

Department of Business:

Course Outline for BUS 1122

Business Law - 3 Credits/3 Hours a week

Pre-requisites & Co-requisites: CUNY proficiency in reading and writing.

Recommended Textbook(s) & Supplemental Material(s): Business Law: Principles and Practices, by Goldman and Sigismond. Publisher: Cengage.

Course Description/Overview: Historical background and sources of law as related to business procedures with particular emphasis on the formation, operation, performance and discharge of contracts. Survey of local and federal courts.

This survey course will provide students with an introduction to several important areas of substantive and procedural law governing the relationships between persons and business organizations.

Topics of study will include: (1) Anglo-American Jurisprudence; (2) the U.S. federal and state court systems; (3) key Constitutional Law concepts; (4) Litigation and Alternative Dispute Resolution Procedures, such as arbitration and mediation; (5) Business Crimes and Torts; (6) Commercial and Sales Contract Formation under Article 2 of The Uniform Commercial Code; and (7) the basic legal concepts of Property, including Copyrights, Patents and Trademarks.

Students will also explore how the legal principles in each area are being applied, successfully or not, to the novel issues presented in the online world of the Internet and e-Business.

Learning Objectives - Course Specific: Upon satisfactory completion of this course, students will be able to:

- Name, define and relate the key basic areas of business law, including principles of substantive and procedural law and third party rights;
- Describe, discuss and explain the prima facie elements of causes of action, defenses and remedies in common and statutory law relevant to the key basic areas of business law;
- Interpret, apply and distinguish between common and statutory law both in principles of construction and availability of causes of action, defenses and remedies relevant to the key basic areas of business law;
- Analyze, compare and examine common and statutory law principles as applied to specific issues of business law examined in case analysis and hypothetical questions; and
- Create, design and formulate legal approaches to addressing and/or resolving specific issues relevant to the key basic areas of business law.



Learning Objectives - General Education:

This course covers the following General Education Learning Objectives:

(1) The Development of Breadth and Depth of Knowledge and Lifelong Learning; (2) The Acquisition of Communication Skills, Including Inquiry and Analysis; (3) The Integration of Information Literacies; and (4) The Formation and Application of Professional and Personal Development, Ethics and Values, Community and Civic Engagement, and a Global and Multicultural Orientation.

Student Learning Outcomes – Course Specific: Upon successfully completing this course, students will be able to identify and analyze relevant legal issues together with their implications for business transactions and relationships. Students will also be able to apply the underlying principles of law to solve issues involving business operation and decision-making.

Student Learning Outcomes – General Education: Upon the satisfactory completion of this course students will have explored the following General Education Student Learning Outcomes:

(1) The Value of Knowledge and Learning; (2) The Ability to Use the Arts and Humanities as a Forum for the Study of Values and Ethical Principles; (3) The Ability to Pursue Disciplined, Inquiry-Based Learning in the Major; (4) The Acquisition of Tools For Lifelong Learning; (5) The Skills Necessary for Communicating in Diverse Settings and Groups Through the Use of Written, Oral and Visual Means; (6) The Ability to Understand and Employ both Quantitative and Qualitative Analysis To Describe and Solve Problems; (7) Employ Logical Thinking; (8) Gather, Interpret, Evaluate, and Apply Information Discerningly From a Variety of Sources; (9) Demonstrate Intellectual Honesty and Personal Responsibility; (10) Discern the Consequences of Decisions and Actions; (11) Demonstrate Intellectual Agility and the Ability to Manage Change; (12) Transform Information into Knowledge and Knowledge Into Judgment and Action; (13) Assume Responsibility for Social Justice; (14) Demonstrate Social and Civic Knowledge; (15) Understand Organizations and Histories Underlying Government in a Global Context; (16) Apply Knowledge and Analyze Social, Political, Economic and Historical Issues; (17) Show Ability to Contribute Actively by Applying Knowledge to the Identification and Analysis of Societal and Professional Problems to Enact Solutions; (18) Demonstrate Expanded Cultural and Global Awareness and Sensitivity; (19) Discern Multiple Perspectives; and (20) Demonstrate Proficiencies and Capabilities in Dealing With a Diverse Society.

CUNY’s Academic Integrity Policy: *Academic dishonesty is prohibited in The City University of New York.* Penalties for academic dishonesty include academic sanctions, such as failing or otherwise reduced grades, and/or disciplinary sanctions, including suspension, or expulsion.

