ILLINOIS TECH | College of Computing

ITMM 485 / 585
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Legal and Ethical Issues in Information Technology

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Ch1: Introduction to Ethics and the Law
Part 6: Types of Law in the United States

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Learning Objectives:

- Explain differences between law and ethics
- Recall the types of law in the U.S.
  - Define each type
- Explain the differences between statutory, regulatory and common law
- Recall and explain the structure of U.S. Federal Law

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All information technology and cybersecurity professionals must understand the scope of an organization's legal and ethical responsibilities

- Keep apprised of new laws, regulations, and ethical issues as they emerge
- Minimize the organization's liabilities
- Educate employees and management about their legal and ethical obligations and the proper use of information technology and cybersecurity

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Disclaimer

- I am not a lawyer
- This lecture does not constitute legal advice

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Law and ethics are not same thing

- While many unethical things are illegal, many are not
- An act can be unethical but perfectly legal
- An action can also be perfectly ethical but illegal

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Ethics and Laws

- Ethics define socially acceptable behaviors
- Ethics based on cultural mores: the fixed moral attitudes or customs of a particular group
- Laws -rules adopted and enforced by governments to codify expected behavior in modern society
- Laws drawn from ethics

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Difference Between Law and Ethics

- Laws change over time
- Laws vary from state to state
- Political and economic interests, and not the interests of the people, often determine which laws get passed and what is in those laws
- Ethical standards transcend time, place, and the whims of politics

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Some Common Types of Laws

- Criminal Law
- Civil Law
- Constitutional Law
- Administrative Law
- Tort Law
- International Law
- Others…

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Structure of U.S. Federal Law

- United States Code (U.S.C.)
  - Laws—statutes—passed by the U.S. Congress & signed by the President, or passed overturning his veto – statutory law
  - In many (most?) cases direct executive branch to publish additional regulations
- Code of Federal Regulations (CFR)
  - Regulations published by executive departments and agencies as directed to implement laws in the U.S. Code
  - Regulatory law; has full force of law

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