



# Introduction to Law

## Making Decisions, Managing Risks

Spring 2017

Professor:

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### Course Description

The course *Introduction to Law MGMT:2000 (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; and,
- 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)

## Class Schedule

Date	Topics	Assignments
Week 1/2	<b>CIMBA Personal Leadership Development Activities [LIFE, Kepner Tregoe, and Da Vinci Challenge]</b>	Give 100 Percent; KT will be an integral part of your exams
Week 1/2	<b>Overview of the Legal Environment The Court System</b>	<p>Chapters 1 and 2</p> <p>Readings: “Overview of the Federal Rules of Evidence”</p> <p>Readings: “What is <i>Mens Rea</i>?”</p> <p>Readings: “Neuroscience in the Courtroom”</p> <p>Discussion: “Litigation Trends in Europe” (Guest Speaker)</p>

Week 3	<b>The Trial Process Alternative Dispute Resolution</b>	<p>Chapters 3</p> <p>Readings: “Jodi Arias Trial – Can Jurors Question Witnesses?”</p> <p>Readings: “Amanda Knox and the Use of Mixed Juries in Italy”</p> <p>Readings: “Resolution Before Trial – Settlement”</p> <p>Readings: “Russia Issues Travel Warning to its Citizens about U.S. and Extradition”</p> <p>Discussion: “Trial Process in Italy”</p>
Week 4	<b>Business and the Constitution</b>	<p>Chapter 4</p> <p>Readings: “The Constitution of the United States” (Found in the Appendices in the Text)</p> <p>Readings: “New York Stop and Frisk”</p> <p>Readings: “County Sheriff Enjoys Fruits of Civil Forfeitures”</p> <p>Readings: “YEPL Critics Must be Identified”</p> <p>Readings: “No warrant is needed for records showing general location of prior cellphone calls”</p> <p>Readings: “No Reasonable Expectation of Privacy in Content Posted to Social Networking Websites, Regardless of Individual Privacy Settings”</p> <p>Readings: “FBI and Webcams”</p> <p>Readings: “Should I Ever Refuse a DUI Sobriety Test?”</p> <p>Discussion: “Comparative Constitutional Law: US vs Italy/Europe”</p>
Week 5	<b>Business and Criminal Law</b>	<p>Chapter 5</p> <p>Readings: “Using a Fake ID? 5 Potential Legal Consequences”</p> <p>Readings: “Zimmerman Trial: Duty to Retreat and Stand your Ground”</p> <p>Readings: “Guilty Until Proven Innocent”</p> <p>Discussion: “Differences in Intent of Criminal Punishment: Italy vs US”</p>
Week 5	<b>Examination I (est., 11 Oct)</b>	Chapters 1, 2, 3, 4, and 5

Week 6	<b>Business and the Law of Torts</b>	<p>Chapters 6 and 7</p> <p>Reading: Megan Meier and Cyber Torts</p> <p>Readings: “No Reasonable Expectation of Privacy in Content Posted to Social Networking Websites” (Repeated)</p> <p>Readings: Police secretly track cell phones to solve routine crimes</p> <p>Readings: “How Much Privacy do you Really Have: Predicting Personality from Twitter “</p> <p>Readings: “Defamation and Social Media”</p> <p>Discussion: “Class Action Lawsuits in UK and Europe”</p> <p><b>Required: Ex-Pat Panel 7:15pm (TBA)</b></p>
Week 7	<b>Note that Class Switches from TTH to MWF</b>	
Week 7	<b>Property and Intellectual Property</b>	<p>Chapter 8 and 9</p> <p>Readings: “Buying Fake Designer Bags can get you Arrested in Italy”</p> <p>Discussion: “Growing Privacy Concerns in Europe”</p>
Week 7/8	<b>Contracts</b>	<p>Chapter 10</p> <p>Readings: “To Agree or Not to Agree: Legal Issues in Online Contracting”</p> <p>Discussion: “Consideration and Parole Evidence Rule Differences in Europe”</p>
Week 8	<b>Travel Week</b>	
Week 9	<b>Business Organizations</b>	<p>Chapter 13</p> <p>Readings: “The Legal Forms of Business”</p> <p>Discussion: “European Business Organizations”</p>
Week 9	<b>Examination II</b>	Chapters 6,7,8,9,10,13
Week 10	<b>Government Agencies and Regulation</b>	<p>Chapter 15</p> <p>Readings: “Why Do We Have Excess Regulation, and Can We Get Rid of It?”</p> <p>Discussion: “Business and Government Relations in Europe; Increasing Role of the EU Parliament” (BCS Seminar Attendance if Schedule Allows)</p>
Week 10	<b>Agency and Employment Relations Employment Law</b>	<p>Chapter 14</p> <p>Readings: “Working with Independent Contractors”</p> <p>Discussion: “Labor Law in Italy” (Guest Speaker, TBA)</p>

