



Independent Study | in Idaho

**BLAW 265
Legal Environment
of Business**

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The University of Idaho in statewide cooperation with
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Course Guide

Independent
Study | in Idaho

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Business Law 265 Legal Environment of Business

University of Idaho
3 Semester-Hour Credits

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Welcome!

Whether you are a new or returning student, welcome to the Independent Study in Idaho (ISI) program. Below, you will find information pertinent to your course including the course description, course materials, course objectives, as well as information about assignments, exams, and grading. If you have any questions or concerns, please contact the ISI office for clarification before beginning your course.

Policies and Procedures

Refer to the ISI website at www.uidaho.edu/isi and select *Students* for the most current policies and procedures, including information on setting up accounts, student confidentiality, exams, transcripts, course exchanges, refunds, academic integrity, library resources, and disability support and other services.

Course Description

Legal Environment of Business is an introductory survey course in American law. Emphasis is placed on business transactions of individuals and businesses. The course covers the legal environment of laws, types of business formations, contracts and business law, intellectual property, sales, agency and employment and legal liability of Accountants. Corequisite/Prerequisite: none

*Required: Internet access, Microsoft Word
11 graded assignments, 4 proctored exams*

Students may submit up to 3 assignments at a time/4 per week. Feedback on assignments may take up to two weeks after date of receipt by the instructor.

ALL assignments and exams must be submitted to receive a final grade for the course.

Course Materials

Required Course Materials

Law for Business, A. James Barnes, Terry Morehead Dworkin, Eric L Richards. McGraw Hill Education, 2015. 12th Edition, ISBN-13: 9780078023811, ISBN-10: 0078023815. (Students can shop around for the 12th edition and buy what best fits their budget).

Course Delivery

- Students will submit lessons by Canvas.
- Instructor returns graded lessons to students by Canvas.
- Incarcerated student will be allowed to email or mail lessons. x Yes No
- Students may turn in up to 3 lesson(s) at a time.
- Students may turn in up to 4 lesson(s) in one week.
- Wait for grades and feedback on assignments prior to submitting subsequent assignments.
- Quantity of graded items for this course: lessons 11 exams 4 *proctored*

Course Introduction

Students will be presented with a variety of legal topic ranging from criminal law to environmental law. Particular attention will be paid to the intersection between law and business; eg. Contracts, employment law, confidentiality, etc.

Course Objectives

- Students will be introduced to and gain a basic understanding of the United States legal system; a person's rights and responsibilities, basic legal terminology.

- Develop and improve critical thinking skills

Study Hints:

- As you study learning objectives in text, create a brief outline of each topic. Also, make use of the Chapter Outlines and sample quizzes on the Book’s website (www.mhhe.com/barnes12e)

Exams

1. Students should bring the following to exams: pen or pencil and eraser
2. Exams are: x open book, open note
3. Students should review homework assignments prior to taking the exams. Student Editions of the text (on line, via the text website) contain Chapter quizzes and Study Guides. Students are encouraged to utilize these resources prior to taking exams.

The course grade will be based upon the following considerations:

<u>Assignments</u>	<u>Points</u>	<u>Percent of Total Points</u>
Assignment #1 (Chapters 1, 2 and 3)	30	3.8%
Assignment #2 (Chapters 4, 5 and 6)	30	3.8%
Assignment #3 (Chapters 7, 8 and 25)	30	3.8%
Assignment #4 (Chapters 9, 10, and 11)	30	3.8%
Assignment #5 (Chapters 12, 13 and 14)	30	3.8%
Assignment #6 (Chapters 15, 16, 17 and 18)	30	3.8%
Assignment #7 (Chapters 19, 20, 21 and 22)	30	3.8%
Assignment #8 (Chapters 26, 27, 28, 29)	30	3.8%
Assignment #9 (Chapters 32, 33, 34)	30	3.8%
Assignment #10 (Chapters 35, 36, 37, 44)	30	3.8%
Assignment # 11(Chapters 45, 46 and 47)	30	3.8%
Exam #1 (Assignments 1, 2 and 3)	120	15.4%
Exam #2 (Assignments 4, 5 and 6)	120	15.4%
Exam #3 (Assignments 7, 8, 9)	120	15.4%
Exam #4 (Assignments 10, 11)	90	11.5%

Note: Exam #4 is not comprehensive

Grading Criteria

<u>Grade</u>	<u>Points</u>	<u>Pct</u>	<u>Grade</u>	<u>Points</u>	<u>Pct</u>
A	702-780	90%	D	468-545	60%
B	624-701	80%	F	<467	<60%
C	546-623	70%			

Acts of academic dishonesty, including cheating or plagiarism are considered a very serious transgression and may result in a grade of F for the course.

