SYLLABUS
SKIDMORE COLLEGE
SPRING 2005

COURSE NUMBER: MB 333

COURSE-TITLE: Business Law I

INSTRUCTOR: Christine C. Kopec
Office: 207A Harder Hall
Phone: 580-5116; home: 677-3876 (before 9pm)
Office hours: 10:00 am - 12:00 Wednesday
11:30 am - 12:30 Thursday
Or, by appointment

CATALOGUE DESCRIPTION: A study of the origin of laws, the court system, and legal procedures with emphasis on their impact in business and economic situations, in-depth study of the laws of contracts, agency, corporations and partnerships with examination and briefing of existing case law in these fields. (3 credits)

GENERAL COURSE OBJECTIVES

* Familiarize students with the American legal system and how it relates to doing business. The case study method will be used to promote issue identification and a real world problem solving approach is used to develop an understanding of how to use law in an everyday business context.

* Familiarize students with legal terminology and concepts as they relate to the business community. Accountants, financial executives, marketing experts and other specialists are in frequent contact with each other -- and with their lawyers! -- and must be able to communicate knowledgeably about legal issues.

* Develop an understanding of the legal principles governing business, and of their underlying philosophy, including :an overview of areas of law such as administrative, constitutional, criminal and negligence; and a more in depth study of business entities and their relationships, contracts, agency, partnerships, corporations and limited liability companies. Such understanding will provide a basis for discussing and evaluating the appropriateness of legal principles from a public policy and ethical perspective.

* Develop an understanding of dispute resolution procedures and legal remedies that are relevant to the business community.
SPECIFIC EDUCATIONAL OBJECTIVES

Students who actively engage in learning in this class will be able to:

1. Recognize, remember and use correct legal terminology.
2. Identify legal and ethical issues within a business context.
3. Apply their knowledge of terminology and issue identification to business situations, case studies and fact patterns to determine if legal/ethical problems exist.
4. Express the legal/ethical issue clearly and succinctly while using appropriate terminology.
5. Analyze the legal/ethical issue within the context of the business setting to formulate a possible solution based on the law, ethics, public policy and social mores (and not on personal opinion, experience, etc.).
6. Communicate the solution to any legal/ethical dilemma clearly, succinctly and persuasively - both orally and in writing.

TEACHING METHODS: Lecture, discussion, case and written analysis.

REQUIRED TEXT


Skidmore Guide to Writing

Periodic handouts of interest

GRADING AND EVALUATION METHODS:

* Three noncumulative exams will be given. Each will constitute twenty (20) percent of the final grade. All exams are announced in advance; No make-up exams will be given without a doctor’s note or the prior consent of the instructor, which may be given in my discretion

* A paper will constitute fifteen (15) percent of the final grade. The paper will require reading and analyzing a short case, devising an issue for the case and writing a persuasive opinion about the court’s holding.
* A written case analysis and brief on a case that will be given out in class, but briefed out of class, will constitute ten (10) percent of the grade.

* Completion of a class project relating to limited liability companies, will constitute five (5) percent of the grade.

* The written completion, self-editing, and peer editing, of a problem and a discussion of it will constitute five (5) percent of the grade.

* Class participation will constitute five (5) percent of the grade. Participation is defined as presence (meaning that attendance is mandatory), preparation (meaning prior reading of the text material is required), active and informed discussion and involvement in class conversation and projects. Oral briefing of cases in class will also count toward this portion of the grade.

Two unexcused cuts will be allowed; absenteeism in excess of that allowance will result in a reduction in this portion of the grade.

In order to complete the course all requirements must be met in a timely, competent manner. All writing (including answers to essay exam questions) must be high caliber, with correct spelling and grammar, and must evidence fluency and sophistication with language. Remember, too, that this is a law class; use correct legal terminology.

Grading will be determined as follows:

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<th>Score Range</th>
<th>Grade</th>
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<tr>
<td>97-100</td>
<td>A+</td>
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<td>94-96</td>
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* Artful communication is an essential part of the practice of law, and so must be a part of your understanding of the law as we will discuss it. Hence, WRITING COUNTS! All written work will be evaluated, and graded, on style as well as content. It is imperative that you construct well-conceived work that is grammatically correct and evidences a firm grasp of the mechanics of writing - sentence structure, logical presentation, solid and appropriate vocabulary (no slang or informal, conversational usage). Your grade on any written work will reflect your ability to write fluently. We will discuss this fully in class and there will be some written "helpful tips" for good writing. In addition, please feel free to discuss this topic with me at any time.

**TOPICAL OUTLINE**
January 25  T  General Introduction  c. 1
January 27  Th  Introduction to the Law  c. 1
CASE BRIEFING
  Caldwell v. Bechtel  pp13-14
Intro to Business ethics:
  Corporate Ethical Responsibility

February 1  T  Ethics, con’t
  Oliver Winery
  Stakeholder analysis
Judicial System; Civil Dispute Resolution  c. 3
  Worldwide Volkswagen
written problem assigned

February 3  Th  Constitutional Law  c. 4
  Brentwood Academy
  Chemical Waste

February 8  T  Administrative Law  c. 5
WRITTEN PROBLEM DUE
  peer editing

February 10  Th  Criminal Law  c. 6
EDITED PROBLEM DUE

February 15  T  Torts:
  Intentional torts
    Vaughan v Wal-mart
    Texaco v. Pennzoil

February 17  Th  Torts:
  Negligence
    Ryan v. Friesenhahn

February 22  T  catch-up/review

February 24  Th  EXAM chapters 1-8

March 1  T  Review exam
Intro to Contracts  c. 9
  Steinberg v. Chicago Medical School
Gorham v. Benson Optical
CASE HANDOUT FOR BRIEF

March 3  Th  Assent  c. 10
   City of Everett
   Newman v. Schiff

March 8  T  Assent, con't  c. 11
   International Underwater Contractors
   Berardi v. Meadowbrook

March 10  Th  Consideration  c. 12
   Pearsall v. Alexander; Denny v. Reppert

BRIEF DUE

**************************************************SPRING BREAK MARCH 12-20**************************************************

March 22  T  Illegality, Capacity  c.13, 14
   Earthweb, Inc.
   Henrioulle v. Marin Ventures
   In re The Score Board

March 24  Th  Contracts in Writing  c. 15

March 29  T  Third Parties; Performance  c. 16, 17
   Macke Company

March 31  Th  Remedies and review  c. 18

April 5  T  CONTRACT EXAM

April 7  Th  Agency  c. 29
   Jaeger v. Western River
   Miller v McDonalds

REVIEW EXAM
Hand out paper assignment

April 12      T    Agency
              Ethical Dilemma p.589
              Rubin v. Yellow Cab Co.

April 14     Th    Overview of Partnerships, LLCs and Corporations

April 19     T    Agency papers prepared

April 21     Th    Partnerships
              Chaiken v. Employment Security Comm

Paper due

April 26     T    LLC project
              Limited Liability Companies

April 28     Th    Corporations
              c. 34, 36

May 3        T    Wrap-up/Review/evaluations

BUSINESS ENTITIES EXAM TO BE GIVEN DURING THE SCHEDULED EXAM PERIOD

Study Days : May 4-8

Final Exams : May 9-13