Business Law
BUS 202

Instructor: Dr. Bruce Louis Rich
Email: brich@csusm.edu
Class Time: Tuesdays and Thursday
CRN 21187: 9:00 am – 10:15 am
CRN 22104: 1:00 pm – 2:15 pm
Office: Markstein Hall Office # 339
Office phone: 760.750.4254
Office hours: Tuesdays and Thursday 10:30 am – 12:30 pm (or by appointment)

Required Text

Interactive study center available to supplement the text at: http://www.thomsonedu.com/westbuslaw/wbl/index.html. It includes sample quizzes, which will be similar to materials that you can expect on the exams.

Course Description
This course is designed to provide the student with an introduction to the various areas of law that pertain to business, and to teach the student to critically evaluate legal issues. In this course, we will examine the legal and ethical laws, rules, and standards of conduct relating to business operations and administration. Relevant topics will include the Uniform Commercial Code, business entities, agency, employer-employee relationships and negligence. The scope of the course will also include discussion of the social responsibilities and the ethical considerations inherent in the development of these principles and the discussion of ethical obligations in business transactions.

Course Objectives
This survey course is designed to provide the business student with a basic understanding of the legal, regulatory and ethical environment in which business must operate. The intent of this course is not to create lawyers or legal experts, but rather to introduce fundamental principles of business law. Business students, regardless of career focus, will undoubtedly be exposed to business situations that have significant legal implications. As such, the goal of this course is to provide the student with a background in legal principals that will enable the students to make well thought out decisions, devise strategies, recognize legal issues or impediments, and to react appropriately to situations as they arise.

Laptop Policy
The use of laptops or other electronic devices during class including, but not limited to: cellular phones and IPods is prohibited!
# Grading

<table>
<thead>
<tr>
<th>Source</th>
<th>Points</th>
<th>Explanation</th>
</tr>
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<tbody>
<tr>
<td>Exams I, II and III</td>
<td>300 points (100 each)</td>
<td><strong>Examinations:</strong> There will be three multiple-choice exams in this course. While each exam will require the understanding of basic terminology and concepts upon which new materials are built, the exams will not be “cumulative” in the traditional academic sense, but rather focus upon the materials covered in the chapters for that particular exam. <strong>Missed examinations may not be made up without prior permission and exceptional circumstances.</strong></td>
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| Written Course Work | 100 points Total | There will be two written projects. One entitled: Legal Proceedings Report **Due on or before 5:00 PM PST, May 1 2007 (80 points)** No late papers will be accepted. And a mini essay and evaluation of case on contract law (20 points). |

| Participation (See Class Participation Requirement for more detail) | 20 points | Every student will be assigned a day or days in which they will be “On Call.” It is your responsibility on this day to be **WELL** prepared to discuss the cases in the text and the questions at the end of the chapter, including the section highlighted in green entitled “Reviewing…” **Missed “On Call” days can not be made up.** |

## Grading Scale

Your final score will be calculated based on your percentage of total points earned (420). This scale will be applied exactly as shown below.

<table>
<thead>
<tr>
<th>PERCENT</th>
<th>POINTS</th>
<th>GRADE</th>
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<tbody>
<tr>
<td>90 – 100%</td>
<td>378 - 420</td>
<td>A</td>
</tr>
<tr>
<td>86 – 89.9%</td>
<td>361 – 377</td>
<td>B+</td>
</tr>
<tr>
<td>80 – 85.9%</td>
<td>336 – 360</td>
<td>B</td>
</tr>
<tr>
<td>76 – 79.9%</td>
<td>319 – 335</td>
<td>C+</td>
</tr>
<tr>
<td>70 – 75.9%</td>
<td>294 – 318</td>
<td>C</td>
</tr>
<tr>
<td>66 – 69.9%</td>
<td>277 – 293</td>
<td>D+</td>
</tr>
<tr>
<td>60 – 65.9%</td>
<td>252 – 276</td>
<td>D</td>
</tr>
<tr>
<td>≤ 60</td>
<td>≤ 251</td>
<td>F</td>
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## Class Participation Requirement

Within the constraints of the class time limitations, we will conduct in-class discussion and analysis exercises that will require the participation of students who are “On Call.” Students are expected to actively discuss assignments and legal issues raised in class. Therefore, all reading assignments must be prepared in advance of the class in order to gain the full benefit of the course. Students will be called upon in class to report and discuss assigned reading material.
## Schedule