About the Course Developer

Your course developer is Ken Pekie, a Lecturer for the College of Business and Economics and the College of Education, Department of Movement Sciences. His undergraduate degree is in Accounting from the University of Washington and he received an MBA in Technical Management from the University of Phoenix (2002). Mr. Pekie has graded ISI Business Law since 2007.

Contacting Your Instructor

Instructor contact information is posted in the **Course Rules** document in your Canvas site.

Lesson 1

Law and Legal Reasoning, Dispute Settlement and Business Ethics and Corporate Social Responsibility

Lesson Objectives

1. Identify the basic functions of law
2. Identify sources of law
3. Understand Stare Decisis
4. Understand Attorney-Client Privilege
5. Describe the various ways to settle disputes
6. Define jurisdiction
7. Explain why all cases can't be appealed to the Supreme Court
8. Explain the advantages and disadvantages of the adversary system
9. Identify the different stages of a lawsuit
10. Discuss how an appeal works and why most appeals fail
11. Understand Rights Theories
12. Explain the four major limits on the ability of law to control corporate behavior
13. Describe the weaknesses of each of the suggested ways in which one might define ethical behavior
14. List three recommendations for making corporations more sensitive to outside concerns and explain the arguments against each reform.

Reading Assignment

Law for Business, Chapters 1, 2 and 3

Important Terms

Substantive Law, Procedural Law, Criminal Law, Civil Law, Checks and Balances, Commerce Clause, Due Process, Statutes, Administrative Rules, Executive Orders, common law, equity, stare decisis, adversary system, confidentiality, negotiation, mediation, arbitration, WTO, NAFTA, jurisdiction, inferior courts, trial courts, appeals courts, state courts, federal courts, supreme court, adversary system, procedure, complaint, summons, allegation, discovery, the trial, appellate procedure, ethical theories, profit maximization, corporate influence, conscious lawbreaking, unknown harms, irrational corporate behavior, corporate governance, guidelines for ethical decision making.

Introductory Lecture

Complete the reading assignment paying close attention to the Learning Objectives and Important Terms. Complete Assignment #1 in Canvas. The assignment will be a combination of multiple choice and short essay questions taken from the reading assignment.

Written Assignment

Complete Assignment 2 in Canvas (online quiz).

(Continued on next page)

Multiple Choice

1. Laws that seek to prevent certain practices that might reduce competition and thus increase prices are called _____.
 - A. tax laws
 - B. consumer laws
 - C. antitrust laws
 - D. contract laws
2. Which of the following is an example of procedural law?
 - A. The privilege of receiving food stamps
 - B. The rules as to how a court's decision is to be enforced
 - C. The right of self-defense
 - D. The freedom of speech granted by the U.S. Constitution
3. *Stare decisis*
 - A. renders law rigid and unchanging
 - B. lends predictability to decisional law by relying on prior decisions
 - C. Means a new statute applies only to actions taken after it becomes effective
 - D. Creates harsh results by refusing to recognize equitable exceptions
4. The adversary system is characterized by:
 - A. the idea that ultimate truth and justice will prevail if each party to a dispute is represented by competent attorneys providing the strongest possible representation
 - B. the view that attorneys can be given free reign if they do not violate legal and ethical rules designed to ensure the fair operation of the judicial process
 - C. The unconditional free reign granted to judges
 - D. the notion that the effective functioning of the judicial system will be undermined if a client does not feel free to speak with his or her attorney
5. Jurisdiction is defined as:
 - A. the authority of a court to hear and determine disputes
 - B. the unlimited authority of the court
 - C. The process by which legal cases are decided
 - D. The power of an individual appointed within an organization possesses to settle disputes.
6. Generally, the role of appellate courts is to:
 - A. hear witnesses once again
 - B. establish new facts for all cases
 - C. Accept the findings of the trial court with minor changes even if it goes against all the evidence
 - D. review the proceedings in the trial court and correct legal errors made by the trial judge.
7. Which of the following is a criticism of the adversary system?
 - A. Honest witnesses can be confused by hostile questioning.
 - B. The system concentrates on the competition to win, which discourages overstatement of the truth.
 - C. The judge's role, in the adversary system, is active.
 - D. The system does not work when the opposing lawyers are of unequal skill, giving an advantage to the poor and needy.
8. Under Immanuel Kant's "categorical imperative," _____
 - A. individuals should judge an action by applying it universally
 - B. individual should manipulate others for their self-interest
 - C. the teleological ethical theory is dominant
 - D. The consequences of decision are focused on deciding if it is ethical

