

BA 200A – BUSINESS LAW – LEGAL FOUNDATIONS
Bellevue Community College-Business Administration-Transfer Course
Fall 2010

Lecturer: Karrin Klotz d'Hondt, J.D.
Office Hours: After class and by appointment only.
Class meets: M-Fri, 8:30-9:20 a.m., D274C
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Required Text: *Legal Foundations: BA 200 at Bellevue Community College*, by Carper, West, Berman, et al. Available at the Campus Bookstore and on-line through various textbook sites. (referred to as "LF" in the Course Schedule).

Recommended: *Law Dictionary for Nonlawyers*, by Daniel Oran (West/Thomson Learning, 4th ed., 2000)

I. Course Description:

An introduction to fundamental legal concepts and principles underlying the American legal system, and the structure and function of that system. Emphasis is placed primarily on the sources of law and how legal issues are resolved in a modern business environment, rather than on the substantive rules of law per se. However, the substantive areas of constitutional law, criminal law, torts, contracts, securities law, property law, and intellectual property law will be covered, since these are areas of prime concern to business in the modern legal environment. We will also have a guest speaker on landlord/tenant law. International, e-commerce and Internet-related issues will be discussed in conjunction with topics to which they relate. Given the time constraints, none of these legal areas can be explored in great depth. Students should thus not expect to acquire the knowledge, skills or experience needed to solve practical legal problems. Nonetheless, students should be able to, by the end of the course, recognize when they may have a legal problem, as well as have a good basic understanding of how our legal system works and how that system relates to business and society as a whole.

I will bring in current news articles on legal issues pertinent to our course material, for general observation and class discussion. You are encouraged to do the same; I will give you extra credit for doing so and leading a discussion on the article. Law is an endlessly fascinating subject, and I know you will enjoy and appreciate the class!

II. Class Format:

This class will be a combination of lectures, films or videos, and class discussions. You are responsible for coming to class prepared (i.e., having read the assigned material) to actively participate in class discussions. We will spend a considerable amount of time

discussing cases included in the materials and practical applications of class material. It is my intention to cultivate a classroom environment in which each of us feels free to express opinions and ask questions. **DISRESPECT IN ANY FORM WILL NOT BE TOLERATED.** Check the web site regularly for any Announcements; these may include additional assigned reading materials, or changes in the class syllabus.

III. Grading:

Your grade will be based upon a total of 415 points. These points will be a reflection of the completion of assignments and class participation. Your final grade for the course will be converted from the total points you have accrued to a grade scale based on letter grades (A, A-, B, etc.). This will include a courtroom visit assignment, which will receive a "Pass" or "Fail" grade only; a "Fail" on that paper will cause your final grade to be reduced by 1/2, e.g., from an "A" to an "A-". I reserve the right to determine the final grading scale after all of the points have been earned. Nevertheless, the final scale will look approximately like this:

| | | |
|---------------|---|--|
| 100%-90% | A | <u>Points</u> |
| 90%-80% | B | Midterm - 60 points |
| 80%-70% | C | Final - 80 points |
| 70%-60% | D | Group Project - 125 points |
| 60% and below | F | Participation - 50 points Research Paper - 100 points |

IV. Assignments:

1. PARTICIPATION 50 points [In-class contribution + small in-class or take-home assignments]

Active participation is key to your understanding of concepts discussed in this course. Communication skills are fundamental in the business world and honing this aptitude in the classroom will allow you to perform well in interviews and in your final career. In order to attain a high contribution score you need not attempt to answer every question asked. Those of you who provide insightful commentary, attend each class, foster an encouraging environment for your fellow classmates and complete all of your small assignments will be duly rewarded. Conversely, having your body in a seat at every class is not enough to ensure a high contribution score. Individuals who choose to skip lectures, check email while in class or fail to contribute and turn in assignments will receive low scores, which will affect your final grade for this course negatively. In addition to my assessment of your contribution, you will be asked to personally evaluate your contribution to group projects as well. Note that you will not be able to make up any missed in-class assignments; they will not be posted, meaning you must be present in class to obtain them. Some such assignments will be done in the form of a group discussion, in-class. Others will be individual take-home assignments.

2. GROUP PROJECT 125 points [100 for presentation+25 for detailed peer evaluations]

You will be responsible for researching and preparing a presentation on a case relating to topics we will have discussed in class. The cases are controversial, highly-publicized ones, which have generated a significant amount of public debate. Therefore, you will be able to find ample research material on them. One such project will be a mock trial. All such assignments are team projects; I will assign you to a team at the beginning of the third week of class. Your group is only as strong as its weakest link. Therefore, group performance will be evaluated and everyone in the group will get (relatively) the same grade unless they fail to contribute equally to the project. The ability to motivate your team members is crucial out there in the "real world". Getting a slacker to pull his or her weight so you don't have to work overtime is a sad fact of life. In order to make the process more palatable, however, I will give you each the opportunity to conduct peer evaluations; however, I will have the final say over group grades. Exceedingly positive peer evaluations may improve your grade while poor appraisals will be taken under consideration and may harm your grade. Keep in mind that giving terrible reviews for the sake of hurting someone else's grade has the potential to backfire.

