**Syllabus**

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| **Course Title:** **Course Number:** Credits: **Course Schedule:** Class Times: **Instructor:**  | Business LawBUS 231 **3** 2019 Fall Semester: Tuesday 5pm-7:55pm, Fall Semester**J**ames McLaughlin BA, MA Trinity College, Dublin (Ireland) J.D. [law degree] University of Wisconsin Law School Publications: Research Assistant for University of Wisconsin Law School Associate Dean David Trubek on “The Costs of Ordinary Litigation”. Ford Foundation study published in the UCLA Law Review, Fall Edition 1983  |

Experience: 1989 to present: Senior Staff Attorney for Wisconsin State Public Defender, Spooner Trial Office. Three County Office providing juvenile, criminal and mental health trial representation to indigent Wisconsin citizens in a broad range of legal matters

1984-1989: Private attorney in medium and large size Wisconsin firms emphasizing civil litigation, corporate and family law

2008-present Adjunct Professor of Law, Government and Sociology.

Lac Courte Oreilles Ojibwe Community College

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 E-mail: jmclaughlin@lco.edu or mclaughlinj@opd.wi.gov

**Office Hours:** Tuesdays before class at adjunct professor’s office at LCO main campus. If these times are not convenient for you, please contact me for an appointment.

 **Required Textbooks:** Anthony Liuzzo (2016). Essentials of business

law (9th Ed.). New York: McGraw Hill

**Course Description:** This course involves a broad study of many areas and private law affecting business. A general overview of a judicial system, civil and criminal wrongs, business relationships and transactions, antitrust law, labor and employment law, ethical issues that influence business will be introduced. In addition, legal issues facing tribally owned businesses, along with the relationships between tribal governments and privately owned businesses will be discussed. It is a strong component/goal of this class to explain/understand legal reasoning. It is the specific desire of this instructor for students to be able to comprehend basic legal reasoning, how courts and laws act [what they do] as well as what they say. This course will conduct mock trials, competing case law analysis and legal/business interactive debates. This course will offer use interactive competitions, debates and game analysis to draw out legal and business concepts and develop public speaking/team work.

# Pre-requisites: ENG 101

**This course is required for:** Associates Degree in Business

1. **Course Specific Outcomes:** After successful completion of this course, the students will be able to:

Understand terminology used in business and the court systems

* 1. Have a solid overview of how courts and our legal system actually work.
	2. Compare the procedures in a civil action and a criminal action.
	3. Distinguish between a contract and an agreement.
	4. Recognize requirements for a valid contract. Understand how to attack/void a contract
	5. Describe the major antitrust laws and understand their purpose.
	6. Describe the Civil Rights Act of 1964, Equal Pay Act, Age Discrimination In Employment Act, and Americans with Disabilities Act. Understand their historic/legal significance.
	7. Identify the basic provisions of the Fair Labor Standards Act (FLSA).
	8. Describe the three forms of business organizations.
	9. Identify the different types of insurance.
	10. Identify the purpose of bankruptcy and discuss current bankruptcies in the business environment. Understand the historical economic conditions we live in and the choice/effects of bankruptcy on our society.
	11. Define and discuss the effect of a mortgage. Discuss the current sub-prime mortgage debacle.
	12. Explain the rights and duties of tenants and landlords.
	13. Explain the normal formalities required for executing the various types of wills.
	14. Examine the workings of the legal system, how courts reason and act and how this effects the rights, duties and interests of us all.
	15. Explain the ramifications of an independent tribal judiciary and tribal economic development.
	16. Identify a tribal law/ethics issue pertaining to business The student will be able to write a clear, well organized paper using documentation using documentation, with proper grammar, spelling, and punctuation. The student will be able to deliver a clear, well-organized, verbal presentation.
	17. The student will be able to complete an assignment integrating research from multiple sources.
	18. The student will engage in a formal mock trial with Judge, jury and witnesses, not to play at being a lawyer but to use analytical/legal reasoning. This is also designed to increase confidence in public speaking and team work.
1. General Education Program Outcomes
	1. Students will demonstrate analytical reasoning and writing.
	2. Students will explain/define how a contact is formed/broken.
	3. Students will advocate for a position/point.
2. Course Assessment/Outcomes
	1. Analytical reasoning/writing will be shown/assessed in major written assignments.
	2. Explaining/defining contract law will be shown/assessed in homework assignments, mid-term, final examinations as well as class participation.
	3. Effective advocacy will be shown in the mock trial including scoring/assessment from the trial court judge and jurors.

