

Introduction to Law

Making Decisions, Managing Risks

Consortium Institute of Management
and Business Analysis
Spring 2014



Professor:

Dr. Al H. Ringleb

Office Telephone: 0423-951090

E-Mail: ringleb@cimba.it

Course Description

The course *Introduction to Law 06J:047 (3)* is designed to introduce participants to the core concepts of the legal environment, particularly as it affects a business manager's strategic decision making and problem solving function. This course is designed to provide a thorough introduction to the nature of law and the legal system and its importance to the manager and the business being managed. The regulation of private business behavior will be studied as it is applied in contracts, torts, products liability, intellectual property, and employment relations. Specific regulatory laws examined include employment discrimination, consumer protection, and the key laws affecting the international legal environment. The substantive material will be presented in such a manner to encourage participants to develop a logical approach to managerial problem solving and decision making based on critical legal thinking, sound business judgment, and ethical considerations.

Course Objectives and Teaching Methods

At the end of the course, it is anticipated that participants will:

- Understand the importance of effective thinking and leadership behavior in relation to managing in the legal environment of business.
- Become familiar with the law and legal systems impacting business, and to be able to evaluate them critically.
- Be able to identify relevant legal issues posed by situations that confront businesses (**knowledge**), to understand how to use factual information in making legal decisions and in solving legal problems (**process**), and to further develop the persuasion, motivational, inspirational and assistance skills and attributes necessary to effectively manage legal issues (**leadership behavior**).
- Appreciate the extent to which law affects business decision making and problem solving in daily and long-term planning.
- Have a greater appreciation of the global business environment in which we live.

The class will be highly interactive – demanding active learning, active listening, and the ability to both respond to and formulate questions. That is, it will be Socratic in style – placing process responsibility on the professor and content responsibility on the student. Students should expect topics to be developed through questions following a “what, why, how” approach.

Every class will begin with an *Open Forum* in which questions on any topic can be raised, whether that topic is related or unrelated to the class itself. After the Open

Forum, the formal class will begin. **Participants will be expected to have read the assigned chapters, readings, and cases before each class. Class preparedness and participation are essential to success in this course. Note that preparedness is also the most important behavioral trait of a successful lawyer.** Emphasis will be placed on process and application, as opposed to rote memorization. Note that because of the nature and volume of the material and information covered in the course, along with the emphasis on active learning, it is not possible to verbally cover every concept (as would be the case if the course emphasized rote memorization). Many of the concepts are simple enough that they will not require detailed explanation. If something in the assigned reading is not understandable, participants are encouraged to ask for an explanation. Students will be provided with a PowerPoint handout summarizing each chapter. The handout is intended to provide the student with an outline for primary use outside the classroom. It will not be followed expressly in the class.

Consistent with the rules and regulations of the Consortium International University, participants are required to attend class. Failure to attend a class without an acceptable excuse will result in a grade reduction and/or dismissal from the class.

Required and Recommended Materials

Required Book:

- Meiners, Ringleb, and Edwards, The Legal Environment of Business, West Publishing Company.
- Course Packet (with additional readings and Slides)
- Case Packet

Class Schedule

| Date | Topics | Assignments |
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| Week 1/2 | CIU Personal Leadership Development Activities [LIFE, Kepner Tregoe, and Da Vinci Challenge] | Give 100 Percent; KT will be an integral part of your exams |
| Week 1 | Overview of the Legal Environment The Court System | Chapters 1 and 2 Readings: “Law and Legal Reasoning: An Introduction” Readings: “Obesity and McLawsuits” |

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| Week 2 | The Trial Process Alternative Dispute Resolution | Chapters 3 Readings: “Overview of the Federal Rules of Evidence” Readings: “What is <i>Mens Rea</i> ?” Readings: “Neuroscience in the Courtroom” Readings: “Can You Trust Your Law Firm?” Readings: “The MIT Settlement” |
| Week 3 | Business and the Constitution | Chapter 4 Readings: The Constitution of the United States (Found in the Appendices in the Text) |
| Week 4 | Business and Criminal Law | Chapter 5 |
| | Examination I | Chapters 1, 2, 3, 4, and 5 |
| Week 5 | Travel Week | |
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| Week 6 | Business and the Law of Torts | Chapters 6 and 7 |
| Week 7 | Property and Intellectual Property | Chapter 8 and 9 Readings: “The Legal Protection of Intellectual Property” |
| Week 8 | Contracts | Chapter 10 Readings: “To Agree or Not to Agree: Legal Issues in Online Contracting” |
| Week 9 | Travel Week | |
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| Week 10 | Business Organizations | Chapter 13 Readings: “The Legal Forms of Business – various materials” |

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| | Company Visit | Readings: To be provided |
| | Examination II | Chapters 6,7,8,9,10,13 |
| Week 11 | Government Agencies and Regulation | Chapter 15 |
| | Agency and Employment Relations Employment Law | Chapter 14 Readings: "Don't Ask These Questions" Readings: "Working with Independent Contractors" Readings: "At-Will Employment in the United States" |
| | Employment Discrimination | Chapter 17 Readings: "Note on Sexual Harassment" |
| Week 12 | Consumer Protection | Chapter 19 |
| | International Legal Environment | Chapter 22 Readings: "International Alliances" |
| Week 13 | Application to the Marketing Manager (if time allows) | |
| Week 14 | Final Examination | Chapters 14,15, 17, 19, 22 |

Grades and Examinations

Grades will be based on three (3) examination, with each having equal weight. The examinations will be based on any material assigned or discussed in class, as well as on plant trips or guest speakers. Consistent with both the rules and regulations of CIMBA and with the fundamental concept of active learning, none of the examinations will contain multiple-choice questions or other such devices used to test memorization skills. That is, the examinations will be essay in style and analysis based. None of the examinations, including the final, are cumulative. Each examination will require an understanding of only that material covered or assigned since the previous examination. There are no unannounced quizzes, which count as part of your final grade. There is no extra credit.