Cheating is the unauthorized use or attempted use of material, information, notes, study aids, devices or communication during an academic exercise.

Plagiarism is the act of presenting another person’s ideas, research or writings as your own. The following are some examples of plagiarism, but by no means is it an exhaustive list:

Internet Plagiarism includes submitting downloaded term papers or parts of term papers, paraphrasing or copying information from the internet without citing the source, and “cutting and pasting” from various sources without proper attribution.



For a more detailed explanation, you can find the full Academic Integrity Policy here:
http://www.citytech.cuny.edu/aboutus/docs/policies/CUNY_ACADEMIC_INTEGRITY_6-2011.pdf

Grading Policy: Final Term Grades will be based on the following criteria:

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| 1. Participation: | 15% |
| 2. Legal Questions and Case Studies: | 20% |
| 3. Legal Research Term Paper: | 25% |
| 4. Mid Term Examination: | 20% |
| 5. Final Examination: | 20% |

Grading System:

All grades will be based in proportion to the following scale:

A	=	93 - 100
A-	=	90 - 92.9
B+	=	87 - 89.9
B	=	83 - 86.9
B-	=	80 - 82.9
C+	=	77 - 79.9
C	=	70 - 76.9
D	=	60 - 69.9
F	=	59.9 and below

Assessment Methods: The following metrics will be used to assess student mastery of the Objectives of the Course: (1) the satisfactory, individual contributions of Responses to the Legal Questions and Case Studies; (2) the satisfactory submission of a Legal Research Paper; (3) a satisfactory record of class attendance, preparation and participation; (4) the receipt of a passing grade on the Mid Term Examination; and (5) the receipt of a passing grade on the cumulative Final Examination.

Assessment Metrics will be evaluated according to several Grading Rubrics. Student are encouraged to review these Rubrics so that they will have a complete understanding of how the professor will evaluate student work completed in the course.

Course Technology: Blackboard. Students are encouraged to visit and become familiar with the following Legal Research Web sites. They are particularly useful for completing the Legal Research Paper.

1. LawCrawler at <<http://lawcrawler.lp.findlaw.com>> (this is an all-purpose legal search engine powered by the same search engine as AltaVista, but scours only sites known to contain legal information);

2. Findlaw at <<http://www.findlaw.com>> (this site offers a comprehensive index of hyperlinks to more than thirty areas of legal practice, and includes hyperlinks to case law, statutory codes, legal associations and law reviews, among other legal resources);

3. Hieros Gamos at <<http://www.hg.org>> (the “grand daddy” of all legal Web sites; notwithstanding its weird name, this Web site is one of the most comprehensive legal portals in

cyberspace with over 2 billion hyperlinks to nearly every conceivable legal topic; it can be a little overwhelming but is nonetheless a top destination in cyberspace for legal information on the Internet); and

4. American Law Sources On-Line at <<http://www.lawsource.com/also>> (this useful Web site covers the laws of Canada, Mexico and the United States of America).

Class Schedule:

Week	Subject	Text
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One	INTRODUCTION TO THE COURSE AND LEGAL RESEARCH and FOUNDATIONS OF LAW AND ETHICS	Pages 661-666 and Ch. 1
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Appendices A and B at the end of our textbook will introduce students to statutory and case law, as well as how to read and analyze legal cases and conduct legal research on the Internet. These two appendices should be read in conjunction with the memos on IRAC and the Legal Research Paper located in “Course Documents.” Students should also review the legal research hyperlinks located in “External Links.”

Chapter 1 will introduce students to the fundamental concepts of the Anglo-American system of jurisprudence, including why laws are needed, the nature of law and the purposes of a legal system. The chapter also covers the influences in the development of law in Western civilization. Students will also be introduced to the specific sources of law in the United States and the various ethical challenges and issues presented in the relationship between business and law.

Two	THE LEGAL SYSTEM IN THE U.S. and CRIMINAL LAW AND PROCEDURE	Chs. 2 and 3
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Chapter 2 explores the federal and state court systems and their foundation in the framework of the U.S. federal Constitution. The chapter also introduces students to the key participants in our legal system and to fundamental U.S. Constitutional legal concepts upon which the American government and its legal system derive their authority.

Chapter 3 introduces the substantive and procedural laws concerning the application of criminal laws to the business environment. In particular, students will learn about the various classifications of business crimes and the procedures by which the criminal justice system seeks to redress such criminal activity.

