

LEGAL ENVIRONMENT

98.242 - 3, 4

(Prerequisite: Sophomore Standing)

Professor Kimble A. Byrd	Fall 2006
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COURSE OVERVIEW: Students in this course will examine the legal and economic environment within which business must operate, including ethical, social, and political influences as they impact such organizations. The student will also survey the legal process and be able to understand the methods by which legal decisions are formulated, as they affect both individual rights and business transactions.

COURSE METHODOLOGY: The course is conducted utilizing a blend of lecture, case studies and analyses and classroom discussion of legal problems and current legal issues. **To advance the learning experience full and informed participation is necessary and expected.** Students are expected to be fully prepared for each class in accordance with the included outline of the assignments. Subject material should be read and digested and an analysis of the underlying issues and concerns must be prepared in order to facilitate class discussion.

TEXT: Cross, Miller, **WEST'S LEGAL ENVIRONMENT OF BUSINESS** (6th Edition, West Publishing Company, 2006) As a technology-mediated course, the course text is extensively supplemented by WebPages on the World Wide Web accessible through web browsers from the computer labs, your personal computer at on campus or at home and any other off-campus sites, which have Web, access.

RESEARCH ASSIGNMENT: A content analysis paper based a review of recently published book (A list of Rowan library holdings is available and access to the business librarian will be provided), involving business or law and business and their interrelationship, is to be prepared. This paper should briefly review the author's thesis or theory or premise on the subject matter and survey the viewpoints and interests of the relevant parties. Additionally, discuss your personal perspective and analysis. The expected length ranges between five and seven pages.

OUTCOMES ASSESSMENT: At several points in the term, students will be asked to complete brief, in-class exercises designed to determine the extent to which course objectives are being achieved. The results of these exercises will be used in a continuing process of course development and improvement.

STUDY GROUPS: Many students will want to form groups in order to study the materials and prepare for the class discussion. This is encouraged since study groups can be a very efficient means of study and preparation. Groups can specialize and go into greater depth on certain aspects of a case or readings than an individual can ever do on his or her own. Opinions and information can also be shared in a group context that may make the contributions of the group's members to the class discussion much better than if they acted alone.

ESSENTIAL SKILLS TO BE LEARNED/EXPOSURES EXTENDED

This course have been designed to impart or extend specific skills, and to convey knowledge organized around several integrative themes. We hope to assist students in acquiring a valuable set of skills that will serve them well as managers in terms of specific issues and in maintaining a better understanding of the complex regulatory business environment.

Critical Thinking - Critical analysis of case materials and suggestion of appropriate decision strategies are an essential part of the course. Identifying and understanding the complex relationships among governmental and non-governmental organizations, as well as regulated and unregulated industries are required. Linking the various facets of an issue, outlining ideological positions that may be hidden in word choices and evidentiary styles; maintaining a critical stance towards evidence; and being able to think through the consequences of policy decisions.

- Problem defining skills include: sharpening, narrowing, broadening, determining objectives and defining the problem in terms of them; deciding what is important and what is not.
- Analytical skills include: connecting events and actions by developing broader models, discovering assumptions and ideological positions, mapping the intricate links among organizations and social groups, learning to draw conclusions and make recommendations based on evidence and analysis.

Communications (Oral & Written) - Oral: Students will be asked for in-class responses to topical queries on an individual basis. The object is to learn to present oneself as a coherent interesting speaker and let the audience learn something about the issue.

- Oral presentation skills include: speaking publicly, extemporaneously and with prepared text, for informational and advocacy purposes, logical organization, illustrative examples materials, understanding the difference between written and spoken received English, presenting professionally, engaging the audience, imparting a complex message in limited time.

Written: Basic issue briefs, as well as complex individual case study reports are required in the course. Additionally, personal issue briefs are necessary as summative class discussion preparation notes.

- Written preparation skills include: organizing material effectively, writing a coherent document, condensing information into usable form, and packaging the information in a professional manner.

Environment (Social, Legal, Regulatory, etc.) - Compliance and enforcement problems necessitate rudimentary explanations of market and legal institutions, which can inhibit as well as advance the efficacy of business management. "Legislative analysis" i.e., sketches of relevant legislation, both passed and pending, will catalyze a recognition and appreciation of the processes of political compromise. "Interest group analysis" involving descriptions of the groups that are advocating and opposing various policy options based on membership; level of influence; funding sources will provide exposure to the kinds of arguments, strategies, and evidence used to interpretation support or oppose legislation and/or regulation.