9. Which of the following is a reason why large corporations have the ability to influence legislation?
- there are no limits on the law's ability to control irresponsible corporate behavior
 - Their size, resources, and sophistication give them the capability to purchase this ability.
 - Corporate managers are always aware of the effects of their products or production processes.
 - the State legislatures cannot enact hostile regulatory legislation
10. The tendency for members of a group to internalize the group's values and perceptions and to suppress critical thought is known as _____.
- risky shift
 - social malingering
 - herd behavior
 - groupthink
11. Which of the following statements is true of criminal law?
- It is concerned with private duties owed by one person to another
 - It is completely procedural
 - It defines breaches of duty to society at large.
 - It refers to the duty of corporations to exercise reasonable care with regard to other corporations.
12. A treaty becomes "the supreme law of the land" when:
- it lends predictability to a decisional law by relying on prior decisions
 - It is made by the president with a foreign government and ratified by at least two-thirds of the Senate
 - It is established with the rules that govern certain kinds of activities, such as the use of automobiles on highways
 - it adds details to the government framework by establishing a regulatory agency.
13. Adia filed a case against Chang in the court at Ohio. However, Chang never visited Ohio and had no personal ties with anyone in Ohio. Chang could successfully argue that the court:
- lacked personal jurisdiction
 - was in proximity to the place where Chang resides.
 - Was limited by subject matter jurisdiction
 - did not have judges that would understand the language spoken by him.
14. In the context of filing a lawsuit, a complaint:
- must contain sufficient facts to show that the plaintiff is entitled to some legal relief.
 - is a rule of law enabling the defendant to win even if all of the plaintiff's allegations are true.
 - was created to help deal with the increasing congestion of cases in most civil courts.
 - is a procedural device that is designed to narrow down issues to be proved at trial.
15. The Sarbanes-Oxley Act requires that:
- public corporations disclose whether they have adopted a code of ethics for senior financial officers.
 - director are provided with lower incentives to ensure their corporations are not breaking the law.
 - privately traded corporations have board audit committees comprising only of internal directors.
 - special committees of the board be assigned special areas of concern.
16. A U.S. Court of Appeals is empowered to:
- take up appeals only from other districts.
 - review legal conclusions reached by lower federal courts.
 - hear cases that have been appealed from Supreme Court decisions.
 - take the final responsibility for interpretation of the Constitution and federal statutes.
17. The primary way a case can be appealed to the Supreme Court is through a _____.
- writ of habeas corpus
 - writ of quo warranto
 - writ of certiorari
 - writ of mandamus

- 18. In the context of filing a lawsuit, a complaint:
 - A. must contain sufficient facts to show that the plaintiff is entitled to some legal relief.
 - B. is a rule of law enabling the defendant to win even if all of the plaintiff's allegations are true.
 - C. was created to help deal with the increasing congestion of cases in most civil courts.
 - D. is a procedural device that is designed to narrow down issues to be proved at trial.

Short Answer Questions

19. Describe the difference between criminal and civil law. What are the penalties that accompany violations of each?

20. Under what conditions can one or more members of a class may sue or be sued as a representative of a class? What type of lawsuit can their claims be consolidated into?

21. Explain the theory of utilitarianism.
