

## AGEC 3713 Agricultural Law

Fall Semester 2016

**Professor:** Rodney Beard

**Class Meets:** Tues and Thurs: 14:00 – 15:50, room: L328 (Tues) and L329 (Thurs)

**Office Hours:** Tuesday 10:00-12:00, and by appointment.

**Virtual office hours:** on Nb and Moodle/ICB-Online Learning

### Course Objectives

The vision for our class is that you will be an agricultural professional who understands your legal rights and obligations, and that you can efficiently and ethically manage the legal issues you will encounter. Toward that vision, we have four overall objectives:

- 1) Understand the American and Oklahoma legal systems and sources of legal information.
- 2) Learn the basic rules (in the form of laws and regulations) that most commonly impact agricultural producers and agribusinesses.
- 3) Apply these basic rules to real-life situations in the agricultural context.
- 4) Develop strategies for proactively managing legal issues in agriculture.

**Required Textbook:** I will base the course around Theodore A. Feitshans, *Agricultural Law*, Routledge, 2016.

### Attendance and participation:

Attendance will be extremely important to successful performance in this course. Good class notes, and the review of those notes are the essential requisites for success in this class. 10% of the course grade will be allocated to participation. This means active participation.

### Assessment:

Participation 10%

Lab exercises (Coursework) 40%

Mid-term exam 20%

Final Exam 30%

### Mid-term and Final Exam

There will be one two-hour mid-term exam 20% and a final comprehensive exam 30%, consisting of short answer question and calculation problems. The final exam is cumulative so it will cover all the material in the course. If the grade for the final exam is higher than the grade for the mid-term the higher grade will be given for both. Both exams will consist of short answer questions and problems. No make-up exams will be given unless arrangements are made with the instructor.

## Grading

Letter grades will be assigned based on your final numerical average in the class based on the following percentage scale (subject to instructor adjustment):

A = 4.0 (90-100)  
A - = 3.7 (85-89)  
B + = 3.3 (82-84)  
B = 3.0 (78-81)  
B - = 2.7 (75-77)  
C + = 2.3 (72-74)  
C - = 1.5 (64-67)  
D = 1.0 (64-67)  
F = 0 (below 60)

Feel free to discuss your performance and standing in the class at any time with the instructor.

## Academic Integrity

Students are expected to know, understand and comply with the ethical standards of the university. In addition, students have the obligation to inform the appropriate official of any acts of academic dishonesty by other students of the university. Academic dishonesty is defined as **a student's use of unauthorized assistance with intent to deceive** an instructor or other such person who may be assigned to evaluate the student's work in meeting course and degree requirements. Examples of academic dishonesty include:

## Plagiarism

Plagiarism is the use of another person's distinctive ideas or works without acknowledgement. The incorporation of another person's work into one's own requires appropriate identification and acknowledgement, regardless of the means of appropriation. The following are considered to be forms of plagiarism when the source is not noted:

- **Word for word copying** of another person's ideas or works
- **The mosaic** (interspersing of one's own works here and there while, in essence, copying another's work)
- **The paraphrase** (the rewriting of another's work, yet still using their fundamental idea or theory)

- **Fabrication** (invention of or counterfeiting of sources)
- **Submission** of another's work as one's own
- **Neglecting quotation marks** on material that is otherwise acknowledged.

Acknowledgement is not necessary when the material used is common knowledge (Common knowledge means that everyone knows that everyone knows that everyone knows..the material (Fagin, Halpern, Moses and Vardi, *Reasoning about knowledge*, The MIT Press, 1995)).

## **Cheating**

Cheating involves the **possession, communication or use of information, materials, notes, study aids, or other devices not authorized** by the instructor in any academic exercise, or communication with another person during such an exercise. Examples of cheating are:

- Copying from another's paper or receiving unauthorized assistance from another during an academic exercise or in the submission of academic material
- Using a calculator when its use has been disallowed
- Collaborating with another student or students during an academic exercise without the consent of the instructor

## **Fabrication**

Fabrication involves inventing or counterfeiting information, i.e. creating results not obtained in a study or laboratory experiment. Fabrication, on the other hand , involves the deliberate alteration or changing of results to suit ones needs in an experiment or other academic exercise.

## **Disabilities**

If you have any condition, such as a physical or learning disability, that will make it difficult for you to carry out your work as outlined here or that will require academic accommodations, please notify the instructor as soon as possible and/or contact Student Disability Services.