Culture and Tradition:

The Mission Statement of LCOCC states:

The Lac Courte Oreilles Community College mission is to provide Anishinaabe communities With post-secondary curriculum and continuing education while advancing the language,culture And history of the Ojibwe.

EVALUATION PROCEDURES AND GRADING CRITERIA

Course Homework 30 % You have one week (1 class period) to turn in for full grade. Written Papers 10%

Mid-term exam: 15%

Final exam: 20%

Mock Trial: 25%

TOTAL 100%

Extra credit papers will be available during the course. Class Participation is considered in grading.

 Grading Scale

1. 100-90
2. 89-80
3. 79-70

IF YOUR GRADES FALL BELOW THEY WILL NOT TRANSFER TO ANOTHER ACADEMIC

INSTITUTION

1. 69-60

F 59 or below

I N/A Incomplete

W N/A Withdraw

Z N/A Audit P N/A Pass

Attendance Policy:

Students are allowed 3 hours of unexcused class hours (one class). Students who fail to make Academic Progress (minimum GPA) or meet the Pace of Progression (completing at least 67% of courses) standards may be placed on Financial Aid Probation. Please refer to the current Student Handbook, for the Class Attendance Policy.

**Computer Use**

In order to use any of the computers on the campus, you must have filled out and submitted a “Request For a Computer User Account”. These forms are available from the receptionist as well as the Computer Department**.**

COURSE REQUIREMENTS

Individual Projects

In the legal/business world, it is essential to have abilities such as interpersonal communications, problem solving, and computer skills. Your individual project is designed to teach these and other skills. Your mock trial project is designed to produce team work, public speaking skills and analytical reasoning. It is also designed to be fun!

# Mock trial group project [trial date to be set]

2. **Individual Projects – Position papers on legal/ethical issues pertaining to law and business.**

# 1st paper due: 10/08/2019 2nd paper due: 11/26/2019

Each position paper should be approximately five pages long, not including the cover page, executive summary, or references

Some resources for finding information on your projects are Your textbooks (required and optional)

* [http://www.badgerlink.net.](http://www.badgerlink.net/)
* The respective company’s website.
* Your project must contain scholarly resources. A good guide for what is a scholarly
* Resource. http://pegasus.cc.ucf.edu/~janzb/courses/scholarly1.htm

You will use proper APA style when writing your projects. Details on APA Style are found in the Publication Manual of the American Psychological Association (APA Manual). There are copies of the APA Manual in the library, or you can purchase a copy on your own. If you are not familiar with APA style, there are many resources to assist you, such as the college writing center or the Purdue University Online Writing Lab [http://owl.english.purdue.edu/.](http://owl.english.purdue.edu/) APA Style exceptions for the project are:

Cover page (page 306, APA Manual

* Do not include a “Running head.” o Do not type the affiliation (school name) o Put the date the project is submitted below your name o Abstract (page 306, APA Manual) – DO NOT INCLUDE IN THE PAPER.
* Substitute a one page executive summary. Tips for writing the executive summary can be found at:

o

**If you are not familiar with APA Style – get help! If the links listed above do not help you, please see someone in Student Support Services.**

I have given some general criteria for the paper. The criteria are a guide to assist you, but you do not need to follow the criteria exactly. Use the criteria as a check to ensure you do not forget an important aspect of your paper or presentation. Rubrics for grading the paper are included in the syllabus.

**If you want me to review your paper before you submit the paper for grading, you must submit your paper one week before the paper is due. I highly recommend that you take advantage of this opportunity** 

**Written Project/Papers**

Executive Summary

Brief summary of main points in paper

Interesting and enthusiastic Overview of the issue

Who?

What?

When?

Where?

Why?

History of the issue Previous cases or law

Timeline of current issue

What the current status is

Present both sides of the argument

Analysis

 Argue to a conclusion the position you hold on the subject.