The most effective lawyers know how to ask the right questions. For the most part, those questions assist their clients in reaching decisions, minimizing potential legal exposure, or assessing the existing environment for legal liabilities. Those questions

follow the Kepner Tregoe rational thinking processes of Decision Analysis, Potential Problem Analysis, and Situation Appraisal. Your examinations will be direct applications of the legal rules and regulations we will study and the questions that drive the lawyering through the use of a Kepner Tregoe framework.

The examinations are scored against the “best” examination in the class. The “best” examination is put together by taking the “best” answer to each of the questions on the examination. This “best” examination will be attached to each participant’s examination when they are returned. If a participant wishes to have a portion of their examination reconsidered, they must submit the original examination, a copy of the “best” examination, and a written explanation of why additional points are deserved. Re-grade requests must be submitted within 5 days after the exam has been returned.

Exams missed with a certified medical excuse or prior instructor approval will be dealt with individually.

Final Grades will be assigned on the following basis:

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| | A | ---> 90 percent and above |
| At least the grade of: | B+ | ---> 85 percent to 89 percent |
| At least the grade of: | B | ---> 80 percent to 84 percent |
| At least the grade of: | B- | ---> 75 percent to 79 percent |
| At least the grade of: | C+ | ---> 70 percent to 74 percent |
| At least the grade of: | C | ---> 65 percent to 69 percent |
| At least the grade of: | C- | ---> 60 percent to 64 percent |
| At least the grade of: | D | ---> 55 percent to 59 percent |
| | F | ---> Below 55 |

Gray Areas Between Letter Grades. There is always a “gray area” of a few points around the specified numerical cutoff; for the most part, the ± grading system manages this fairly well. However, two participants getting the same average score (say, 73 or 74) could receive different course grades (C+ versus B- or even possibly a B). If a participant is in one of these gray areas, whether he/she receives the higher or lower grade will depend upon participation in class – if it has been good, the grade will go up, and if it has been inadequate, it will remain as it is.

Structural Policies

Virtually everything that concerns the structural mechanics of this class, including among other things course credit, dropping and adding, and academic misconduct is governed by the Tippie College of Business, University of Iowa. Specific structural policies in that regard include:

Accommodating Disabilities: If you have a disability that may require some modification of seating, testing, or any class requirement, please let me know as soon as possible so that appropriate arrangements can be made. Similarly, if you have any emergency medical information that I should be aware of, or if you need special arrangements in the event of the building being evacuated, please let me know. Please see me after or outside of class to discuss these issues.

Policy on Cheating: It is my sincere hope that no student in this class submits work which is not his or her own. However, it seems prudent to clarify in advance the policy on cheating. If I determine that any assignment was not written solely by the student whose name appears on the assignment, the student will receive a zero (0) for the assignment and may receive an “F” for the class. All incidents of cheating will be reported to the CIMBA Undergraduate Office and the Associate Dean of the Tippie

College of Business and the student may be placed on disciplinary probation for the remainder of the semester. In general, the decision of the professor may be appealed to the CIMBA Undergraduate Staff and/or the College of Business Judicial Board, then to the Associate Dean for the Undergraduate Program. The Honor Code for the Tippie College of Business will determine the appropriate process. The Honor Code is located on the University of Iowa website.

Sexual Harassment: CIMBA, The Tippie College of Business and the University of Iowa are committed to providing students with an environment free from sexual harassment. If you feel that you are being or have been harassed or you are not sure what constitutes sexual harassment, we encourage you to visit the University of Iowa website: <http://www.sexualharassment.uiowa.edu/index.php> to seek assistance from the department chairs, Dean's Office, the University Ombudsmen Office, or the Equal Opportunity and Diversity Office.

FERPA Requirement: To participate in this class, it may be necessary to reveal to other students the names of students who are enrolled in this course. If you do not want your name revealed to other students enrolled in this course, please contact me in writing by the end of the first week of class.

Complaints: Student concerns regarding this course should first be discussed with me. You may contact also the Department Chair, Amy Kristof-Brown (319-335-0951), amy-kristof-brown@uiowa.edu. If you cannot resolve the complaint by speaking with the Chair, you may contact the Associate Dean of the Tippie College Undergraduate Program, Lon Moeller, at 319-335-0924 or by email at lon-moeller@uiowa.edu

Class Attendance Policy

Attendance at all classes and CIMBA sanctioned activities is MANDATORY. All unexcused absences will have the following consequences:

- 1st absence will result in the loss of 1/3 of a letter grade in the class
- 2nd absence (cumulative) will result in the loss of an entire letter grade
- 3rd absence (cumulative) will result in dismissal from the program

Absences due to illness require a note from the CIMBA Undergraduate Office Staff and/or the Istituto Filippin medical staff. If you are sick and cannot attend class, you must inform the CIMBA Staff immediately with failure to do so will result in an unexcused absence.

Setting Appointments

I sincerely want you to feel free to contact me if you are having trouble or need more detailed instruction. As the Director of CIMBA, my schedule can, unfortunately, be quite unpredictable. Still, if you call Deborah or Cristina at 0423-951090, an appointment will be set with you.