Three	TORT LAW and CIVIL DISPUTE RESOLUTION	Chs. 4 and 5
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The nature and types of torts are examined in Chapter 4. Students will learn about intentional as well as negligent acts that cause harm to others in the business context and explore the various defenses a defendant may assert to avoid liability for such acts. Particular attention is given to newly emerging concepts of tortious activity, including those committed in cyberspace.

In Chapter 5 students will be introduced to the adversary system in the United States and the procedures by which civil disputes are adjudicated in litigation. Students will also examine various alternatives to litigation for resolving such disputes, including arbitration and mediation.

Four **CONTRACT LAW: FUNDAMENTAL CONCEPTS and
AGREEMENT: OFFER AND ACCEPTANCE** Chs. 6 and 7

In this class students will be introduced to the concept of contracts and contract terminology in Chapter 6. Students will also learn about the four essential elements that are necessary to be present to form a valid contract between parties.

In Chapter 7 students will examine in depth the first legal requirement for contract formation: Agreement, consisting of an Offer and an Acceptance, and what elements are required for an effective Offer and a legally binding Acceptance. Special emphasis and analysis will be placed upon the “Mailbox Rule” as set forth in Article Two of the Uniform Commercial Code (“UCC”).

Five **CONTRACT LAW CONTINUED: CONSIDERATION and
CAPACITY** Chs. 8 and 9

Chapter 8 covers the second requirement of contract formation: Consideration, “something of legal value” given by each party to bind each to their mutual promises stated in the Agreement.

In Chapter 9 students will be introduced to the third requirement of contract formation: Capacity, or “Competent Parties,” individuals whom the law deems competent to form a voluntary intent to be legally bound by the terms in the Agreement.

Six **CONTRACT LAW CONTINUED: LEGALITY and
CONTRACTS THAT MUST BE IN WRITING** Chs. 10 and 11

Students will complete their study of the process of contract formation in Chapter 10 by exploring the fourth and final requirement to form a valid contract: Legal Purpose, which requires that the terms of the Agreement are not contrary to Public Policy or against any existing law.

Chapter 11 explores the six specific types of contracts that must be in writing to be enforceable, even though they may have the four required elements of Agreement, Consideration, Competent Parties and Legal Purpose. Students will also learn that although the medium of contract formation has undergone a transformation in e-Commerce, the traditional rules of contract law

nevertheless still apply. Specifically, students will explore the e-Sign Act that enables parties to a contract to use electronic methods to satisfy the traditional required elements of a "writing" and a "signature" to form enforceable contracts in cyberspace.

Seven **CONTRACT LAW CONTINUED: TRANSFER OF CONTRACT
RIGHTS & DUTIES and DISCHARGE OF CONTRACTS**
Chs. 12 and 13

In Chapter 12 students will learn about the addition of a third party to a previously existing contractual relationship that transfers rights and obligations among the three parties either in an Assignment of Contractual Rights or a Delegation of Contractual Duties.

Chapter 13 will introduce students to the concept of contract termination through discharge of contract in which parties are relieved of contractual obligations either through complete compliance with the terms of the Agreement or from a release of the terms granted by other parties to the contract.

Eight **CONTRACT LAW CONTINUED: BREACH OF CONTRACT**
Ch. 14

In this class students will be introduced to the concept of contract termination through breach of contract, in which one or more of the parties to the contract fail to comply with the obligations agreed to in the Agreement and the resulting damages or defenses to the breach that may be asserted.

Nine **REVIEW AND THE MID TERM EXAMINATION**

Ten **FORMATION OF SALES AND LEASE CONTRACTS and
TRANSFER OF TITLE AND RISK OF LOSS** Chs. 15 and 16

Chapter 15 introduces students to the laws governing sales and lease contracts under Articles 2 and 2A of the Uniform Commercial Code (the "UCC"). The nature and purpose of the UCC is explored in depth, including the key modifications that it has made concerning the key common law contractual concepts of Offer, Acceptance and Consideration.

In Chapter 16 study will focus primarily on the rules that determine when the risk of loss, or financial responsibility, passes from the seller to the buyer in the sale and delivery of goods.

Eleven **THE SALES CONTRACT: PERFORMANCE, BREACH AND
REMEDIES FOR BREACH and PRODUCT LIABILITY LAW**
Chs. 17 and 18