The course will follow this order of material. **Exams will take place during the class period following the completion of the material in each unit.**

### UNIT 1
**The Legal Environment of Business**

<table>
<thead>
<tr>
<th>Chapter</th>
<th>Title</th>
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</thead>
<tbody>
<tr>
<td>1</td>
<td>Introduction to Law</td>
</tr>
<tr>
<td>2</td>
<td>Courts &amp; ADR</td>
</tr>
<tr>
<td>3</td>
<td>Court Procedures</td>
</tr>
<tr>
<td>4</td>
<td>Constitutional Authority</td>
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<tr>
<td>5</td>
<td>Ethics and Business Decision Making</td>
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**Torts and Crimes**

<table>
<thead>
<tr>
<th>Chapter</th>
<th>Title</th>
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<tbody>
<tr>
<td>6</td>
<td>Intentional Torts</td>
</tr>
<tr>
<td>7</td>
<td>Negligence and Strict Liability</td>
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</tbody>
</table>

**Agency**

<table>
<thead>
<tr>
<th>Chapter</th>
<th>Title</th>
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<tbody>
<tr>
<td>31</td>
<td>Agency Formation and Duties</td>
</tr>
<tr>
<td>32</td>
<td>Liability to Third Parties and Termination</td>
</tr>
</tbody>
</table>

**Exam 1**

### UNIT 2
**Contracts**

<table>
<thead>
<tr>
<th>Chapter</th>
<th>Title</th>
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<tbody>
<tr>
<td>10</td>
<td>Nature and Terminology</td>
</tr>
<tr>
<td>11</td>
<td>Agreement</td>
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<tr>
<td>12</td>
<td>Consideration</td>
</tr>
<tr>
<td>13</td>
<td>Capacity &amp; Legality</td>
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<tr>
<td>14</td>
<td>Genuineness of Assent</td>
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<tr>
<td>15</td>
<td>Statute of Frauds</td>
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<tr>
<td>16</td>
<td>Third Party Rights</td>
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<tr>
<td>17</td>
<td>Performance and Discharge</td>
</tr>
<tr>
<td>18</td>
<td>Breach of Contract and Remedies</td>
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**Exam 2**

### Unit 3
**Business Organizations**

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<thead>
<tr>
<th>Chapter</th>
<th>Title</th>
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<tbody>
<tr>
<td>35</td>
<td>Sole Proprietorship and Franchises</td>
</tr>
<tr>
<td>36</td>
<td>Partnerships and Limited Liability</td>
</tr>
<tr>
<td>37</td>
<td>Limited Liability Companies</td>
</tr>
<tr>
<td>38</td>
<td>Corporations Formation and Financing</td>
</tr>
<tr>
<td>39</td>
<td>Directors Officers and Shareholders</td>
</tr>
<tr>
<td>42</td>
<td>Law for Small Businesses</td>
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</table>

**Employment Law**

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<thead>
<tr>
<th>Chapter</th>
<th>Title</th>
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<tbody>
<tr>
<td>34</td>
<td>Employment Discrimination</td>
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</tbody>
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**Exam 3**

3
Legal Proceedings Report  
Due on or before May 1 2007

Attend a trial (or any other courtroom proceeding open to the public), and prepare a written report of at least 5,000 words about your court visit. You may visit a trial/proceeding in San Diego or elsewhere in the United States, or anywhere in the world. Think about the questions below and use your answers to them as the basis for your paper. Please note that there is a two hour minimum for the court house visit. You must view court proceedings for at least two hours (Court recesses do not count towards the two hours). That means you may see only part of a case or – at the other extreme –many cases, depending on the length of each proceeding. Please observe proper courthouse decorum, by dressing appropriately, remaining quiet, and being respectful and courteous. If you have questions about what behavior is expected, courthouse clerks often can answer them for you.

Courts in San Diego:  
http://www.sdcourt.ca.gov/portal/page?_pageid=53,1&_dad=portal&_schema=PORTAL

In San Diego the North County Regional Center is a facility shared by the Superior Court, Sheriff, Probation, District Attorney, Revenue and Recovery, and the Board of Supervisors. The North County Superior Court is a full service branch court. Currently the Court hears Criminal, Civil, Family Law, Probate, Small Claims, Appeal, Adoption, Traffic and Minor Offense cases. This branch court has a venue encompassing most of Northern San Diego County.

Your paper must include legal citations and analysis of 4 reported cases that are related to the proceedings you attended. (It is your responsibility to draw comparisons and contrast between the cases and your proceedings).

