

INSTRUCTOR INFORMATION

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Office Hours: Tuesday & Thursday 9:00 AM – 10:00 AM
Office Location: Pigott 516

COURSE INFORMATION

Mon, Wed, & Fri 10:55 AM - 12:20 PM

Location: Pigott 201
Final Paper: Due March 20 @ 11:59 PM

COURSE OVERVIEW

This course provides an overview of U.S. and international law with a focus on the major legal areas that affect business. The course includes traditional legal issues, including nature and development of law, structure and functions of the courts, civil and criminal procedure, and contracts. The course will focus on the legal environment that exists for U.S. businesses because of increased international business activities.

LEARNING OUTCOMES

The purpose of this course is to introduce business students to a broad range of legal concepts related to issues that can arise within business. By the end of the course students should have:

- explained fundamental legal concepts and terminology in the select areas of law affecting business transactions;
- describe the key legal institutions and processes in the framework of U.S. jurisprudence;
- recognize sources of ethical dilemmas in business, legal implications, and ethical decision-making skills;
- analyzed fundamental legal concepts impacting a current event or headline in an oral presentation;
- synthesized and evaluated impacts of legal concepts in a professional and business applications in a written portfolio;
- and reflected on the application of legal concepts to personal observations and experiences in professional and business applications in a personal reflection.

COURSE MATERIALS

Required Reading

Lau, T. and Johnson, L. (2019). *The Legal and Ethical Environment of Business* (Version 4.0). Boston, MA: FlatWorld.

- ISBN: 978-1-4533-9633-9
- The book is available only online through the publisher; you may [purchase an electronic or paper copy online](#).

CANVAS

- Additional required readings, materials, and other optional resources are available on Canvas.

CLASSROOM PROTOCOL & ATTENDANCE

Class attendance is required and important; the participation component of your grade is based upon attendance, preparedness, and thoughtful class participation. Out of respect to the professor and your classmates, please do not come to class late. If you are late repeatedly, it will negatively impact your participation grade. If you must leave class early, please advise instructor in advance if possible.

ELECTRONICS & STUDY AIDS

Computers and tablets are welcome and encouraged to facilitate group activities. However, computers, phones, and other personal devices may only be used for group activities and related coursework, and they must be silenced during class time. I strongly advise hand-notes during lectures and presentations and will prohibit electronic devices if needed. Recording of lectures is not permitted without prior permission and as required by student support services. Printed foreign language dictionaries may be used at any time, including during exams.

ACADEMIC RESOURCES:

- Library and Learning Commons
 - <http://www.seattleu.edu/learningcommons/>
 - This includes: Learning Assistance Programs, Research [Library] Services, Writing Center, Math Lab)

- Academic Integrity Tutorial (found on Canvas and SU Online)

ACADEMIC POLICIES

- Registrar website (<https://www.seattleu.edu/redhawk-axis/academic-policies/>)
 - Academic Integrity Policy
 - Academic Grading Grievance Policy
 - Professional Conduct Policy (only for those professional programs to which it applies)

ACCOMMODATIONS FOR STUDENTS WITH DISABILITIES

If you have, or think you may have, a disability (including an ‘invisible disability’ such as a learning disability, a chronic health problem, or a mental health condition) that interferes with your performance as a student in this class, you are encouraged to arrange support services and/or accommodations through Disabilities Services staff located in Loyola 100, (206) 296-5740. Disability-based adjustments to course expectations can be arranged only through this process.

NOTICE ON RELIGIOUS ACCOMMODATIONS

It is the policy of Seattle University to reasonably accommodate students who, due to the observance of religious holidays, expect to be absent or endure a significant hardship during certain days of their academic course or program. Please see, Policy on Religious Accommodations for Students: <https://www.seattleu.edu/media/policies/Policy-on-Religious-Accommodations-for-Students---FINAL.pdf>.

OFFICE OF INSTITUTIONAL EQUITY

Title IX of the Education Amendments of 1972 (Title IX) prohibits discrimination based on sex in educational programs or activities that receive Federal financial assistance. This prohibition includes sexual misconduct, which encompasses sexual harassment and sexual violence. Seattle U remains committed to providing a safe and equitable learning, living, and working environment. Seattle U offers emergency, medical, and other support resources, as well as assistance with safety and support measures, to community members who have experienced or been impacted by sexual misconduct.