Indicate the significance of the issue in question, ramifications. Grammar and writing mechanics

Proper use of APA style

Midterm and Final Examinations1

The midterm and final examination will be a combination of short answer, case analysis, and essay questions. The mid-term exam will be take home. The final exam will be take home.

**Exam Dates are:**

> Mid-term exam: Returned October 22 12 noon

> Final Exam: December 12 13 noon

> Examinations can only be rescheduled for valid emergencies upon review with LCO Community College Authorities and procedures.

**Class Participation**

Your class participation will be evaluated according to the following criteria:

(1)Providing intelligent, thoughtful, and serious responses to class participation assignments; that incorporate, where applicable, relevant business law and ethics terms, theories, and/or research

(2) Demonstrating an interest and respect for the thoughts, arguments and contributions of others. Civility as well as analytical ability is a key component to success in the legal/business world and life in general

**ADDITIONAL INFORMATION**

# Academic Honesty

Academic misconduct includes but is not limited to dishonesty or dishonest conduct during tests or examination such as by using books, notes, diagrams, and other aids not authorized by the instructor. It includes communicating or purposely exposing or conveying information to other students who are taking a test or examination.

Plagiarism is that form of dishonesty in which one person submits or presents the work of another person as his or her own. Another person’s thoughts or work must be clearly footnoted or referenced in a student’s work

There are two essential principles that guide academic and real world achievement: thou shalt not lie, thou shalt not steal. I assume all my students are honest, hardworking people unless shown otherwise. I will consult LCO Community College Authorities in the event of academic misconduct.

# Inclement weather and school closing

In the event the college closes due to inclement weather, the assignment or exam due that day will be due the next class period and the syllabus will be adjusted.

 \*\* IMPORTANT \*\*

# ADA Syllabus Statement

If a student has a disability that qualifies under the Americans with Disabilities Act

(ADA) and requires accommodations, he/she should contact the Dean of Student Services and Enrollment Management (DSS) for information on appropriate policies and procedures. Disabilities covered by ADA may include learning, psychiatric, physical disabilities, or chronic health disorders. Students can contact the DSS if they are not certain whether a medical condition/disability qualifies.

It is the responsibility of the student to provide appropriate documentation to the college in a timely manner. Students requesting accommodations are asked to contact the Vice President of Academic and Student Affairs (715-634-4790 Ext.117).

# Calling me at home

I have listed my home phone number on the syllabus. Feel free to call me if you need to discuss class related matters. Please do not call me after 9 p.m.

# Disclaimer

This syllabus is subject to change to meet student needs. The instructor reserves the right to modify the structure, content, and grading of this course at any time. **TEACHING PHILOSOPHY (Why I am here)**

It is the purpose of this instructor to convey course content in a challenging but effective manner. To provide a broad range of learning opportunities in the areas of law, ethics, business with an emphasis on analytical reasoning and public speaking. I am open to suggestions for topics of discussion and extra credit projects.

I hope to be a future resource for all my students concerning academic and career development. I hope to convey the rules, concepts and laws of the business world in an interesting and thought-provoking manner.

**CONCLUSION**

If any student has a question or comment, please contact me. There are no wrong questions, only opportunities to learn.

Sincerely,

Attorney James McLaughlin

 .**BUS 231 – Business Law**

**Tentative Schedule**

|  |  |  |  |
| --- | --- | --- | --- |
| **Unit**  | **Dates**  | **Planned Material**  | **Major Events**  |
| 1  | 9/03 | Intro to BUS Law, Chapter 1 Our system of law, constitutional law; the  | Extra credit offers Thomas Hobbes – law as  |

