Contract Analysis, Contract Drafting, Legal Practitioners.

I. INTRODUCTION

The creation, interpretation, and enforcement of agreements between parties are governed by contract law, a nuanced and crucial area of the law. For those wishing to prove their knowledge and expertise in this area, it is crucial to evaluate critical contract law abilities. Evaluating these talents identifies strengths and potential areas for development, whether for academic endeavours, professional growth, or legal practice. In the field of contract law, a number of critical abilities are very important, and evaluating them may reveal important details about a person's knowledge and proficiency. In this introduction, we'll look at a few of the major competencies that are often tested in contract law.

Contract Analysis and Interpretation: In contract law, it is essential to be able to evaluate and understand the terms of a contract. Examining a contract's provisions, comprehending their legal ramifications, and seeing any possible problems or misunderstandings can help you evaluate this competency. A person's ability to analyse contracts helps them to analyse the enforceability and legality of the agreement as well as the rights and duties of the parties [1], [2].

Legal Study: To comprehend pertinent legislation, case law, and legal concepts, contract law sometimes requires substantial legal study. Finding and analysing legal sources, such as legislation, rules, and court judgements, and applying them to problems involving contracts are part of assessing a person's legal research abilities. People with strong legal research abilities can recognise convincing authorities, understand legal theories, and successfully defend their claims.

Drafting and Reviewing Contracts: It is essential to have the ability to draught and review contracts to make sure that the terms of any agreement appropriately represent the objectives of the parties and safeguard their rights. This competence is evaluated by looking at how effectively a person can draught complete, clear, and succinct contract clauses as well as spot and resolve ambiguities and possible legal snags in already-existing contracts [3], [4].

Negotiation and Dispute Resolution: Contract law often entails discussions between parties and the resolving of disagreements over contracts. Evaluation of a person's capacity to advocate, negotiate, and communicate

effectively are all parts of assessing negotiation and conflict resolution abilities. It also includes expertise in using alternative dispute resolution procedures like arbitration and mediation to effectively settle commercial disputes [5], [6].

Legal Writing and Communication: In order to successfully communicate complicated legal ideas and arguments, legal writing must be clear and succinct. The capacity to clearly state legal analyses, put together compelling arguments, and properly convey legal ideas to various audiences are all aspects of assessing a person's legal writing and communication abilities.

Ethics: The practice of contract law is governed by a set of moral standards and standards of conduct. A person's comprehension of ethical principles and how they are used in the practise of contract law are both evaluated when assessing ethical issues. This evaluation focuses on preserving professional integrity, making ethical decisions, and keeping client confidentiality [7], [8].

Determining a person's competency and expertise in this intricate area of law requires examining crucial contract law abilities. Contract analysis, legal research, contract preparation and review, negotiation and dispute resolution, legal writing and communication, and ethical concerns are some of these abilities. Insights regarding a person's capacity to comprehend, implement, and manage the complexities of contract law may be gained through evaluating these talents, whether they are used for academic, professional, or practical objectives [9], [10].

II. DISCUSSION

Don't worry; essential abilities are nothing new. They are really continuing talents that you have mostly learned throughout your educational path. In order to pass A-level law, it is required that you can write essays, read, summarise, formulate arguments, present your work in a logical manner, and so on. The obligation to demonstrate that you have attained a fair degree of expertise in these areas is what is new. These abilities are a vital and crucial component of your accomplishment to a potential employer or a university admissions tutor. This is a reminder to think positively and passionately about important talents since, if you are studying A-level courses, putting together the necessary proof should be a very simple effort.

Guidelines on expectations and how they might be met have been established by the government and test boards. Following are some recommended activities that may be added to your portfolio of essential abilities and that can, as a regular component of your studies, assist you to show that you are working at a level that is acceptable in the specific skill areas.

Key skills to be assessed

The main key skills at level 3 are:

1. C3 Communication
2. N3 Application of number
3. IT3 Information technology

The wider key skills at level 3 are:

1. PS3 Problem solving
2. LP3 Improving own learning and performance
3. WO3 Working with others

A qualification in critical competencies requires both internal and external examination. You will need to put together a portfolio of work you've completed during your study to demonstrate your proficiency in each skill area. This doesn't have to be a very challenging assignment or take up a significant amount of your study time for an A-level. The suggestions below will provide you chances to show that you possess the abilities required by the different categories, which you may utilise to build your portfolio. Although it might be challenging to demonstrate numerical application abilities in an essay-based subject, there are numerous possibilities to do so in order to succeed in A-level law. The following are ideas that will help you identify resources in a field of study that this book generally covers. A few recommendations go a bit beyond this book, connecting to topics that might be valuable for course review leading up to the synoptic exam at the conclusion.

Several essential qualities and skills may be considered when determining someone's contract law expertise. These abilities are essential for comprehending, interpreting, and successfully putting contract law ideas into practise. The following are some of the main competencies that may be evaluated in contract law:

Legal Analysis

It's critical to gauge a person's aptitude for analysing legal problems and applying contract law concepts to particular factual situations. This competence entails locating relevant legal requirements, figuring out if they apply, and assessing how they affect contractual duties and rights.

Contract drafting

The capacity to draught short, comprehensible, and legally enforceable contracts is a necessary talent. Evaluating someone's ability to structure contracts, use proper language, and include required clauses to safeguard the parties' interests all fall under the category of assessing their contract writing abilities.

Contract Interpretation

Understanding the purpose of the parties, deciphering ambiguous language, and resolving conflicts resulting from contractual clauses are all part of the expertise of contract interpretation. The capacity to identify significant phrases, ascertain the duties of the parties, and use concepts of contract interpretation, such as the objective purpose of the parties, are all part of the assessment of contract interpretation abilities.

