

CALIFORNIA POLYTECHNIC STATE UNIVERSITY

San Luis Obispo
Orfalea College of Business

BUS 207 (4 units)
Business Law
Fall 2015
Tuesdays/Thursdays
6:10-8 p.m.
Final Exam: DECEMBER 8: 7:10-10 P.M.

Professor: Stephen Stern
Phone: (805) 543-5297/215-0295 (cell)
Class: College of Business (3-209)
Office Hours: 5 to 6 p.m. Tuesdays
92M-C103, or by appointment

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COURSE SYLLABUS/OUTLINE

1. INTRODUCTION

A comprehensive understanding of the U.S. legal system is vital to the operation of public and private enterprise. The laws created by the legislature and interpreted by the respective courts dictate the infrastructure, organizational system, strategy and methodology utilized by the business community in conducting its affairs.

Moreover, a comprehensive understanding of the U.S. legal system is vital to the ebb and flow of daily life, from an understanding of natural and legal rights to duties and responsibilities as persons residing here legally or illegally.

The U.S. legal system evolves rapidly based on a myriad of factors, including but not limited to the advancement of science and technology, world events, ethical standards, religious beliefs, economics, politics and ideology. For this reason it is important to understand the scope of authority bestowed on the judicial branch via the U.S. Constitution, and how it has been -- and continues to be -- used to shape public policy and social order utilizing the aforementioned factors.

2. COURSE GOALS AND OBJECTIVES

- A. To provide a perspective on how legal processes and institutions affect business operations.
- B. To develop an understanding of the basic legal vocabulary in which students and businesspersons must have a degree of knowledge.

- C. To develop an understanding of government and oversight of business, business ethics, contracts, business torts and product liability, employment issues, internet law and ethics, and business organizations.
- D. To learn methods of analysis and problem solving applied to business law problems. This includes, but is not limited to, learning how to critically analyze legal decisions by discerning the relevant facts, the legal principles, the result, and the impact on business.
- E. To increase future efficiency in avoiding legal problems, know when to seek preventive legal counsel and advice, and be able to spot legal issues and concerns when they arise in practice and minimize their adverse impacts and maximize their positive potential for the business or firm.

3. REQUIRED TEXTBOOK

Textbook: Legal Responsibilities of Business (Prof. Stern)

Handouts will also be distributed throughout the quarter.

4. METHODS OF EVALUATING COURSE OBJECTIVES

- A. Two Exams: Midterm, and a final (not comprehensive)).

Each exam will be worth **125 Points**, and will consist of multiple-choice questions, and possibly a small number of true/false questions (100 total questions) and a short essay (25 points) for each exam).

*****For each exam I will allow you to bring in and use one (1) 3 x 5 cheat sheet (with your handwritten notes on both sides of the paper/card)*****

******* ALL STUDENTS NEED TO BRING A 100 QUESTION SCANTRON (HALF SHEET, #2 PENCIL AND ERASER, AND A BLANK SHEET OF LINED PAPER (8.5 x 11) FOR THE SHORT ESSAY. SCANTRONS MUST NOT BE FOLDED OR CRUMPLED.**

The first exam will take place on or about OCTOBER 29, 2015, depending on the pace of the course and the materials covered.

The final exam will take place DECEMBER 8, 2015 AT 7:10 P.M., unless notified otherwise.

The plus/minus grading system will be used in this course for the final grade.

***** No early or make-up exams will be given. Given the size of this class, I trust that you can appreciate why I have this policy. ***

B. Trial Observation Paper

Worth **50 points**. You are required to observe a **civil or criminal trial** (***NOT A HEARING***) at the San Luis Obispo or Paso Robles County Superior Court. You can observe a trial on your own, or, you can team up with several of your classmates. I would greatly prefer that you team up with several other students and visit/observe a trial together as it minimizes any inconvenience/disruption to the court. **However, each student must prepare his or her own paper (not more than five pages in length, double spaced) based on this observation, i.e., while you can observe as a group, this is NOT a group paper!** Each student's paper will be/should be different, unique and independently written. **DESCRIBE AND ANALYZE** --This paper should describe and analyze the *process, dynamics of the parties, and describe the mannerisms, demeanor and professionalism of the attorneys, judge, witnesses and jury (if a jury trial, which is preferable), and your overall impressions of the US judicial system at work.* If possible, talk to the attorneys to get the background on the case (you should call them several days before trial as they will likely not return your call the day before trial because of their focus on trial preparation). **PLEASE NOTE THAT YOU WILL RECEIVE A FAILING GRADE IF YOU SIMPLY PROVIDE A FACTUAL OVERVIEW OF THE CASE AND WHAT THE ATTORNEYS OR WITNESSES SAID IN COURT.** I will elaborate on this during the first day of class.

Trial Observation Papers in hard-copy format are due in class (hard copy) on Nov. 12, 2015. Please plan ahead because trials do not occur daily or frequently. Go to the County Courthouse to view what's scheduled on the dockets and/or call 781-5141, and also check www.slocourts.net **No late papers will be accepted!**

C. Individual and Group Participation, and Attendance

Worth **50 points**. This includes conducting research and speaking for and on behalf of your group, and individual critical analysis and contributions to class discussions and assigned readings. This requires **more than stating opinions or simply making statements** in class, but rather contributing to a deeper or wider understanding of the subject through analysis to augment class discussions.

Because the class is structured on group dynamics, interaction and critical analysis of the subject matter, **students will only be allowed two absences during the quarter. Each additional absence will cause an automatic deduction of half a letter grade.** The two absences may be comprised of medical and nonmedical excuses.