Each group assigned to a case will prepare a 20-minute presentation (MAXIMUM); 10 minutes for each "side" of the case, with the exception of the mock trial, which will last the entire class period. The group project will be delivered in front of the class - there is no written paper to turn in. Every group member is required to make part of the presentation. Please do not read off of note cards or put the entire presentation on slides. In short, attempt to engage the class and do not make a presentation you yourself would not want to endure. Be prepared to lead a discussion on the issues presented by the case. I will give you handouts for your respective topics when I make the team assignments. Presentations will be given at various points throughout the quarter, based on topics we will have previously discussed in class. Each group will be given at least two weeks to prepare its respective topic.

3. EXAMS 140 points

There will be two exams during the quarter, consisting of a midterm (60 points) and a final (80 points). The exams are not cumulative. Each exam will include material from the book, class lectures, films observed in class, and guest speakers. Material from the book will be covered even if we have not discussed it in class. The exams will be in-class, closed-book, and consist of multiple choice, true-false and essay questions. Sample exam questions will be handed out in class. **No make-up exams will be allowed.**
BRING A SCANTRON SHEET, A #2 PENCIL AND A PEN TO CLASS FOR EXAMS.

4. COURT VISIT (Pass/Fail).

You must arrange to visit any Superior Court proceeding involving testimony or oral argument, civil or criminal, on your own time. This may be a morning, afternoon or evening session. Stay for at least 2 hours. Prepare a 2-3 page paper, no smaller than 12-point font, double-spaced, on your observations. Describe the case, and relate it to topics we have covered in the course, e.g., what civil or criminal procedure(s) did you observe,

what evidence was presented, etc.? Compare what you have observed to TV shows on have covered both civil and criminal procedure to schedule your court visit. I have posted a sample paper. Be sure to attach a copy of the docket sheet indicating the proceeding you observed. **If you do not turn this in I will lower your final grade 1/2 grade.**

5. WRITING PROJECT. 100 points

You must prepare an in-class writing assignment, consisting of two separate assignments. This assignment will mirror the writing assessment test administered by the University of Washington for persons seeking admission to the Business School. The assignment will be given over two class periods, 50 minutes for each individual part of the assignment.

V. Course Rules:

1. **Cheating.** Students are expected to do their own work. This includes not just copying things verbatim off the Internet. Cheating of any kind will not be tolerated. See a full statement of my policy on this at the end of this syllabus.
2. **Disability Support.** If you require special accommodation based on a documented disability, or need special arrangements in case of emergency evacuation, or have other special medical information that needs to be taken into account, please bring me documentation to that effect from the College the first week of class. You can make these arrangements through advisors/counselors in B233, Student Services, or by calling 641-2498.
3. **Cell Phones.** Cell phones and paging devices must be turned off in class; you may not bring them to the exams.
4. **Tardiness.** Coming in late is rude and disrupts the class. Accordingly, if you find you will be late, please do not come into the classroom. Tardiness will affect your participation grade. If you must leave class early, let me know ahead of time and I will seat you in the back of the class so your will not disrupt others as you leave.
5. **Laptops.** You may not use your laptop during classtime. All laptops must be turned off when you enter the classroom. I will post any power point slides I plan to use on the MyBCC web site by 6 p.m. Sunday evening of the week I plan to use them, which you can use to take notes.

VI. How To Succeed In This Course

- Attend ALL classes. Make good use of your instructor and the tutors.
- Read the assigned material before class.
- Participate actively in class discussions and in-class team assignments.
- Bring in articles on topics covered in class, and lead the class discussion on them.
- Do all assigned homework and turn the assignments in on time.
- Study in groups and start early on group projects.

Course Schedule
SCHEDULE IS SUBJECT TO CHANGE; IF YOU MISS A CLASS BE SURE
TO CHECK THE WEBSITE IN CASE SYLLABUS HAS BEEN REVISED