Ethics - Ethical issues are at the core of the course. Individual ethical conduct and corporate social responsibility, are covered explicitly in most sections of the text, and will be important aspects of several class lecture/discussion sessions.

COURSE OBJECTIVES

1. To examine the historical background and structure of the U.S. legal system.
2. To identify the mechanisms by which courts interpret legislation regulating business
3. To provide a foundation for understanding federal and state governmental power to administratively regulate business.
4. To review the legal status of the business contract under statutory and common law.
5. To identify the parameters of potential liability for corporate activities recognized as criminal in nature.
6. To address the impact of formal legal business organizational structure upon the operations of the nominal and normative firm.

7. To increase awareness of the major financial markets and the provisions of applicable law.
8. To demonstrate the importance of rights to various types of intellectual property.
9. To explore the legal framework of labor-management relations.
10. To furnish an understanding of the historical development of tort liability for products and consumer protection.
11. To indicate specific commercial activities that raise antitrust issues and create questions of compliance
12. To address ethical and professional considerations in business and management.

COURSE SCHEDULE

DATE Mon/Wed	DATE Monday	TOPIC	READINGS
September 6	September 11	Introduction to the Legal System	<ul style="list-style-type: none"> • Chapter 1 Pgs. 1-29 • Course Notes • FindLaw Search engine
			Resume Request
11	18	The Court System	<ul style="list-style-type: none"> • Chapter 2 Pgs. 30-63 • Course Notes • Video - Justice O'Connor on Decision Making • Video - Justice Powell on Legal Precedent • Internet Links <ul style="list-style-type: none"> ○ Supreme Court WWW Resource
13	18	Alternative Dispute Resolution	<ul style="list-style-type: none"> • Chapter 3 Pgs. 64-83 • Additional Course Notes • Internet Links <ul style="list-style-type: none"> ○ Constitution-National Archives ○ American Arbitration Association

18/20	25	Constitutional Bases for Business Regulation	<ul style="list-style-type: none"> • Chapter 1 Pgs. 104-123 • Course Notes • Internet Links <ul style="list-style-type: none"> ◦ US House of Representatives • Video - Justice Brennan on Greatness of Constitution • Video - Justice Brennan on Importance of Bill of Rights
25	25	Administrative Agencies and Law	<ul style="list-style-type: none"> • Chapter 1 Pgs. 124-140 • Course Notes • Internet Links <ul style="list-style-type: none"> ◦ EPA Homepage ◦ FTC Homepage ◦ SEC Homepage
27	October 2	Business Ethics	<ul style="list-style-type: none"> • Chapter 4 Pgs. 84-104 • Course Notes • Internet Links <ul style="list-style-type: none"> • Students for Responsible Business • KPMG Business Ethics
October 2	2	EXAMINATION I	<ul style="list-style-type: none"> • SAMPLE MODEL
4	October 9	Selecting a Form of Business Organization	<ul style="list-style-type: none"> • Chapter 16 Pgs. 392-414 • Chapter 17 Pgs. 415-420 • Chapter 18 Pgs. 430-455 • Course Notes • Internet Links <ul style="list-style-type: none"> ◦ Amex Business

			<ul style="list-style-type: none"> ○ Center SEC-Edgar Database
October 9		Financing the Firm - Debtor-Creditor Relations Bankruptcy	<ul style="list-style-type: none"> • Chapter 15 Pgs. 354-383 Course Notes
11		Financing the Firm - Securities Regulation and Investor Protection Corporate Governance	<ul style="list-style-type: none"> • Chapter 28 Pgs. 645-670 • Course Notes • SEC Homepage
16/18	16	Contracts -Formation	<ul style="list-style-type: none"> • Chapter 9 Pgs. 192-227 • Course Notes • Drama - Offer and Acceptance
October 23	October 23	EXAMINATION II	Sample Exam
25		Contracts and Liability	<ul style="list-style-type: none"> • Chapter 10 Pgs. 228-248 Course Notes
30	October 30	Business Liability - Torts	<ul style="list-style-type: none"> • Chapter 12 Pgs. 286-312 • Course Notes
November 1		Product Liability	<ul style="list-style-type: none"> • Chapter 13 Pgs. 313-328
1		Consumer Protection	Chapter 23 Pgs. 556-571, Course Notes Internet Links <ul style="list-style-type: none"> • Federal Trade Commission

