

## **LAW 300-01**

# **THE LEGAL ENVIRONMENT OF BUSINESS**

**SPRING - 2007**

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Section 1  
Wednesday: 6:05 pm – 9:25 pm  
Room: Biological Sciences 103

### **ABOUT THIS COURSE:**

Our title, The Legal Environment of Business, is meant to convey a different emphasis than that found in traditional business law courses. In this course additional attention is given to public and regulatory law topics with additional non-traditional coverage of the law of contracts and the Uniform Commercial Code. Law is identified as changing and dynamic and throughout the course attention is directed to the social, economic, and political forces which shape law. While attention is given to the understanding of legal rules, an emphasis is placed on understanding the forces which produce the law and shape the legal environment in which businesses operate in the United States.

The nature of what is meant by law is explored first, followed by an investigation into how civil disputes are resolved in court and alternative dispute resolution systems. We next explore three sources of law, which are relevant to U.S. business: common law, statutes, and administrative law. After this, we explore the substantive law of business crimes and torts. We will also cover the law of contracts, the Uniform Commercial Code, employment law, and the different forms of business organizations.

The material covered in this course provides the legal foundation for all future law courses and especially Management 493.

**As a warning, you will be required to do a considerable amount of reading in this course.**

**ABOUT THIS COURSE'S OBJECTIVES:**

1. To increase the students reasoning skills and encourage an analytical approach and critical thinking skills to aid in solving business problems.
2. To develop awareness in students of the legal environment in which U.S. business firms operate and to prepare students to understand how the law impacts business decision making.
3. To develop an understanding of the nature of law and legal systems and methods of alternative dispute resolution.
4. To introduce students to the nature of white collar crimes as they impact the business community.
5. To introduce students to important public, regulatory law topics, including constitutional limits on government regulation of business, regulation of the employment relationship, including employment discrimination laws, and an introduction to the forms of organization of business, and bankruptcy.
6. To provide students with an understanding of private, civil law topics which impact business, including the law of contracts, intentional torts, negligence theory and strict liability for defective products.

**ABOUT YOUR TEXT:**

You will only need one text for this course: *Business Law and the Legal Environment (Standard Edition)* Fourth Edition 2007, Beatty & Samuelson, West, ISBN: 0-324-30397-1

In addition, I may use outside videos, including *The Legal Environment of Business: Making Decisions, Managing Risks* (2000) Professor Jane Mallor, Professor of Business Law, Kelley School of Business, Indiana University, and *Mediation, the Seven Stage Model*, produced by the Commission on Dispute Resolution and Conflict Management.

An outline of the videos and suggested power point presentations for my lectures are available on my web cite. However, I may not use all the videos or power point presentations in class. They are provided to assist you only in your preparation.

**ABOUT YOUR INSTRUCTOR:**

I have earned a Bachelor of Arts Degree with majors in psychology, sociology, and history and the Juris Doctor Degree from Ohio Northern University. I have also attended the University of Cincinnati. I have completed postgraduate studies, courses, and certifications, offered by the National Judicial College, the National Counsel of Juvenile and Family Court Judges, both associated with the University of Nevada, and the University of Memphis.

I retired from the Common Pleas Court of Mercer County, Ohio, where I served as Magistrate, after thirty one years on the bench including having served as a United States Magistrate. Prior to assuming the bench, I was in private practice. I have also served as a business and management consultant to numerous corporations. I am certified as a Mediator, have taught numerous courses for the Ohio Judicial College, and have served as Vice-Chair of the Ohio Judicial College. I have been honored with being recognized by the Ohio Supreme Court and the Ohio Association of Magistrates for contributions to the judicial profession and judicial education. At the request of the Common Pleas Court in Greene County, I am currently serving as a visiting Magistrate hearing special cases for the Court.

I am also a retired firefighter, emergency medical technician, and hazardous material technician.

### **ABOUT OFFICE HOURS:**

I am strongly committed to assisting you in learning. As a result, appointments are available at any time. Just ask and we will schedule. As a general rule, I will be in the office for walk-in conferences on Wednesday from 4:30 to 6:00 pm.