Seattle U requires all faculty and staff to notify the University’s Title IX Coordinator if they become aware of any incident of sexual misconduct experienced by a student.

For more information, please visit <https://www.seattleu.edu/equity/>. If you have any questions or concerns, you may also directly contact the Title IX Coordinator in the Office of Institutional Equity (email: oe@seattleu.edu; phone: 206.296.2824) University Resources and Policies

COURSE REQUIREMENTS

Your performance in this course will be evaluated on the following elements. You must complete all course requirements as detailed in this syllabus and Canvas. Failure to complete all requirements will result in an F grade for the course.

Grading Scale

| | | | | | | | | |
|----|--------|----------|----|-------|----------|----|------------|---------|
| A | 100-93 | Superior | B- | 82-80 | | D+ | 69-67 | |
| A- | 92-90 | | C+ | 79-77 | | D | 66-63 | Poor |
| B+ | 89-87 | | C | 76-73 | Adequate | D- | 62-60 | |
| B | 86-83 | Good | C- | 72-70 | | F | 59 or Less | Failing |

ASSIGNMENTS & EXAMS

In-class assignments and exams must be completed when scheduled in-class unless alternate arrangements have been made in advance with the professor. No make-up opportunities will be provided for in-class assignments or exams, except in extreme circumstances and at the discretion of the professor.

Take-home assignments must be submitted via Canvas in a Word Document format; no assignments will be accepted via email or PDF unless documented technical issues with Canvas arise. Take-home assignments must be submitted before the due date to receive full credit and will lose 10% of the total points possible for each calendar day they are late.

The Academic Honesty Code of Seattle University will be strictly enforced. <https://www.seattleu.edu/media/redhawk-axis/registrar/registrar-policies/Academic-Integrity-2011-3.pdf>

Assignments

| Assignment | Points |
|--|------------|
| Chapter Review Quizzes (10 out of 12; will drop two lowest scores) | 10 |
| Assignment #1: Personal Jurisdiction IRAC | 5 |
| Assignment #2: Contracts IRAC | 5 |
| Assignment #3: Online Ethics Discussion | 5 |
| Capstone IRAC & Ethical Reflection | 15 |
| Unit 1 Exam | 15 |
| Unit 2 Exam | 20 |
| Unit 3 Exam | 20 |
| Attendance & Participation* | 5 |
| TOTAL POINTS | 100 |

*This category includes attendance and preparation for scheduled class sessions, including thoughtful and appropriate contributions to class discussions, both in class and on-line discussion threads.

[Assignment #1: Personal Jurisdiction IRAC](#)

This short IRAC assignment will be conducted in-class; students will be required to submit the assignment on paper in class.

| Criteria | IRAC Rubric | | |
|-----------------------------------|--|---|---|
| | Satisfactory 5.0-4.0 Points | Developmental 3.9-3.0 Points | Unsatisfactory 2.9-0 Points |
| Legal Analysis 3 points | Consistent and strong application of legal principles and thorough analysis of those principles to the relevant facts. (3-2.4) | Some application of legal principles and thorough analysis of those principles to the relevant facts. (2.3-1.9) | Little to no application of legal principles and thorough analysis of those principles to the relevant facts. (1.8-0) |
| Communication 2 points | Consistent effective communication to articulate specific legal principles and analysis. (2-1.6) | Some effective communication to articulate specific legal principles and analysis. (1.5-1.2) | Little to no effective communication to articulate specific legal principles and analysis. (1.2-0) |

Assignment #2: Contracts IRAC

This short IRAC assignment will involve contract principles. Students will have the opportunity to begin working on the IRAC as a group in class, but each student will submit an individual IRAC on Canvas following class.

| IRAC Rubric | | | |
|-----------------------------------|--|---|---|
| Criteria | Satisfactory 5.0-4.0 Points | Developmental 3.9-3.0 Points | Unsatisfactory 2.9-0 Points |
| Legal Analysis 3 points | Consistent and strong application of legal principles and thorough analysis of those principles to the relevant facts. | Some application of legal principles and thorough analysis of those principles to the relevant facts. | Little to no application of legal principles and thorough analysis of those principles to the relevant facts. |
| Communication 2 points | Consistent effective communication to articulate specific legal principles and analysis. | Some effective communication to articulate specific legal principles and analysis. | Little to no effective communication to articulate specific legal principles and analysis. |

Assignment #3: Online International Business Law Ethics Discussion

After reading the “*Practical Ethical Action: Do You Tell*” scenario at the end of Chapter 13, section 13.2 (on the top of page 387), consider how you would respond.

