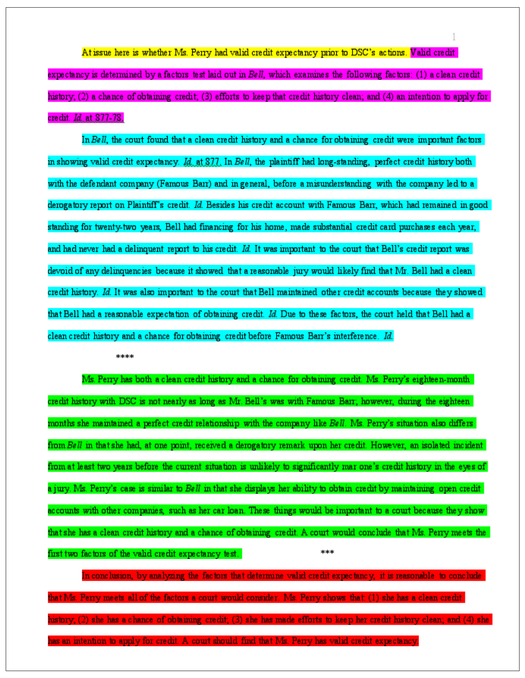
The Look of a **CREAC**



At issue here is whether Ms. Perry had valid credit expectancy prior to DSC's actions. Valid credit expectancy is determined by a factors test laid out in *Bell*, which examines the following factors: (1) a clean credit history; (2) a chance of obtaining credit; (3) efforts to keep that credit history clean; and (4) an intention to apply for credit. *Id.* at ¶77-78.

In *Bell*, the court found that a clean credit history and a chance for obtaining credit were important factors in showing valid credit expectancy. *Id.* at ¶77. In *Bell*, the plaintiff had long-standing, perfect credit history both with the defendant company (Famous Barr) and in general, before a misunderstanding with the company led to a derogatory report on Plaintiff's credit. *Id.* Besides his credit account with Famous Barr, which had remained in good standing for twenty-two years, Bell had financing for his home, made substantial credit card purchases each year, and had never had a delinquent report to his credit. *Id.* It was important to the court that Bell's credit report was devoid of any delinquencies because it showed that a reasonable jury would likely find that Mr. Bell had a clean credit history. *Id.* It was also important to the court that Bell maintained other credit accounts because they showed that Bell had a reasonable expectation of obtaining credit. *Id.* Due to these factors, the court held that Bell had a clean credit history and a chance for obtaining credit before Famous Barr's interference. *Id.*

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Ms. Perry has both a clean credit history and a chance for obtaining credit. Ms. Perry's eighteen-month credit history with DSC is not nearly as long as Mr. Bell's was with Famous Barr; however, during the eighteen months she maintained a perfect credit relationship with the company like *Bell*. Ms. Perry's situation also differs from *Bell* in that she had, at one point, received a derogatory remark upon her credit. However, an isolated incident from at least two years before the current situation is unlikely to significantly mar one's credit history in the eyes of a jury. Ms. Perry's case is similar to *Bell* in that she displays her ability to obtain credit by maintaining open credit accounts with other companies, such as her car loan. These things would be important to a court because they show that she has a clean credit history and a chance of obtaining credit. A court would conclude that Ms. Perry meets the first two factors of the valid credit expectancy test.

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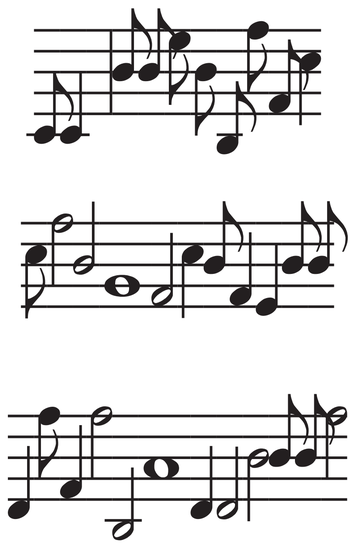
In conclusion, by analyzing the factors that determine valid credit expectancy, it is reasonable to conclude that Ms. Perry meets all of the factors a court would consider. Ms. Perry shows that: (1) she has a clean credit history; (2) she has a chance of obtaining credit; (3) she has made efforts to keep her credit history clean; and (4) she has an intention to apply for credit. A court should find that Ms. Perry has valid credit expectancy.

C
R
E
A
C

- Use highlighters to show visual learners the contrast between each section of legal argument.
- Students can easily see if they are missing a section of the paper.

The Sound of a **CREAC**



- Effective legal writing has a cadence. There is a repetitive pattern to the material that students can hear.
- Read a good structure paragraph out loud to the students.
- Have students read to each other.
- Direct students to software packages or web sites where they can go and upload material and have it read back to them.

Turning the Lightbulbs on

Effective ways to teach **CREAC** to all types of student learners

The Feel of a **CREAC**

Give students one chocolate chip cookie

C: Each afternoon there must be a snack.

R: Only cookies count as a snack.

E: Students define cookie by describing X: round, brown, with chocolate chips, sweet and crunchy.

A: Compare X v. Y to test if peanut butter cookie really is a cookie.

What is a Cookie?

X.

Y.

The Outline of a **CREAC**

Reverse Outline
Discussion Section
Write out your subpoint heading for A.
Then outline your R, E and A paragraphs for your argument

C.

R.

E.1 Thesis?
3 + legally relevant facts?
2+ rationale of court?
Conclusion to E

E.2 Thesis?
3 + legally relevant facts?
2+ rationale of court?
Conclusion to E

A.1 Thesis?
List comparisons?
Show rationale comparison?
Conclusion to A

A.2 Thesis?
List comparisons?
Show rationale comparison?
Conclusion to A

- Reader/Writers are able to find structure — or the lack there of — in their own work as long as you give them tools.
- A reverse outline will let them find what is missing doing what they do best.
- Faculty can scan a set of reverse outlines quickly. This allows the faculty member to understand if the class is going in the appropriate direction for the assignment.