### **ABOUT THE GRADING SYSTEM, INCLUDING ATTENDANCE:**

My goal is to have 100% of the class obtain an “A”. However, this will not be possible unless you do the work and *participate*. My grading system is based upon 290 points. The points are assigned as follows:

8 quizzes (15 points each)	120
Midterm	50
Final	100
Case brief	20
Total	290

Note that there are 8 quizzes during this course. If you have read the assignment and keep awake during the lectures, you will find the quizzes are a snap.

I strongly believe that **you need to be here for classes**. I will take attendance. Each unexcused absence will result in your losing five (5) points. In addition, if you are more than 15 minutes

late for class you will lose 2.5 points. The only excuses which will be accepted are documented illness, death in family, and mandatory University attendance. **All requests for excused absences must be in writing with supporting documentation as appropriate. All requests for excused absences must be presented by the last day of class.**

Trust me on this one, regular attendance and reading the chapters will make the quizzes a breeze.

I will reserve adding bonus points for outstanding work and outstanding class participation.

Even with the possible bonus points, some of you may feel the need for an opportunity to do extra credit work. If you wish to do extra credit work, I will permit one extra writing/research project. You will need to see me prior to the end of the 4th week (April 18, 2007) in my office to discuss the details of this project and the possible points you could earn. No permission for extra credit will be granted after April 18, 2007).

Quizzes and examinations will mostly be true and false, multiple choice, or matching. I do not believe in creating tricky questions. They all will come directly from the book, the videos, or the lectures. However, if you do not agree with the answer that I use for grading purposes, you may dispute the same **IN WRITING**. You may present a written argument as to why you think the answer is wrong with support documentation. The chances are that even if I think you are wrong, you will receive extra points for this exercise.

#### **Grading Scale:**

A	261 - 290 points
B	231 - 260 points
C	201 - 230 points
D	171 - 200 points
F	170 points or below

#### **ABOUT THE FINAL**

During the introduction class period, I will give you the choice of taking one of the following finals:

1. Ten (10) essay questions covering 10 of the chapters chosen by me to be given on Wednesday, June 6, 2007, at 8:00 pm.
2. Fifty (50) multiple choice questions to be given on Wednesday, June 6, 2007, at 8:00 pm.
3. Fifty (50) true or false questions with Fifty (50) multiple choice questions. This will be a take-home, open book, final which would be passed out on Wednesday, May 23, 2007, and be due to be turned in no later than 9:25 pm on Wednesday, May 30, 2007.

#### **ABOUT EXAMINATION SECURITY:**

Examinations and quizzes in this course are the property of the University and NOT the student. Corrected exams will be made available for review in a controlled environment, either the classroom or another area designated by the instructor. Students are not permitted to leave the area with the exam or quiz or copy the same. A violation of this rule will be considered a breach of academic honesty leading to remedial action consistent with College and University policy.

### **ABOUT CLASS CANCELLATION:**

If class is canceled due to inclement weather or for any other reason, the materials scheduled for the day class is canceled will be covered at the next class meeting, in addition to the new materials. This procedure includes any scheduled examinations or written materials.

### **ABOUT MAKE UP EXAMS:**

The Department of Management does not require make-up examinations. However, if you meet the requirements, I do permit them. **All requests for a make up quiz or examination must be in writing with supporting documentation as to why you should be permitted to make up the quiz or exam. All missed quizzes or exams must be made before the last class.**

### **ABOUT THE COURSE FORMAT:**

***You will find that I do not teach like the normal college professor. I believe strongly in your participation in the class room setting and you can receive substantial bonus points for taking part in class room discussion that is well thought out and presented***

In addition, we may be viewing part of a series of videos along with other videos pertinent to the subject matter. These videos have been chosen because I feel that they will give you a different national look at the subject matter. We will review the videos and the subject matter in class depending on the time we have.

Because of the size of the class, there will be considerable lecture. However, I hope we can develop dialogue between the instructor and students and students and students. Nothing will please me more than to have disagreements about the subject matter. That is the nature of the study of law. If everyone agreed, we would not need courts, judges, lawyers and courses like this. Even if you are wrong, you will not be punished or ridiculed for expressing your views or opinions.

### **ABOUT YOUR PAPER:**

You will prepare a paper for this class. If it is not timely turned in will have five (5) points deducted for each day it is late. Copies of my grading criteria are also on my web cite.

