**BLAW 201 Topics**

**Professor Kreider**

**Objectives**

Compare legal systems, substantive areas of law, and criminal/civil cases

Identify the sources of law

Describe the federal and state court systems

List the elements of a valid contract

Classify contracts in four different ways

Understand when to use the equitable theory of quasi-contract

**Chapters 1& 2: The Legal System**

Comparison of Legal Systems

Common Law: USA, Canada, United Kingdom, etc.

-Case decisions create law, precedents

Civil Law: Germany, France, Japan, etc.

-Codes, case decisions do not create law

Sources of Law

Comparison of Substantive Areas of Law

Contracts: Obligations created by agreement of the parties

Crimes: Serious violation of the law, prosecuted by government to protect society

Torts: Civil Wrongs, Conduct yourself so cause no harm to others, Obligation imposed by law

-Negligence, Malpractice, Fraud, Trespass, Defamation, Assault and Battery, etc.

Comparison of Criminal and Civil (contract and property disputes, tort claims, etc.) Cases

-Plaintiffs: Government; Individuals, Entities or Businesses

-Burden of Proof: Beyond a reasonable doubt; Preponderance of the evidence

-Number required for decision: Unanimous; “Super” Majority (10 of 12, 8 of 10)

-Decision: Guilty; Liable

-Penalty: Jail, Fines, Death, Probation, Community Service, etc.; Money Damages

Federal and State Court Systems

Trial Courts

Intermediate Appellate Courts

Supreme Courts

**Chapter 11: Introduction to Contracts**

Contract

Definition

Elements

Parties: Privity, Promisor and Promisee, Offeror and Offeree

Classification of Contracts

-Creation: Express, Implied by Conduct (implied as a gift is not a contract)

-Enforceability: Valid, Voidable, Void

-Performance: Executory, Executed

-Number of Promises: Bilateral, Unilateral

Quasi Contract

-Obligation Imposed by Law (Equitable Theory)

-Prevents Unjust Enrichment