



Small Business
Legal Clinic
Lewis & Clark Law School

SBLC@LCLARK.EDU

503-768-6940

[HTTPS://LAW.LCLARK.EDU/CENTERS/SMA
LL BUSINESS LEGAL CLINIC/](https://law.lclark.edu/centers/small_business_legal_clinic/)

Wildfire and Disaster Planning for Small Businesses: *Contracts*

Shanna Knight

STAFF ATTORNEY

Disclaimer : Presentation is for informational purposes only. Consult an attorney for legal advice on contracts / agreements.

Negotiating Contract Clauses in Case of Disaster

- Purpose of the Contract
- Termination
 - Default: at the end of a period of time or specific work, or because of breach
 - But can also be by:
 - Mutual agreement
 - With Notice
 - In the event of death or frustration of the purpose of the contract
- Escape clauses / built-in abatement
- Force Majeure
 - Something you have no control over
 - Delay or terminate
 - Make sure it protects you!
 - Be specific!
- Dispute Resolution

I Already Have a Contract, What Now?

- Negotiate!
 - You should start the conversation, acknowledge it is no one's fault, propose terms you would be willing to accept
 - Clause – amendments must in writing and signed
- Review your contract
 - Purpose, Termination, and Force Majeure
 - Lease – in the event of destruction
 - Dispute Resolution
- Last resort – breach
 - Keep copies of your contract & attempts to negotiate
 - Small claims court -- usually \$10,000 or less

Small Business Legal Resources for Wildfires and Other Disasters

- https://law.lclark.edu/centers/small_business_legal_clinic/resources/sblc-resources/



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