During class I will teach you to brief a case. For this paper you will brief the following case: *Texas v Johnson* 491 U.S. 397, 109 S.Ct. 2533 (1989)

As I will instruct during class, you will find this case in its entirety in a legal digest and copy only the front page and attach the same to your paper. You will then proceed to formally brief this case as instructed in class. This paper will be due on **Wednesday, April 25, 2007, by the end of class.**

This paper shall be (1) computer generated, (2) double spaced, (3) with a cover page. On the cover page will be: (4) your name, (5) the professor's name, (6) the case name and (7) citation. On each following page will be (8) your name and (9) each page consecutively numbered. A copy of the front page of the case shall also be included (10) and all papers shall be stapled together in the upper left hand corner (11). Note that there are eleven (11) separate instructions here. If you do not follow these instructions, you will loose 2 points for each one missed. This paper is worth 20 points. However, if you fail to follow these instructions, no matter how well you write your paper, you may end up losing points.

### **ABOUT ACADEMIC INTEGRITY:**

It is the policy of Wright State University to uphold and support standards of personal honesty and integrity for all students consistent with the goals of a community of scholars and students seeking knowledge and truth. Furthermore, it is the policy of the University to enforce these standards through fair and objective procedures governing instances of alleged dishonesty, cheating, and other academic misconduct.

The following recommendations are made for all students:

1. Be honest at all times.
2. Act fairly toward others. For example, do not disrupt or seek an unfair advantage over others by cheating, by talking, or by looking at other individuals work during exams.
3. Take group as well as individual responsibility for honorable behavior. Collectively, as well as individually, make every effort to prevent and avoid academic misconduct, and report acts of misconduct that you witness.
4. Do not turn in the same work in more than once class unless permission is received in advance from the professor.
5. Unless permitted by the instructor, do not collaborate with others on graded course work,

including in class and take home tests, papers, or homework assignments.

6. Know what plagiarism is and take steps to avoid it. When using the words or ideas of another, even if paraphrased in your own words, cite the source.

7. Know the policy – ignorance is not defense. If you have any questions regarding academic misconduct, contact the instructor. Those who violate campus rules are subject to disciplinary action.

For a complete statement of the University's Academic Integrity Policy, access:

[http://www.wright.edu/students/judicial/stu\\_integrity.html](http://www.wright.edu/students/judicial/stu_integrity.html)

### **TENTATIVE COURSE SCHEDULE:**

Date	Topic	Reading Assignment
1. Wed. 3/28/07	Introduction, Introduction to law, <b>Quiz #1</b> over Chapter 1. Legal Research	Chapter 1
2. Wed. 4/4/07	Legal Research Continued. How to brief a case, Video on dispute resolution, Discussion. <b>Quiz #2</b> over Chapters 2 & 3	Chapters 2 & 3
3. Wed. 4/11/07	Common law, statutory law, administrative law, constitutional law, and crimes <b>Quiz #3</b> over Chapters 4, 5, & 8	Chapters 4, 5, & 8
4/13/07	Last day to withdraw without a grade	
4. Wed. 4/18/07	Intentional torts, business torts, negligence and strict liability. <b>Quiz #4</b> over Chapter 6 & 7	Chapters 6 & 7
5. Wed. 4/25/07	Contracts. <b>Quiz #5</b> over Chapters 10, 11, 12, 18, <b>Paper due</b>	Chapters 10, 11, 12, 18
6. Wed. 5/2/07	<b>Midterm</b>	Chapters 1, 2, 3, 4, 5, 6, 7, 8, 10, 11, 12, 18
7. Wed. 5/9/07	The Uniform Commercial Code, <b>Quiz #6</b> over Chapters 19, 20, 21, 22, 23, 24, 25, 26	Chapters 19, 20, 21, 22, 23, 24, 25, 26
5/11/07	Last day to drop with grade of W	
8. Wed. 5/16/07	Bankruptcy.	Chapter 27
9. Wed.	Agency and Employment law, <b>Quiz #7</b> over	Chapter 28, 29, 30

5/23/07	Chapters 28, 29, & 30	
10. Wed. 5/30/07	Business organizations, <b>Quiz #8</b> over Chapters 32, 33, 34	Chapters 32, 33, 34
Final to be announced	<b>Final</b>	Chapters 1, 2, 3, 4, 5, 6, 7, 8, 10, 11, 12, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 32, 33, 34.