| <u>Date</u> | <u>Subject</u> | <u>Assignment¹</u> |
|----------------------|--|---|
| <u>WEEK 1</u> | | |
| Sept. 20 | Introduction to course | None |
| Sept. 21 | What is law? Types of law. Case briefings. | LF: 1-9; 20-25 36-43 ² |
| Sept. 22-24 | The Sources of Law; Ethics and Law | LF: 8-19; 25-36 |
| <u>WEEK 2</u> | | |
| Sept. 27 | Role of Attorneys | LF: 142-173 |
| Sept. 28 | Federalism: The organization of government; pre-emption | LF: 46-66 Appendix B, C. <i>Marbury v. Madison</i> ³ (federal case- U.S.) Supreme Court) |
| Sept. 29-Oct. 1 | Federalism: The Amendments | LF: 66-89 |
| <u>WEEK 3</u> | | |
| Oct. 4-6 | The Court System; Jurisdiction and venue; civil procedure. | <i>Cybersell v. Cybersell</i> (9th Cir.) LF: 94-113, 117-128 Group Proj. Assigns. made on 10/6 |
| Oct. 7 | Movie: "A Civil Action" | None. |
| Oct. 8 | Discussion; In-Class exercise | |
| <u>WEEK 4</u> | | |
| Oct. 11 | ADR | None |
| Oct. 12 | Movie: "A Civil Action" (cont'd) | |
| Oct. 13, 14 | Criminal Procedure before trial | LF: 78-79, 113-117, 233-261, Ch. 6 –all. |

¹ Do the reading assignments **prior** to the class for which they are assigned. Come to class prepared to discuss them. This includes the cases at the end of the chapters.

² The numbers refer to pages in the assigned textbook; we do not always read all of a chapter at one sitting.

³ Cases listed on the Course Schedule can be located in www.findlaw.com; directions for using findlaw are posted on the website in a document titled "Using Findlaw".

WEEK 4 (cont'd)

Oct. 15 Trials; Post-trial motions; Appeals. LF: 128-140

WEEK 5

Oct. 18,19 In-class writing assignment.

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Oct. 20, 21 Crimes LF: 192-233, 261

Oct. 22 Movie: "Gideon's Trumpet"

WEEK 6

Oct. 25 Movie: "Gideon's Trumpet" (cont'd)

Oct. 26 Limitations on Courts LF: Ch. 7 – all. 173-185.

Oct. 27 **College Issues Day – no class.**

Oct. 28 **Midterm**

Oct. 29 Forming a Business "Getting Started: Considerations for Entrepreneurs in Selecting a Business Entity"⁴

WEEK 7

Nov. 1 Forming a Business (cont'd)

Nov. 2,3 Securities Laws LF: Ch. 10-all

Nov. 4,5 "Bigger Than Enron"

WEEK 8

Nov. 8 City of New London Group Project; Nike Group Project

Nov. 9 Gratz Group Project; Roe Group Project.

Nov. 10 Torts: Intentional Torts; Principal/Agency law LF: 379-400

Nov. 11 **Holiday**

Nov. 12 Torts: Intentional Torts (cont'd)

⁴ Posted on MyBC

WEEK 9

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|---------|--|-------------|
| Nov. 15 | Torts: Negligence | LF: 400-415 |
| Nov. 16 | Torts: Strict Liability; Remedies | LF: 416-432 |
| Nov. 17 | Mock Trial Group Project | |
| Nov. 18 | Property | None |
| Nov. 19 | Guest Speaker on Landlord Tenant Law (tentative) | |

WEEK 10

| | | |
|-------------|-----------------------|-----------------|
| Nov. 22-24 | Intellectual Property | LF: Ch. 13 -all |
| Nov. 25, 26 | Holiday | |

WEEK 11

| | | |
|---------|---|--|
| Nov. 29 | Napster Group Project; Bilski Group Project. | |
| Nov. 30 | Contracts: Offer, Acceptance, | LF: 495-505 |
| Dec. 1 | Consideration and Other Defenses | LF: 506-519 |
| Dec. 2 | Contracts as a process of planning; Third parties; Remedies | LF: 520-534 |
| Dec. 3 | Uniform Commercial Code and international business issues. | LF: Appendix 3 (skim only) Court paper due in class. |

WEEK 12

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| Dec. 8 (Wed.) | Final exam, in class, 7:30-9:20 a.m. | |
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RESOURCES

- Sample Exam questions (I will hand out in class).
- Writing Lab.
- Library Media Center.

Advising: If you intend to and have not already done so, declare your business major. Make sure you have consulted with an advisor and laid out your courses. The Business Division recommends that you subscribe to the Business listserv which provides notices of application deadlines and events. To subscribe to the listserv, individuals should send a message to lyris@list.bcc.ctc.edu. In the body of your message write SUBSCRIBE bccbusiness.

POLICY REGARDING CHEATING, STEALING AND PLAGIARISM

Cheating includes, but is not limited to, copying answers on exams, glancing at nearby exams, turning in assignments or papers that have been used in other classes, and giving or receiving help during an exam. Cheating includes, but is not limited to, purchasing or selling notes, assignments or examination materials.

Stealing includes, but is not limited to, taking the text, notes, exams, library books or other personal property of others without their permission.

Plagiarism is presenting the words, ideas, and/or work of others as if it is an individual's own work. It includes, but is not limited to, using other's papers as one's own and including parts of published works without giving credit where credit is due.

If you choose to cheat, steal or plagiarize, the following actions will be taken: You will receive a zero for the assignment. You may receive a failing grade for the course.