

LAW 2/BUSINESS LAW II FALL 2013 SYLLABUS

Dr. Anthony E. Battle, JD,
West Los Angeles College,
9000 Overland Ave Box 105B
Culver City, CA 90230
Assistant Professor, Paralegal Program

Email: battlelaw06@aol.com

Phone: TBA

Catalog Description:

Office Hours: Online 7-7:30 p.m. (Tue/Thurs)

This course covers the essentials of the law of negotiable instruments, security devices, partnerships, corporations, estates and bankruptcy in their application to everyday problems of business. Also, there is an overview of shipment contracts, sellers and buyers obligations, and options for remedies in breached contracts. (Note: a maximum of one course from law 1 or 2 is acceptable for UC TRANSFER) A brief look at Real Estate and Environmental law is covered.

STUDENT LEARNING OUTCOMES

This course will help students achieve the following institutional Student Learning Outcomes

Upon successful completion of this course, a student will be able to:

1. “Think critically” in law, and in the area of To introduce students to the seller/buyer relationship, how article 2 and article 2a differ, understanding of the respective obligations of the parties under a contract for the sale or lease of goods, understand the nature and function of different business entities, learn and define the four types of negotiable instruments, learn and understand liabilities on a negotiable instrument.
Assessment: Students will debate changes to the law as it relates to consumer protection and financial responsibility of institutions.
2. Demonstrate their knowledge in the substantive law and procedures of Creditor Rights and Bankruptcy; Real Estate and Environmental Law and the ethical responsibilities of debtors and creditors alike.
Assessment: Students will write paper discussing the rights and obligations of creditors and debtors, landlords and tenants, polluters and impacted communities.

Text: Business Law Today, The Essentials (9th Ed.); Author: Miller & Jentz -ISBN: 978-0-324-78615-6. It is available at the campus bookstore, online from selected online book vendors, or directly from Cengage Publishing, 800-328-4880, or www.cengage.com/blaw/blt {Note: if you took Law 1 and had the 9th edition, you may use the same book}. The 9th Edition is mandatory!!!!!!

Instructional Methods: Student will observe online instructions, do discussion questions and interface with other students in the chat room. They will read each chapter, and prepare writing exercises. The review questions 1, 3 and 5 from each chapter are typically assigned and additional questions will often be added.

Participation: You are required to keep up. Getting the work done ahead of time should be your goal. Always contact me if you run into a problem so we can resolve it timely. YOU MUST TAKE ALL YOUR EXAMS. **YOU MUST TAKE THEM ONLINE.** WHEN THE EXAM PERIOD CLOSES, YOU WILL NOT BE ABLE TO TAKE THAT EXAM OTHERWISE. **FOUR (4) EXAMS ARE SCHEDULED.**

GRADING & EVALUATION

The class will be composed of hypothetical questions and case problems, for review and review questions, exams/quizzes, discussion questions posted to an "electronic bulletin board," and other written assignments. For certain semesters, a modified version or adjustment of these requirements will be made.

Grades will be posted on the ETUDES-NG Assignments page. Students should become familiar the nature of our online program materials. All student scores are posted immediately when graded.

A = 900 points or more	Exams = 100 points [4 x 100 = 400 total]
B = 800-899 points	Assignments = 35 points [10 x 35 = 350 total]
C = 700-799 points	Discussion Questions = 25 points [8 x 25 = 200 total]
D = 600-699 points	Extra Credit = [1 x 100 = 100 total]
F = 599 points or below	Proof of Completion of Survey = 25 points

The class follows strict deadline due dates. Students must ensure that all deadlines are kept. Also read carefully and understand our program policies on "late assignments", plagiarism, important college dates, and grades.

OFFICE HOURS: - My office hours are Tuesday and Thursday 7-7:30 p.m. online or by appointment. You may email me at any time to schedule and confirm an online appointment. Prior agreement is required for an in-person appointment so that we may to select a convenient date and time.

LATE ASSIGNMENTS: Late assignments **ARE NOT** accepted, except for good cause shown.

EXTRA CREDIT: The law is in constant change, along with the advent of the Internet, issues may arise that are timely and important to our class. Therefore, opportunities may arise during the semester that allow for extra credit. It must first be posted as an "Announcement" to the entire class and it will be and added to the Assignments page for points and credit.