## **Progymnasmata:**



In these classes you will present and discuss cases and make legal arguments in favor or against particular laws. At the end of semester we will have a Moot court. In the Moot court you will split into two teams to argue two-sides of a case.





## **Webpage and online materials:**






The class webpage may be found on Moodle at [http://moodle.berkeley.edu/course/view.php?id=100](#) , from Moodle you will find links to all the online materials we will use in class.





We will use Nb (<https://nb.mit.edu>) for online discussion of class materials. Nb allows you to add comments to pdf files for discussion, something Moodle can't do. So if you have questions about particular passages of law or interpretations this is the place to ask.





I will need your e-mails in order to enroll you in Nb. Lecture materials will be linked to from Moodle. Or will be available directly via QR code from the course outline (see below). I will be possible to upload lecture notes to Nb for discussion.

Week	Lecture (Tuesday)	Progymnasmata And Case Discussions (Thursday)	Readings
1	<p>Introduction to the US Legal system</p> <p>Lecture notes:</p>  <p>Handout:</p>  <p>Lecture recording (uploaded after class):</p>	<p>No class</p> <p>Homework:</p> <p>We will familiarize ourselves with NB and discuss Highlighted paragraphs of the constitution see Nb And Wickard v Filburn</p> <p>We may do some of this in the lecture.</p>	Feitshans, ch. 1




			
2	<p>Finding legal materials</p> <p>Lecture notes:</p>  <p>Handout:</p>  <p>Lecture recording (uploaded after class):</p> 	<p>Exercise on finding legal materials</p> <p>The exercise will involve finding Cases and uploading them to Nb as pdf's.</p>	Feitshans, Ch. 2
3	<p>Torts</p> <p>Lecture notes:</p>	Tort case discussions	Feitshans, Ch. 3-4





	 <p>Handout:</p>  <p>Lecture recording (uploaded after class):</p> 		
4	Holiday	Holiday	
5	<p>Property Law</p> <p>Lecture notes:</p>  <p>Handout:</p> 	<p>Progymnasmata on property law</p>	<p>Feitshans, Ch. 5-7</p>





	<p>Lecture recording (uploaded after class):</p> 		
6	<p>Contract Law</p> <p>Lecture notes:</p>  <p>Handout:</p>  <p>Lecture recording (uploaded after class):</p> 	<p>Progymnasmata on property law</p>	<p>Feitshans, Ch. 8-10</p>
7	<p>Estate Planning and Farm Transition</p>	<p>Progymnasmata on estate planning</p>	<p>Feitshans, Ch. 11-12</p>





	<p>Lecture notes:</p>  <p>Handout:</p>  <p>Lecture recording (uploaded after class):</p> 		
8	Revision	Practice exam	
9	Mid-term exam		
10	<p>Business Entities and Business Law</p> <p>Lecture notes:</p> 	<p>Progyrnasmata on Business entities</p>	<p>Feitshans, Ch. 14</p>





	<p>Handout:</p>  <p>Lecture recording (uploaded after class):</p> 		
11	<p>Environmental Law (including water, animal, organic agriculture, food safety and conservation, GMO's and intellectual property law</p> <p>Lecture notes:</p>  <p>Handout:</p>	<p>Progymnasmata on environmental law</p>	<p>Feitshans, Ch's. 13,15,16,17,18,19,20</p>

	 <p>Lecture recording (uploaded after class):</p> 		
12	<p>Labor Law</p> <p>Lecture notes:</p>  <p>Handout:</p>  <p>Lecture recording (uploaded after class):</p>	<p>Progymnasmata on labor law</p>	<p>Feitshans, Ch. 21</p>

			
13	<p>Taxation</p> <p>Lecture notes:</p>  <p>Handout:</p>  <p>Lecture recording (uploaded after class):</p> 	<p>Progymnasmata on taxation</p>	<p>Feitshans, Ch.22</p>
14	<p>International Trade</p> <p>Lecture notes:</p>	<p>Progymnasmata on International trade</p>	<p>Feitshans, Ch. 23</p>

	 <p>Handout:</p>  <p>Lecture recording (uploaded after class):</p> 		
15	<p>Federal farm program</p> <p>Lecture notes:</p>  <p>Handout:</p>	<p>Progymnasmata on federal farm program</p>	<p>Feitshans, Ch. 24</p>

	 <p>Lecture recording (uploaded after class):</p> 		
16	Moot court	Moot court	
17	Review Week	No classes	
18	Final Exam		