

BUS 115 BUSINESS LAW I

COURSE DESCRIPTION:

Prerequisites: ENG 090 and RED 090 or DRE 098; or satisfactory score on placement test

Corequisites: None

This course introduces the student to the legal and ethical framework of business. Contracts, negotiable instruments, the law of sales, torts, crimes, constitutional law, the Uniform Commercial Code, and the court systems are examined. Upon completion the student should be able to identify legal and ethical issues that arise in business decisions and the laws that apply to them. *This course has been approved to satisfy the Comprehensive Articulation Agreement for transferability as a pre-major and/or elective course requirement.*
Course Hours Per Week: Class, 3. Semester Hours Credit, 3.

LEARNING OUTCOMES:

Upon completing the requirements for this course, the student will be able to:

1. Identify the elements of a contract.
2. Describe the structure of the U.S. court system.
3. Identify laws, conditions and regulations in national and international work environments.

OUTLINE OF INSTRUCTION:

- I. Introduction of law
 - A. Definition of law
 - B. Objectives of law
 - C. The common law
 - D. Equity
 - E. Sources of law
 - F. Civil versus criminal law
 - G. Tort law
 - H. Ethics
- II. Courts and court procedure
 - A. Functions of courts
 - B. Jurisdiction of courts
 - C. Classification of courts
 - D. Court officers
 - E. Procedures in courts of records
- III. Business crimes and torts
 - A. Crimes
 - B. Torts
- IV. Government regulation of business
 - A. Purpose of regulation
 - B. Administrative agencies
 - C. Antitrust
 - D. Environmental protection
- V. Contracts-nature and classes
 - A. Definition of contract
 - B. Contracts contrasting with agreements

- C. Classification of contracts
 - D. Express and implied
 - E. Valid, void and voidable
 - F. Executory and executed
 - G. Unilateral and bilateral
 - H. Quasi contract
- VI. Offer and acceptance
- A. Requirements of a valid offer
 - B. The offer
 - 1. Definition
 - 2. Parties - offeror – offeree
 - 3. Three essential elements of a valid offer
 - C. Invitations to make offers
 - D. Duration of an offer
 - E. The acceptance
 - F. Counteroffers
 - G. Inquiries not constituting rejection
 - H. Manner of acceptance
- VII. Defective agreements
- A. Mistakes
 - 1. Render agreement defective
 - 2. Do not affect the validity of the agreement
 - B. Fraud
 - 1. Definition
 - 2. Express misrepresentation
 - 3. Concealment of material facts
 - 4. Silence when it is one's duty to speak
 - C. Duress
 - D. Undue influence
 - E. Remedies
- VIII. Capacity to contract
- A. Minors
 - B. Insane persons
 - C. Intoxicated person
 - D. Convicts
- IX. Consideration
- A. Definition
 - B. Nature of consideration
 - C. Adequacy of consideration
 - D. Insufficient or invalid consideration
 - 1. Promise to perform existing obligations
 - 2. Forbearance
 - 3. Past performance
 - 4. Exceptions to requirement of consideration
 - 5.
- X. Illegal agreements
- A. Gambling contracts

- B. Sunday contracts
 - C. Usurious contracts
 - D. Contracts of unlicensed operator
 - E. Contracts for the sale of articles that cannot be the subject matter of an ordinary sale
 - F. Contracts in unreasonable restraint of trade
 - G. Contracts contrary to public policy
- XI. The written contract
- A. Statute of frauds
 - B. Note or memorandum
 - C. Parole evidence rule
- XII. Third parties and contracts
- A. Third party beneficiary
 - B. Novation
 - C. Assignment
 - D. Delegation
 - E. Technicalities of an assignment
 - F. Form of assignment
 - G. Effect of an assignment
 - H. Warranties of the assignor
 - I. Joint, several, and joint and several contracts
- XIII. Termination of contract
- A. Performance
 - B. Discharge by operation of law
 - C. Voluntary agreement of parties
 - D. Impossibility of performance
 - E. Acceptance of breach of contract
 - F. Remedies for breach of contract
 - G. Malpractice
- XIV. Consumer protection
- A. Traditional protection
 - 1. Usury laws
 - 2. Antitrust laws
 - 3. Regulatory agencies
 - B. Expansion of consumer protection
 - 1. Product safety
 - 2. Disclosure and uniformity
 - 3. Truth in advertising
 - 4. Truth in lending
 - 5. Product uniformity
 - 6. Statutes prohibiting unconscionable contracts
 - 7. Warranty protection
 - 8. Fair credit reporting
 - 9. State consumer protection agencies
- XV. Nature of personal property
- A. Personal property
 - B. Methods of acquiring personal property
 - C. Bailments

- D. The bailment agreement
- E. Delivery and acceptance

REQUIRED TEXTBOOK AND MATERIALS:

The textbook and other instructional materials will be determined by the instructor to insure that current and relevant concepts and theories are present.