INCOMPLETE: **I will not honor** any request for a grade of "I" (Incomplete). You should drop the class.

DISABILITY STATEMENT: Students with disabilities who believe they may need accommodations in this class are encouraged to contact Supportive Services in ***HRLC 119 or via telephone at (310) 287-4450*** as soon as possible to ensure that such accommodations are implemented in a timely fashion.

ACADEMIC HONESTY: Academic honesty is highly valued at West Los Angeles College, just as it is at all colleges and universities. A student must always submit work that represents his or her original **words or** ideas. If any words or ideas are used that do not represent the student's original words or ideas, the student must cite all relevant sources. The student should also make it clear to what extent such sources was used. Words or ideas that require citations include, but are not limited to, all hard copy or electronic publications, whether copyrighted or not, and all verbal or visual communications when the content of such communications clearly originates from an identifiable source. All submissions to any public meeting forum or private mailbox fall within the scope of words and ideas that require citations if used by someone other than the original author. Cheating, plagiarism, unauthorized assistance, fabrication, multiple submissions or other violations constitute academic dishonesty.

FINAL GRADE: **The final grade will be determined by adding points received on, exams, discussion questions, written assignments, and all work required during the semester. See above for description of point values for grades A-F.**

COURSE ASSIGNMENTS: For additional requirements and explanations, see the "Assignments" link online at ETUDES. The information will be based on a 16-week semester session.

IF YOU ARE NOT GOING TO CONTINUE THIS CLASS, YOU MUST DROP; IT IS NOT MY RESPONSIBILITY TO DROP YOU.

The chapter summary questions are not assignments, but questions for you to think about while reading.

COURSE OUTLINE

BUSINESS LAW II

[Discussion Question Assignments Are Due Every Friday]

WEEK 1 (August 26 – September 2, 2013)

Formation, Title and Risk Chapter 11

Start on page 300 and read to the end of chapter 11. This Chapter will discuss title, risk and insurable interest. For example: Does risk of loss generally pass from the seller to the buyer? What is insurable interest and when does the buyer acquire an insurable interest in the goods? Can both the buyer and seller have an insurable interest at the same time? Why is it important to know when insurable interests pass?

WEEK 2 (September 2– September 9, 2013)

Sales and Leases: Performance and Breach, Chapter 12

Start on page 334 and read to the end of chapter 12. This Chapter will discuss the subject of sales and leases in relations to the seller and buyer. What are the obligations of the buyer and seller for the sale or lease of goods? The chapter will discuss the Perfect Tender Rule and why it says perfect tender is required. It will discuss what remedies are available when the seller or buyer breaches a contract. What options are available to the non-breaching party when the other party repudiates the contract prior to time for performance?

WEEK 3 (September 9– September 16, 2013)

Warranties, Product Liability, and Consumer Law Chapter 13

Start on page 358 and read to the end of chapter 13. This Chapter will discuss the subject of warranties and their purpose. What implied warranties arise under the UCC? You will learn what is "good title" and be able to give examples. Can a buyer and seller have good title at the same time? What factors determine whether a seller's or lessor's statement constitute an express warranty. The chapter will discuss the purpose of the Magnuson-Moss Warranty Act. It will give examples of warranties implied from prior dealings. What is a disclaimer of warranty for merchantability? Finally, the chapter discusses and explains strict product liability. Also, it defines public policy as it relates to strict product liability.

WEEK 4 (September 16– September 23, 2013) [TEST-EXAM #1] *****

WEEK 5 (September 23– September 30, 2013)

Negotiable Instruments - Chapter 14

Start on page 391 and read to the end of chapter 14. In this chapter it will discuss types of negotiable instruments, transfer of instruments, holder in due course (HDC), holder through an HDC, signature liability,, warranty liability and defenses to liability. It will discuss the four types of negotiable instruments with which article 3 of the UCC is concerned. It will distinguish which instrument is an order to pay and which is a promise to pay. What makes an instrument a negotiable instrument? How can you attain HDC status if you are not eligible to obtain it directly? The chapter will discuss the liabilities on a negotiable instrument and explain the defenses that may be held against a HDC, and the two types of defenses.