			<ul style="list-style-type: none"> • Telemarketing/quiz <p>Drama - Consumer Protection</p>
6	November 6	Agency	<ul style="list-style-type: none"> • Chapter 19 Pgs. 460-487
		Human Resource Regulation Employment Discrimination	<ul style="list-style-type: none"> • Chapter 20 Pgs. 488-492 • Chapter 21 Pgs. 507-513 • Course Notes
8		Labor Relations	<ul style="list-style-type: none"> • Chapter 22 Pgs. 528-551 • Course Notes • Audio of Ray Marshall, Sec. of Labor
13/15	13	Intellectual Property E-Commerce	<ul style="list-style-type: none"> • Chapter 14 Pgs. 329-353 • Course Notes • Internet Links <ul style="list-style-type: none"> ◦ The Copyright Website
November 20/27	20	Antitrust	<ul style="list-style-type: none"> • Chapter 27 Pgs. 626-644 • Course Notes • Review Questions
22	22	COURSE PROJECT DUE	<ul style="list-style-type: none"> •
November 29 December 4	November 27	Criminal Liability	<ul style="list-style-type: none"> • Chapter 7 Pgs. 144-171 • Course Notes
December 6/13	December 4	International Transactions	<ul style="list-style-type: none"> • Chapter 8 Pgs. 172-187 • Course Notes
December 18	December 18	FINAL EXAMINATION	SAMPLE EXAM QUESTIONS

COURSE ASSESSMENT: Though the professor will retain discretion in assigning a grade, each student will be graded based upon the following scale:

Examination I	10%
Examination II	30%
Class Participation	20%
Research Paper/Project	10%
Final Examination	30%

EXTRA CREDIT: The course requirements are sufficiently challenging in themselves that the ability to engage in extra work for “extra credit” is not a possibility. From time to time supplemental additional learning assignments may be generated.

STUDENT LEARNING DISABILITY ACCOMMODATION POLICY

Your academic success is important. If you have a documented disability that may have an impact upon your work in this class, please contact me. Students must provide documentation of their disability to the Academic Success Center in order to receive official University services and accommodations. The Academic Success Center can be reached at 856-256-4234. The Center is located on the 3rd floor of Savitz Hall. The staff is available to answer questions regarding accommodations or assist you in your pursuit of accommodations. We all look forward to working with you to meet your learning goals.

ACADEMIC HONESTY POLICY*

*The vitality of any academic program is rooted in its integrity. It is essential to Rowan University that the grades awarded to students only reflect their own individual efforts and achievements. Each segment of the academic community, i.e., faculty, students and administration, are responsible for the academic integrity of the university. Academic dishonesty, in any form, will not be tolerated. Students who are found to have engaged in acts of academic dishonesty may be subject to failure for the course and suspension from the University. *For further information on this Policy, please consult the Schedule of Courses under "General Information. "*

LEGAL ENVIRONMENT CROSS-FUNCTIONAL APPLICATIONS - The materials covered in Legal Environment relate to many topics covered in other business core courses that you have taken or will be taking. So that you can better understand how Legal Environment relates to other areas of business, some topics and interrelated course assignments are listed below by course:

**FINANCIAL ACCOUNTING and
MANAGERIAL ACCOUNTING**

- · Securities And Exchange Commission Regulation
- · Legal Implications Of Accounting Statements
- · Business Organizations
- · Ethics

ORGANIZATIONAL BEHAVIOR

- Labor Relations

FINANCE

- · Securities And Exchange Commission Regulation
- · Public Financing
- · Bankruptcy
- · Debtor- Creditor Relations
- · Consumer Protection - Banking, Credit

MARKETING

- · Federal Trade Commission Regulation
- · Consumer Protection - Advertising, Public Relations

OPERATIONS MANAGEMENT

- · Tort/Product Liability

**MANAGEMENT INFORMATION
SYSTEMS**

- · Intellectual Property

BUSINESS POLICY

- · Ethics
- · Corporate Social Responsibility
- · Corporate Governance.
- · Antitrust
- · International Commercial
- · Criminal Law And Procedure

GRADES/GPA EQUIVALENTS

A = 4.0 93 – 100, A- = 3.7 90 – 92, B+ = 3.3 88 – 89, B = 3.0 83 – 87, B- = 2.7 80 - 82

C+ = 2.3 78 – 79, C = 2.0 73 – 77, C- = 1.7 70 – 72, D+ = 1.3 68 – 69, D = 1.0 63 – 67,

D- = 0.7 60 - 62 [Please see University Class Regulations](#)

