



So you have taken contracts?

Now Reform Them

Citizen Works, a 501 (c) (3) nonprofit organization founded by Ralph Nader, is assembling a top notch team of interns, recent graduates and delayed-start associates looking for a public interest position to help reform the law of contracts.

You are a lawyer (or lawyer-to-be). How many contracts of adhesion have you signed for your Cell Phone? Software? Loans? Insurance? Auto Purchases/Rentals? Hotel/Travel Accommodations? Home Mortgage? Fitness Center?

Do you accept unequal (if any) bargaining power via shrink wrap or click wrap agreements? Have you clicked on “I accept” or “I agree” before reading and negotiating the terms? Oh, there is no negotiation you say?

Welcome to the world of contracts of adhesion, known as standard form contracts or boilerplate contracts. It is a world in which controlling processes, e.g. “click here,” and the unread fine print have replaced consumer contractual consent to facilitate corporate America’s transactions—and profit margin.

But guess what?

- Did you just give up your day in court for mandatory arbitration?
- Did you just agree to waive your right to a jury trial?
- Did you just agree to pay the seller’s attorney’s fees?
- Did you just consent to a unilateral change in terms?
- And what did you do about the acceleration clause, delinquency clause, the seller’s right to assign or repossess?
- Did the seller just disclaim its warranty and liability for consequential damages?

Did you do nothing, implicitly agreeing to “take it or leave it”—like the hundreds of millions of consumers who are subject to these provisions with little to no bargaining power?

Spend some time in a productive public interest pursuit. Fight back. Help reform contract law. Interested?

Read more.

Working under the supervision of experienced public interest lawyers, your work on the Contract Reform Team will consist of one or more of the following: Legal research, writing, public education, media outreach, advocacy, rulemaking, legislative initiatives, and/or litigation.

For example, our team will:

1. Collect and analyze examples of anti-consumer contract provisions across a wide array of products/services
2. Assemble examples of model (pro-consumer) contracts and work with law professors, consumer groups, government agencies to develop model contracts
3. Collect examples of legislative proposals from states and Congress
4. Commission and disseminate scholarly work on existing and emerging anti-consumer trends
5. Develop materials for schools
6. Work against the advance of anti-consumer provisions
7. Lobby for pro-consumer model contract legislation
8. Lobby to ban per-se anti-consumer provisions
9. Petition the Federal Trade Commission to ban anti-consumer provisions from contracts
10. Petition state consumer agencies to ban anti-consumer provisions from contracts
11. Build a coalition of consumer/labor groups to support project initiatives
12. Work with large membership organizations to “collectively bargain” with issuers of consumer contracts to avoid one-sided terms

We anticipate engaging in litigation, setting up conferences for stakeholders, and a variety of other initiatives in the next year. Please indicate your projected availability in your application.

Directions to apply for the 2011 Contract Reform Team:

This project is being supervised by Theresa Amato, the executive director of Citizen Works, and an experienced public interest lawyer/litigator, along with the counsel of consumer advocate Ralph Nader, who has taught a course on contracts of adhesion at American University’s Washington College of Law, as well as other contracts professors and public interest lawyers.

The position is unpaid, but we will work with you if you are eligible to obtain funding from other sources. You may conduct your research/contribute to this effort from anywhere. There will be regular team meetings in downtown Chicago. If we have a critical mass of team members in a particular locale, such as Boston, DC, or New York, we may also establish team meetings there. Otherwise we will have biweekly meetings by phone in which you are expected to participate.

To be eligible for a position on the contract reform team you must, at minimum:

- 1) Want to learn about unfair consumer provisions and trends in contract law;
- 2) Be a self-starter able to take assignments and produce excellent work product on your own, on schedule and as part of a team;
- 3) Be dedicated to advancing justice by removing unconscionable anti-consumer provisions in contract law.

For this project we also need people with a variety of advocacy skills above and beyond being able to read and dissect unfair contract provisions and statutory construction. Are you good at one or more of the following: research, public speaking/education, web design, coalition building, graphics, video production, the arts, etc.? Please let us know.

Send your résumé and any inquiries to theresa@citizenworks.org, with the words “contract team” in the subject line. Please include a cover letter of interest.

Decisions are made on a rolling basis as we assemble a top notch team. We think you will have an unforgettable experience that will change the way you look at the contracts in your daily life as a consumer, taxpayer—and as a lawyer.

Thank you for your interest.