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WEEK 6 (September 30 – October 7, 2013)

Checks and Banking in the Digital Age - Chapter 15

Start on page 424 and read to the end of chapter 15. Checks are the most common types of negotiable instruments regulated by the Uniform Commercial Code. We are going to learn about checks, the bank-customer relationship, the banks duty to honor check, and what results if they do not. We will be concerned with whether the bank has a duty to accept deposits? What are the different types of deposit and who regulates them? When may a bank properly dishonor a check without the bank being liable to its customer? Can a bank be a drawer and drawee? What are the 4 most common types of electronic funds transfer? What is E-Money?

WEEK 7 *(October 7, – October 14, 2013) TEST-EXAM #2 *****

WEEK 8 (October 14, – October 21, 2013)

Agency – Chapter 17

Start on page 488 and read to the end of chapter 17. With this chapter, we ask when and under what circumstances a person may make another person liable—that is, when the actions of an agent can bind a principal. A familiar example of an agent is a corporate officer. Agency law is essential to the existence and operation of a corporate entity, because only through its agents can a corporation function and enter into contracts.

Once a principal–agent relationship has been created, attention often focuses on the rights of third persons who deal with an agent. This chapter discusses the rights of third parties when they contract with agents. Of course, liability is determined by a careful examination of all the facts surrounding an agency relationship. A contract will make an agent’s principal liable to a third party only if the agent had authority to make the contract or if the principal ratified, or was estopped from denying, the agent’s acts. The chapter mentions an agent’s liability to third parties in contract and tort and a principal’s liability to third parties for an agent’s torts. The chapter also includes a look at how agency relationships are terminated.

WEEK 9 (October 21, – October 28, 2013)

The Entrepreneur’s Option - Chapter 19

Start on page 552 and read to the end of chapter 19. Traditionally, entrepreneurs have used three major forms to organize their business enterprises, THE SOLE PROPRIETORSHIP; THE PARTNERSHIP, and the CORPORATION. In this chapter you will be introduced to each of the forms or business organizations and several others. We will discuss their formation, operation and termination. Also important is the reason one would choose a particular form, and why it is good for them. Management of these organizations will be discussed in later chapters. You will learn about the advantages and disadvantages of each form of business.

WEEK 10 (October 28– November 4, 2013) [

Corporations Chapter - 20

Start on page 574 and read to the end of chapter 20. You will look at the corporate form of business in this chapter. The corporation is a creature of statute, it is considered a person. Each state has its own body of corporate law, and that statute becomes part of your articles of Incorporation. The chapter classifies corporations and talks about their formation, financing management, ownership, purchase and termination. It will discuss types of businesses you want; and how to prepare Articles of Incorporation for a business, etc.

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WEEK 11 (November 4– November 11, 2013) TEST-EXAM #3 *****

WEEK 12 (November 11– November 18, 2013) – *Extra Credit Week*

Employment Law Chapter - 18- Extra-Credit Quiz - Chapter 18

WEEK 13 (November 18– November 25, 2013)

Real Property and Environmental Law – Chapter 24

Start on page 691 and read to the end of chapter 24. This chapter considers the nature of ownership rights in real property; the legal requirements for the transfer of real property, including the types of rights that are transferred by various deeds; and adverse possession. Other topics include eminent domain and the government's responsibility to pay compensation when condemning private land for public use.

This chapter also examines the landlord-tenant relationship, briefly discussing the rights and responsibilities of the landlord and tenant in negotiating a lease, in using and maintaining the leased property, in paying and collecting rent, and in transferring interests in the property. The final part of the chapter looks at environmental law and some of the major federal statutes that seek to protect our environment.

WEEK 14 (November 25– December 2, 2013)

Security Interests, Creditor's Rights and Bankruptcy- Chapter 16

Start on page 449 and read to the end of chapter 16. This chapter discusses the circumstances which a party may file a petition to be relieved of his/her liability under financial contracts. What is this called? Article 9 of the UCC covers secured transactions as applied to personal property. This chapter will delve into this article as we study secured transactions, laws that assist creditors as well as debtors, bankruptcy and the process. You will learn what a security interest means, what is a purchase money security interest and how does it apply to merchants, consumers and middlemen. What is a prejudgment attachment? What is a garnishment, writ of execution? What is the debtor's estate in property? It will discuss different bankruptcy chapters in bankruptcy.

WEEK 15 FINALS PREP WEEK (December 2–9) – (December 9, 2013) TEST/FINAL EXAM #4 ****

I reserved the right modify this syllabus or make adjustment, notice will be given.

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