Legal Research can be done through LexisNexis Data Base at CSUSM

You must clearly state when you attended court, what courthouse, what judge, and what type of proceeding.

Your assessment of the proceedings and the general conclusions about law, the legal system, and the legal players that may be drawn from the particulars witnessed are very important. Think about what you saw. Be willing to philosophize, if that seems appropriate. Also, if the experience left you with questions, note them.

Questions to address in your paper: (Not all will apply to every visit)

1. What did you see? If you observed a larger case in which you saw only part of the overall case, describe the part you saw (e.g., voir dire, a motion hearing, opening statements) and how it fit into the larger picture of the case.
2. What are the legal and factual problems in the case(s)? Analyze them. Also, analyze how the court or the jury will or did resolve the legal and factual problems presented.

3. What were the legal subjects (e.g., contracts, torts) relevant to the case(s)?

4. What were the relevant and related laws/statutes addressed during the case(s) you viewed? Analyze them.

5. Describe what questions the judge asked during the case(s) and analyze how the attorneys responded.

6. How would you have handled the case(s) as a juror, lawyer, or judge?

7. What did you learn?

**Tips for success on written assignments!**

Keep your assumptions both few in number and small in scope. You should stick to the precise issues at hand and answer questions completely and accurately.

When applying principles of law or other reasoning, follow through on those principles or reasoning, rather than use them only halfway in order to get an easy, albeit wrong answer.

Read your submissions at least twice for grammar and punctuation.

Have someone else read your paper.

**Tips for success on the exams!**

There are two main keys to success on the exams in this class:

**Read the book before class and attend class.**

Highlight key points and make additional notes to help you better understand the information discussed in class.

Do all of the questions and case problems at the end of each chapter and on-line.

Check your legal reasoning with the questions with sample answers.

Prepare your own definitions for the terms and concepts to review at the end of each chapter. Know when the concepts apply and when they do not!
Recommended Readings and Useful Background Materials


West’s California Codes or California Codes on the Internet (From the Legislative Counsel of California) http://www.leginfo.ca.gov/calaw.html


U.S. Constitution http://www.law.cornell.edu/constitution/constitution.overview.html

American Bar Association official Home Page http://www.abanet.org/

Useful free legal research site: http://www.findlaw.com/

Black’s Law Dictionary.

Having Grade Trouble?

• Take charge of your learning experience! Clear your social calendar and get down to some serious course work.

• Work within your study group. If you haven’t formed a study group, do it now!

• Contact your professor via email to request a consultation.

Should I Drop the Course?

Only you can decide if dropping a course is the right thing to do! However, the following questions may help you decide. Please see the academic calendar in the current schedule of classes for the last day to withdraw from a course this semester. Remember: If you stop attending without dropping, you are still enrolled and may earn a failing grade.

Gather Information (Ask yourself these questions)

• What is my current situation in the class?
• What grades have I earned at this point?
• How much time and effort have I put into the course?
• How much of the final grade is already determined?
• What do I need to do differently to improve my situation?
• What does the professor recommend?
• What does my academic advisor recommend?
• How much more time/effort do I need to invest?
• How well do I need to do on future exams/papers?

Identify Options

• What are my chances of passing this class? Of earning a C?
• Do I have a drop available to me? What is the drop policy?
• Will I still be a full-time student after dropping this class? (You must carry at least 12 credits to be considered a full-time student.)
  o If not, how will dropping down to part-time status affect my financial aid/scholarships? (Contact Financial Aid Office)
  o Will dropping to part-time status affect medical coverage?
  o Housing?
• What is the professor's policy on "I" grades (incompletes)? Do I have extenuating circumstances that may warrant the possibility of an "I" grade?

Consider the Consequences of Those Options

• What are the consequences of earning a D+, D or even an E in the class? (Check with your academic advisor.)
• If I am on academic probation (college or university) or being evaluated under universal tracking, how would dropping this course affect me?
• Is this course a prerequisite for something else I need to take? Do I need a C in this course for it to satisfy the prerequisite requirement? Is my foundation solid enough to do well in the next course?
• How will my performance in other classes be affected if I invest additional time and energy to this class? How will dropping this class affect other classes?
• What are the consequences of having a W on my transcript? A couple of W's on a transcript probably won't attract much attention. However, a pattern of W's is quite noticeable and may raise questions.
• If I drop the class, will I have trouble graduating in the term I had planned?