The Implied Covenant of Good Faith and Fair Dealing

Sometimes there's a disconnect between "fairness" and the "justice" that is doled out by the legal system. One notable exception is the application by the courts of the concept of "the implied covenant of good faith and fair dealing," writes **David Allen** of **Jaburg Wilk**.

Every contract consists of one or more *express* agreements, legally referred to as "covenants" between the parties, Allen explains. But inherent in every contract is also an unwritten *"implied"* additional covenant that is not expressly set forth; namely, the implied covenant of good faith and fair dealing.

In his article, he explains the obligations mandated by the implied covenant and how courts can be expected to enforce them.

Read the article.

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