Week 11	<b>Employment Discrimination</b>	Chapter 17 Readings: "Don't Ask These Questions" Readings: "Black Steelworker Awarded \$25M in Racial Bias Trial" Discussion: "Changing Legal Role of Women in the Workforce in Europe"
Week 11	<b>Consumer Protection</b>	Chapter 19 Readings: "Buying Prescription Drugs From Canada: Legal or Illegal?" Readings: "Medications from Mexico are easily obtainable without a prescription at a local swap meet" Discussion: "EU Regulations on Domestic Appliance Consumption"
Week 12	<b>International Legal Environment</b>	Chapter 22 Readings: "Vast Mexico Bribery Case Hushed Up by Wal-Mart After Top-Level Struggle" Readings: "Siemens AG and Three Subsidiaries Plead Guilty to Foreign Corrupt Practices Act Violations"
	<b>Final Examination</b>	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:

	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:*** A student seeking academic accommodations such as a modification of seating, testing, timing, etc. should first register with Student Disability Services, then contact Shannon Lizakowski (shannon-lizakowski@uiowa.edu) in the CIMBA Office to make further arrangements. See <http://sds.studentlife.uiowa.edu> for more information.

***Policy on Cheating:*** The Tippie College of Business at the University of Iowa follows an honor code regarding academic misconduct. That code can be found at <http://tippie.uiowa.edu/honorcode.cfm> and includes cheating, plagiarism, unauthorized collaboration, obtaining an unfair advantage, forgery, facilitating academic dishonesty, and misrepresentation. Be sure you are familiar with this code. Students who exhibit academic dishonesty will receive a zero (0) for the assignment or examination involved and may receive an "F" for the class. All incidents of cheating will be reported to the CIMBA staff, as well as to the Senior Associate Dean of the Tippie College of Business. The decision of the professor may be appealed to a Judicial Board. The Honor Code for the Tippie College of Business will determine the appropriate appeal process.

***Sexual Harassment:*** Sexual harassment subverts the mission of the University and threatens the well-being of students, faculty, and staff. All members of the UI community have a responsibility to uphold this mission and to contribute to a safe environment that enhances learning. Incidents of sexual harassment should be reported immediately. 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

website, [www.sexualharassment.uiowa.edu/index.php](http://www.sexualharassment.uiowa.edu/index.php), and to seek assistance from the CIMBA Director, Brandelle Unkrich, at 319-335-1041 or [brandelle-unkrich@uiowa.edu](mailto:brandelle-unkrich@uiowa.edu)

***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:*** According to the policies regarding academic courses at the University of Iowa, Student concerns regarding this course should first be discussed with me, the faculty member teaching this course. If we can't resolve the complaint, you may contact the CIMBA Director, Brandelle Unkrich (319-335-1041, [brandelle-unkrich@uiowa.edu](mailto:brandelle-unkrich@uiowa.edu)). The Director will review the details of the complaint and involve the Associate Dean of the Undergraduate Programs, as needed.

### **Class Attendance Policy**

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

- 1<sup>st</sup> absence will result in the loss of 1/3 of a letter grade in the class
- 2<sup>nd</sup> absence (cumulative) will result in the loss of an entire letter grade
- 3<sup>rd</sup> 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 my Executive Assistant, Deborah, at 0423-932120, an appointment will be set with you.