|  |  |  |  |
| --- | --- | --- | --- |
|  |  | Supreme Court,  Chapter 2 Chapter 3  Mock criminal trial exercise  | a social contract. The Equal Rights Amendment: What was it? What happened to it?  |
| 2  | 9/10 | Chapters 4-6 Mock Civil Trial Exercise  |  Chapters 1,2,3 homework due  |
| 3  | 9/17 | Chapters 7-9  | Chapters 4-6 homework due  |
| 4  | 9/24 |  Chapters 10-12  | Chapters 7-9 homework due  |
| 5  | 10/01 | Chapters 13-15  | Chapter 10-12 homework due  |
| 6  | 10/08 | Chapters 15-17  |  1st written assignment due Chapters 13-15 due |
| 7  | 10/15 | Chapters 18-20  | Chapters 15-17 homework due  |
| 8  | 10/22 | Chapters 21-23  |  Chapters 18-20 dueMid term exam due |
| 9  | 10/29 | Chapter 24-26  | Mock trial material distributed Chapters 21-23 homework due  |
| 10  | 11/05 |  Chapter 27-30 Also, Mock Trial preparation  | Chapters 24-26 homework due  |
| 11  | 11/12 | Mock Trial Preparation Chapter 31-32  | Chapters 27-30 homework due  |
| 12  | 11/19 |  Work on Mock Trial Chapter 33-34  |  Chapters 31-32 homework due  |
| 13  | 11/26 |  Work on Mock Trial Meet with your team to prepare  |  MOCK TRIAL PREP2nd written assignment due |
| 14  | 12/03 |  Chapters 35-37 Mock Trial Prep MANDATORY ATTENDANCE Final exam distributed  | MOCK TRIAL PREP; Final Exam Distributed  |
| 15  | 12/10 |  MOCK TRIAL LCO MAIN CAMPUS MANDATORY ATTENDANCE  |  Chapters 33-35 homework due  |
| 16  | 12/13 | Final Exam due  |  Chapter 36-37  |
|  |  |  | homework due  |

ASSIGNMENTS TEXT BOOK

|  |  |
| --- | --- |
| CHAPTER 1:  | 1 – 36, 42 – 44  |
| CHAPTER 2:  | 1 – 18, 30 – 32  |
| CHAPTER 3:  | 1 – 25, 38 – 40  |
| CHAPTER 4:  | 1 – 25, 36– 39  |
| CHAPTER 5:  | 1 – 25, 32 – 36  |
| CHAPTER 6:  | 1 – 25, 31 – 33  |
| CHAPTER 7:  | 1 – 39  |
| CHAPTER 8:  | 1 – 34  |
| CHAPTER 9:  | 1 – 38  |
| CHAPTER 10:  | 1 – 39  |
| CHAPTER 11:  | 1 – 39  |
| CHAPTER 12:  | 1 – 21, 28 – 35  |
| CHAPTER 13:  | 1 – 25, 36 – 38  |
| CHAPTER 14:  | 1 – 25, 32 – 40  |
| CHAPTER 15:  | 1 – 25, 37 – 40  |
| CHAPTER 16:  | 1 – 27, 28-33,39-42  |
| CHAPTER 17:  | 1 – 36  |
| CHAPTER 18:  | 1 – 25, 26 – 30,36-38  |
| CHAPTER 19:  | 1 – 38  |
| CHAPTER 20:  | 1 – 25, 26-31,37-39  |
| CHAPTER 21:  | 1-25, 37-39 |
| CHAPTER 22:  | 1-39 |
| CHAPTER 23:  | 1-39 |
| CHAPTER 24:  | 1-40 |
| CHAPTER 25:  | 1-39 |
| CHAPTER 26:  | 1-39 |
| CHAPTER 27:  | 1-25, 37-39 |
| CHAPTER 28:  | 1-34 |
| CHAPTER 29:  | 1-34 |
| CHAPTER 30:  | 1-34 |
| CHAPTER 31:  | 1-30 |
| CHAPTER 32:  | 1-35 |
| CHAPTER 33:  | 1-35 |
| CHAPTER 34:  | 1-34 |
| CHAPTER 35:  | 1-22 |
| CHAPTER 36:  | 1-20 |

# OTHER ASSIGNMENTS

Write a two-page analysis of either or both of these topics. Thomas Hobbes

Who was he?

What was his theory of law as a social contract?[ hint: law as an alternative to chaos]

Do you agree with his theory?

What social/political structure did he support?

Were his political conclusions necessary to achieve his theory of law as a social contract?

The Equal Rights Amendment

What was it?

What did it stand for?

It did not become an amendment to the Constitution; why not? [hint: see page 5 of the text book]

Where, how and why did it die?

Do you agree it should or should not have been passed? Why? Why not?

# 1ST WRITTEN ASSIGNMENT

Suggested three to four pages

Subject: Criminal Law

1] John Walker Lindh – alleged American Taliban

Who is he?

