

13-807. Acceptance; definition.

An acceptance is a statement or conduct made by one party to the other, showing that party's agreement to the terms of the other party's offer. For _____ to have accepted _____'s offer, [he] [she] [it] must have informed _____ by a statement or conduct that [he] [she] [it] agreed to the terms of the offer.

USE NOTE

This instruction should be given in conjunction with whichever additional acceptance instructions are necessary to resolve the particular dispute. If it is contended that a purported acceptance changed the terms of the offer, then this instruction should be given with UJI 13-808 NMRA. If it is contended that the offeree failed to respond in the way called for within the offer, then this instruction should be given with UJI 13-810 NMRA. Where it is contended that an offer was accepted by silence (UJI 13-811 NMRA), or by performance (UJI 13-812 NMRA), or that the offer was revoked (UJI 13-813 NMRA), the appropriate instruction should be given. [Adopted, effective November 1, 1991; as amended by Supreme Court Order No. 18-8300-013, effective for all cases pending or filed on or after December 31, 2018.]