Communication and Negotiation

To get to an agreement on the terms of a contract, parties must often negotiate and communicate. When assessing someone's negotiating and communication abilities, experts look at how well they can express their client's perspective, fight for favourable conditions, and come to amicable settlements.

Legal Research

The ability to identify and evaluate pertinent case law, legislation, rules, and other legal sources is essential in contract law. Finding and analysing legal materials to support claims or advising clients on contractual issues are key components of assessing a person's legal research abilities.

Solving problems

Complex problems and conflicts involving contracts often call for strong problem-solving abilities. A person's capacity to analyse complicated contractual situations, suggest viable solutions, and provide helpful and legally sound counsel to settle conflicts is evaluated when assessing problem-solving abilities in contract law.

Detail-Orientation

In contract law, detail-orientation is essential to ensuring the correctness and efficacy of contractual terms. Examining a person's attention to detail entails judging how well they can see possible problems, carefully analyse contract terms, and make sure all relevant clauses are included.

Ethical Awareness

Determining an individual's ethical awareness in contract law entails assessing their knowledge of professional obligations, such as maintaining confidentiality and being loyal to clients. This competency evaluates a person's capacity to deal with moral conundrums that could develop in contractual agreements.

It is crucial to remember that evaluating these talents calls for a blend of academic understanding, real-world experience, and critical thinking. A variety of techniques, including as written evaluations, case studies, simulations, oral presentations, and practical exercises, may be used to evaluate these competencies. Evaluating these crucial contract law competencies offers a thorough picture of a person's capacity to handle contractual situations, provide sound legal counsel, and defend the rights of clients. Organising a debate around a specific situation (many of the issue questions at the end of chapters are appropriate for this). The phases could be:

1. As a group, plan the work breakdown. For example, it will need to be decided that pairs or small groups will investigate various legal elements of the issue, including gathering case information and sources to be referenced, and that speeches will be prepared for presentation. A leader should be chosen to manage communication and information sharing. Create a channel for communication; if possible, utilise email. Set timeframes and an agreement on how the data will be recorded.
2. Conduct the study in predetermined groups. Work together with the group to distribute information and the workload of recording in order to meet deadlines. To make sure that objectives are met, keep an eye out for relationship issues in the workplace. Examine achievements and objectives, and, if required, change plans with agreement.
3. Host the debate and invite guests. You might ask the moderator to be a teacher or a fellow student.
4. Set up a post-moot discussion group to solicit comments. Encourage constructive feedback and recommendations for improvement to be included in this. Make a presentation on a chosen general interest subject from the course, such as contracts for minors. This can be a presentation for the class.
5. As a group, plan the distribution of tasks. For example, it will be necessary to agree on pairs or small groups researching various legal aspects of the issue, including obtaining case details and references to be cited, and preparing presentation materials, such as the text of an oral presentation, OHP (overhead projector) text, and OHP illustrations (instead, prepare text and illustrations for a Powerpoint presentation, if facilities for this are available on the site). Designate a leader to oversee communication and the sharing of information. Create a channel for communication; if possible, utilise email. Set timeframes and an agreement on how the data will be recorded.
6. Conduct the study in predetermined groups. Work together with the group to distribute information and the workload of recording in order to meet deadlines. To make sure that objectives are met, keep an eye out for relationship issues in the workplace. Examine achievements and objectives, and, if required, change plans with agreement. Make sure the presenting style remains constant.
7. Deliver the lecture and extend an invitation to others.
8. Set up a post-moot discussion group to solicit comments. Encourage constructive feedback and recommendations for improvement to be included in this. An alternative method for doing this would be to have attendees fill out a questionnaire.

Problem solving

You must complete a challenging exercise that requires detecting a problem and offering a solution in order to demonstrate this talent. You must put a plan into action in order to complete the core skills course. Contract law problems are simple to identify; most of the issues in the end-of-chapter questions are relevant. One of the features of this course is the offering of a solution to this sort of theoretical issue. However, since the offered situations are hypothetical and not actual instances that may be brought to court, you cannot put the answer into practice. As a result, your evidence in this case will be confined to PS3.1 and PS3.2.

Improve own learning performance

You will need two study-based learning examples, two activity-based learning examples, and one example of applying learning from at least two distinct settings to meet the needs of a new circumstance in order to demonstrate progress. For this exam, it's crucial to make plans to meet with a tutor who can help you gather the required supporting documentation.

The following actions might be included in a plan that was created:

- a. **LP3.1:** Set goals and make plans for achieving them with the assistance of the proper persons.
- b. **LP3.2:** Follow your plan, acquire feedback and assistance from the right people to help you reach your goals, and utilise various learning strategies to adapt to changing circumstances.
- c. **LP3.3:** evaluate how well objectives have been met, compile proof of accomplishments, and decide on a course of action for enhancing performance with the help of the appropriate individuals.

III. CONCLUSION

As a result, competence in contract law necessitates the acquisition and evaluation of a number of critical abilities that are crucial for both laypeople and legal professionals who engage in contractual interactions and resolve

associated conflicts. These abilities are essential to the effective writing, negotiating, interpreting, and enforcement of contracts. Legal practitioners and anyone involved in contractual problems must evaluate their core contract law competencies. Professionals may give efficient legal advice, negotiate advantageous terms, and guarantee the successful settlement of contract-related issues by learning and perfecting these abilities. These abilities are the cornerstone for successfully navigating the complexity of contract law, whether one is negotiating, interpreting, or enforcing contracts.

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