D. Daily Double – Bonus Points

Worth 25 points to each group member for the group that answers correctly the most Daily Double questions throughout the quarter. The Daily Double question, presented each class period, will derive from the reading material and group assignments and discussions.

5. ACADEMIC HONESTY AND STUDENT RESPONSIBILITY

Your attention is directed to the Cal Poly Course Catalog section on Cheating and Plagiarism and the Cal Poly Fall Class Schedule section on the Code of Student Conduct, Rights and Responsibilities. Please don't make this an issue.

6. HOW TO BE SUCCESSFUL IN THIS COURSE

A. General Comments and Suggestions:

Closely read the Assigned Material in the Textbook Before Class (this includes any materials handed out in class). Analyze the material with consideration given to competing interests and perspectives, public policy, social, environmental, economic, political, religion and other ideology.

iii. **Attend Class and Pay Attention in Class:** Try to take good notes as we go through the material and concentrate on listening to and understanding the discussions.

iv. ***PARTICIPATE*:** Class/group discussions over a talking head style lecture will be the norm. Therefore, it is ***IMPERATIVE*** that you Contribute to discussions. Active participation helps you learn. Share your ideas and listen to those of others in class. Remember that a mistake is as much a part of learning as a success. Don't be embarrassed to give an answer even if it may be wrong. Also, respect the comments and mistakes of others.

v. **Ask Questions:** If you don't understand something, ask! Most likely someone else in class has the same question.

vi. **Make Use of Office Hours:** There is never enough time in class to answer everyone's questions and/or cover all of the materials/details that you have been assigned to read (especially in a class of this size). If you have further questions, call me, e-mail me or come in and see me during office hours -- that is why I am here. I am also available to meet by appointment.

viii. **Study:** Prepare for exams in advance. In studying for the exams, I ***highly recommend*** you focus on the chapter study/master outlines provided in the book, class notes and study guides and practice test questions provided on-line by the publisher, and any hand-outs.

ix. Complete the Trial Observation Paper well in advance of their due dates (don't throw something together the night before it is due). It is obvious when a student wings it or just goes through the motions. It is also obvious when a student has cheated or made up the Court Observation Paper, or it is based on another student's observation.

7. CLASS TOPICS, SCHEDULE AND READING ASSIGNMENTS (*TENTATIVE*)

| CLASS | TOPIC | NEXT ASSIGNMENT |
|--------------------|--|--|
| Sept. 22 (Tuesday) | Introduction to course objectives, structure, tests, paper and grading. Break into groups and Group Assignments. | Read Chapter 1 (An Introduction to the Fundamentals of dynamic Business Law and Business |

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| | | Ethics), and see POLY LEARN for Group Assignments |
| Sept. 24 (Thursday) | Chapter 1 and associated Group Assignments | Group Assignments |
| Sept. 29 (Tuesday) | Chapter 1 and associated Group Assignments | Read Chapter 2 (The U.S. Legal System and Alternative Dispute Resolution, and Group Assignments |
| Oct. 1 (Thursday) | Chapter 1/Chapter 2 and associated Group Assignments | Group Assignments |
| Oct. 6 (Tuesday) | Chapter 2 and associated Group Assignment | Group Assignments Read Chapter 3 (Administrative Law) and Group Assignments |
| Oct. 8 (Thursday) | Chapter 2 and associated Group Assignment/Chapter 3 and associated group assignments | Group Assignments |
| Oct. 13 (Tuesday) | Chapter 3 and associated Group Assignments | Group Assignments |
| Oct. 15 (Thursday) | Chapter 3 and associated Group Assignments | Read Chapter 4 (Constitutional Law) and Group Assignments |
| Oct. 20 (Tuesday) | Chapter 4 and associated Group Assignments | Group Assignments |
| Oct. 22 (Thursday) | Chapter 4 and associated Groups Assignments | Group Assignments |
| Oct. 27 (Tuesday) | Chapter 4, Group Assignments and Mid-Term Review on Chapters 1-4, group assignments and class lectures and discussions | Group Assignments |
| Oct. 29 (Thursday) | Mid-Term Exam on Chapters 1-4, group assignments and class lectures and discussions | Group Assignments Read Chapter 5 (Criminal Law and Business) and Group Assignments |
| Nov. 3 (Tuesday) | Chapter 5 and associated Group Assignments | Read Chapter 6 (Tort Law) Group Assignments. |

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| Nov. 5 (Thursday) | Chapters 5 & 6 and associated Group Assignments | Group Assignments |
| Nov. 12 (Thursday) | Chapters 6 and associated Group Assignments | Group Assignments (TRIAL OBSERVATION PAPER DUE) Read Chapter 7 |
| Nov. 17 (Tuesday) | Chapters 7, and associated Group Assignments | Group Assignments Read Chapters 8 and 9. |
| Nov. 19 (Thursday) ----- Nov. 24 (Tuesday) | Chapters 7, 8 and 9 and associated group assignments ----- Chapter 9, Group Assignment | Group Assignments ----- Group Assignments |
| Nov. 26 (Thursday) | Holiday | Happy Thanksgiving Read Chapter 20 (Forms of Business Organization) |
| Dec. 1 (Tuesday) | Chapter 20, Group Assignments | Group Assignments |
| Dec. 3 (Thursday) | Chapter 20, Final Exam Review | Group Assignment |
| Dec. 8 at 7:10 p.m. | FINAL EXAM | |

**THE INFORMATION IN THIS SYLLABUS IS SUBJECT TO CHANGE AT
THE PROFESSOR'S DISCRETION**