

May the Force Majeure Be With You: Examining Emerging Trends in Contract Disputes Related to COVID-19

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In March of 2020, Oregonians were confronted with the first and, it is hoped only, global pandemic of our lifetimes arising out of the spread of COVID-19. In response, Oregon's governor, Kate Brown, issued unprecedented emergency orders mandating the closure of public schools, the partial closure of restaurants and bars, and the effective closure of many other businesses throughout the state. Nearly half a year later, many of these restrictions continue with an end not yet in sight. These and other measures enacted by local, state, and the federal governments have prompted lawyers and their clients to re-examine contractual provisions and common law defenses that may be implicated by COVID-19-related events.

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This article discusses a contractual provision gaining particular attention during the pandemic: the force majeure clause, which is often found in leases and other types of contracts. The article also examines common-law defenses, which may excuse a party's performance on a contract if such excuse is not otherwise foreclosed by the terms of the contract.

Read the full article in the [Oregon Business Lawyer newsletter](#).