What did he do? [hint: he was American arrested in Afghanistan in 2001 following the United States invasion of Afghanistan]

Research as much as you can about this man’s activities prior to and at the time of his arrest in 2001 in Afghanistan.

Given the definition of treason on page 37 of our textbook, was John Walker Lindh an enemy combatant who committed treason against the United States? Why? Why not?

Justify your answer [ignore that he took a plea deal for lesser charges, his lawyers thought the national patriotic fervor prevented a fair trial at the time]

Subject: Law & Ethics

1. The sub-prime mortgage scandal

What was it? When did it occur?

Explain how it occurred

Who benefited? Who lost? [hint: it involves a mechanism of mortgage

Bankers failing to verify applicant’s income and inflated real estate

Appraisals of property mortgaged.]

Who are some of the principals involved?

What are the effects upon our economy, our society?

What could/should have stopped of intervened? Why? Or was this the Free market just acting freely?

Subject: Law & Ethics & Administrative Law

1. Bernie Madoff

Who is he? [hint: he was in prison, now deceased ]

What did he do? [hint: he created a ponzi scheme]

Who was ponzi, what is a ponzi scheme? (defined text book page 38 )

Who were his victims? [hint: he focused on a specific subculture] How did he con them so effectively? For how long?

What group, body or government agency failed to stop this activity? How and why?

Support your conclusions with research

 2nd Written Assignment ( To Be Assigned )

# MOCK TRIAL

Date to be assigned Teams to be assigned.

LCO main campus

This will be a group project on a similar, but expanded basis similar to our State v Goldi Locks case.

Group project; Everyone will be required to speak/participate.

It will be fun, I promise!

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## Business Law Individual Written Projects

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| --- | --- | --- | --- | --- |
|  | **Poor** **70 pts**  | **Fair** **80 pts**  | **Good** **90 pts**  | **Excellent** **100 pts**  |
| **Content &** **Development** **50 %**  | Poor - Content is incomplete. - Major points are not clear and /or persuasive.Questions were not adequately answered. | Fair * Content is not comprehensive and /or persuasive. - Major points are addressed, but not well supported. - Responses are inadequate or do not address assignment.
* Content is inconsistent with regard to purpose and clarity of thought.
 | Good * Content is accurate and persuasive. - Major points are stated.
* Responses are adequate and address assignment. - Content and purpose of the writing are clear.
 | Excellent - Content is comprehensive, accurate, and persuasive. - Major points are stated clearly and are well supported. - Responses are excellent, timely and address assignment including course concepts. - Content and purpose of the writing are clear. |
| **Organization &** **Structure** **20 %**  | Poor * Organization and structure detract from the message of the writer.
* Paragraphs are disjointed and lack transition of thoughts.
 | Fair * Structure of the paper is not easy to follow.
* Paragraph transitions need improvement. - Conclusion is missing, or if provided, does not flow from the body of the paper.
 | Good * Structure is mostly clear and easy to follow.
* Paragraph

transitions are present. - Conclusion is logical. | Excellent -Structure of the paper is clear and easy to follow. - Paragraphtransitions are logical and maintain the flow of thought throughout the paper.- Conclusion is logical and flows from the body of the paper. |
| **Format** **10 %**  | Poor - Paper lacks many elements of correct formatting. - Paper is inadequate/excessive in length.-Paper is not double spaced | Fair - Paper follows most guidelines. - Paper is over/ under word length. | Good - Paper follows designated guidelines. - Paper is the appropriate length as described for the assignment.-Format is good. | Excellent - Paper follows all designated guidelines. - Paper is the appropriate length as described for the assignment. -Format enhances readability of paper. |
| **Grammar,** **Punctuation &** **Spelling** **20 %**  | Poor - Paper contains numerous grammatical, punctuation, and spelling errors. - Language uses jargon or conversational tone. | Fair - Paper contains few grammatical, punctuation and spelling errors. - Language lacksclarity or includes the use of some jargon or conversational tone. | Good - Rules of grammar, usage, and punctuation are followed with minor errors.Spelling is correct. | Excellent * Rules of grammar, usage, and punctuation are followed; spelling is correct.
* Language is clear and precise; sentences display consistently strong, varied structure.
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