1. What would you do in this circumstance? Would you report the illegal activity or keep quiet?
2. What do you think about the Foreign Corrupt Practices Act (FCPA)? Should the US government get involved in policing transactions between two private companies? How might this impact the ability for US companies to compete in the global economy when bribery is expected as a part of business in many other countries?
3. Reflect on your course UCOR 2910: “Ethical Reasoning in Business,” or any other ethics course you took in the UCOR (examples listed under the Capstone IRAC assignment below). Depending on when you took it, and who your professor was, you may have used different terms or a different framework to think about ethical values. In what ways do your own ethical values inform how you would approach this situation? Are your values challenged or confirmed (or both)?

| Business Ethics Discussion | | | |
|--------------------------------|--|---|--|
| Criteria | Satisfactory 5.0-4.0 Points | Developmental 3.9-3.0 Points | Unsatisfactory 2.9-0 Points |
| Application 2 points | Consistent synthesis and application of legal principles to personal observations ethical reasoning. | Some evidence of synthesis and moderate application of legal principles to personal observations ethical reasoning. | Little to no evidence of synthesis or application of legal principles to personal observations ethical reasoning. |
| Reflection 3 points | Consistent and strong evidence of reflective ethical thought when considering the issue and how student would respond. | Some evidence of reflective ethical thought when considering the issue and how student would respond. | Little to no evidence of reflective ethical thought when considering the issue and student’s response; reflection entirely focuses on content and not on the ethical frameworks. |

Capstone IRAC & Personal Ethical Reflection

IRAC

In class, we will work through a fact pattern that involves evaluating several employment claims. As your final submission in the course, you will first analyze whether the plaintiffs are likely to survive a motion for summary judgement on their employment claims using the IRAC format. The expectations for the IRAC portion of this assignment will be discussed in detail in class during the final unit of the quarter.

Ethics Reflection

After analyzing the plaintiffs’ case, you will write a personal reflection focusing on the ethical values studied in your UCOR classes that should be involved in the decision-making of the *HR manager*.

Many practices that are considered unethical by community standards or cultural norms (e.g. child labor), by professional codes of conduct (e.g. sexual harassment), and by rules ensuring healthy capitalism (e.g. insider trading), are explicitly embodied in laws. However, the law does not perfectly reflect ethical principles, because some behavior commonly regarded as unethical is not illegal, and certain illegal behaviors may not be unethical. Therefore, it is possible to make a legal analysis and a separate ethical analysis of the same case.

As a business major, you are required to take UCOR 2910: “Ethical Reasoning in Business.” Depending on when you took it, and who your professor was, you may have used different terms or a different framework to think about ethical values. But you likely can at least appreciate these five basic ideas about what contributes to human well-being. And even if you have not taken the course yet, you can still make sense of these values.

One complication is that an ethical person will want to apply these values at different levels, namely at the level of individuals, at the level or organizations, and at the level of society. This means that each of the five values prompts different kinds of questions:

- **Autonomy:** A person’s ability to make her own decisions and to control her own life (as the ethicists say, to be an ‘end in herself’) implies that she must be free to do so, and not be used as a means to an end that she did not choose (most closely associated with deontology).
 - E.g. Individual level: “Am I mistreating this person so that I can get what I want?”
 - E.g. Organizational level: “Are we mislabeling our product as “good for the environment” with the hope that our customers will choose to purchase it?”
 - E.g. Socio-economic level: “Does our policy violate the right of some of our citizens to make their own choices?”
- **Equality:** A person must not be regarded or treated as inferior to or superior to other people
 - E.g. Individual level: “Do my actions show that I believe that my interests are more important than this other person’s interests?”
 - E.g. Organizational level: “Does everyone of similar work experience on our sales team have a fair chance at that promotion?”
 - E.g. Socio-economic level: “Does our society have social structures that make success more difficult for one group than another?”
- **(non) Suffering:** Perhaps our most basic moral instinct is that suffering (whether physical or emotional) is bad because it takes away from a person’s happiness (most closely associated with utilitarianism).
 - E.g. Individual level: “Are my words offensive to this other person?”
 - E.g. Organizational level: “When our employees complain about harassment, do we have policies that allow us to address their concerns quickly and respectfully?”
 - E.g. Socio-economic level: “Does our government use symbols that are hurtful for some of our citizens?”
- **Trust:** When people cooperate, they form trust, and living in a high- trust environment makes possible many of the things we associate with a good life. Trust is the goal, and cooperation is the way to get it (most closely associated with contractarianism)
 - E.g. Individual level: “Are my actions compromising the possibility that this person would trust me in the future?”
 - E.g. Organization level: “If I betray someone on the team I manage, will that harm my ability to be an effective leader in the future?”
 - E.g. Socio-economic level: “Does this policy make it less likely that some people will go to the police?”
- **Virtue:** (Excellence): An individual has a character, and many ethical traditions agree that a person is better off when her character is virtuous (“virtuous” and “excellence” are translations of the same Greek word). However, by doing unethical things, I may harm or corrupt my own character by forming unethical habits. So character excellence is the goal, and forming ethical habits by doing ethical actions is the way to get it (most closely associated with virtue ethics). This ethical theory also translates to the levels of society and organization, but on those levels we use the word “culture” more often than the word “character” – but the general concept is the same.
 - E.g. Individual level: “If I falsify the numbers on this report in order to make it look like I met my yearly goals, will lying become part of who I am?”
 - E.g. Organization level: “Does the culture of our organization make it more likely that our employees will do the right thing?”
 - E.g. Socio-economic level: “What kind of society do we want to have?”

Your reflection will explore your thinking in response to the following questions:

1. Which values you would consider if you were the HR manager, and why?
2. What would be your eventual course of action if you were the HR manager?
3. In what ways are your own ethical values reflected or not reflected in the relevant legal principles of this case; this last analysis is from your own perspective, not the perspective of the HR manager or any other person in the hypothetical.

Because this section of the assignment is a reflection, you do not need to have settled answers to these questions. Your goal is to show that you are thinking deeply about the case and recognize that different choices about values might lead to different courses of action. Imagine that your reflection paper is being read by both a law professor and an ethics professor. One of your goals is to show your ability to connect your business ethics course to your business law course.

| Employment IRAC & Ethics Reflection | | | |
|-------------------------------------|--------------|---------------|----------------|
| Criteria | Satisfactory | Developmental | Unsatisfactory |

| | 15-12 Points | 11.9-9.0 Points | 8.9-0 Points |
|-----------------------------------|---|--|--|
| IRAC Structure 2 points | Consistently and correctly uses the IRAC structure when evaluating each of the legal claims. | Occasionally uses the IRAC structure correctly when evaluating most of the legal claims. | Sporadically uses the IRAC structure correctly when evaluating the legal claims. |
| Legal Rules 5 points | Correctly and completely identifies the legal rules applicable to each legal claim. | Correctly identifies some of the legal rules applicable to each legal claim. | Correctly identifies little or few of the legal rules applicable to each legal claim. |
| Legal Analysis 3 points | Consistent and thorough legal analysis that correctly connects the facts to the legal rules to support an independent conclusion. | Adequate legal analysis that correctly connects most of the facts to appropriate legal rules to support an independent conclusion. | Little to no evidence of legal analysis that connects the facts to legal rules or analysis that is conclusory without independent support. |
| Reflection 5 points | Consistent and strong evidence of reflective ethical thought when evaluating and articulating your decisions as an HR Manager and how the legal principles align with ethical values. | Some evidence of reflective ethical thought when evaluating and articulating your decisions as an HR Manager and how the legal principles align with ethical values. | Little to no evidence of reflective ethical thought when evaluating and articulating your decisions as an HR Manager and how the legal principles align with ethical values. |

COURSE SCHEDULE

| Date | Topic | Assignments |
|--|---|---|
| UNIT 1: THE LEGAL ENVIRONMENT, LITIGATION, & CONSTITUTIONAL LAW | | |
| 1/6 | Introduction to Course & IRAC | |
| 1/8 | Introduction to Law & Courts | Chapter 1: Introduction to Law <i>Kimble v. Marvel Summary</i> Quiz #1: Chapter 1 Review due before class |
| 1/10 | The Court System | Chapter 2: The Court System Quiz #2: Chapter 2 Review due before class |
| 1/13 | Standing & Jurisdiction | Chapter 3: Litigation, Sections 3.0 – 3.2 Quiz #3: Chapter 3.0-3.2 Review due before class Assignment #1: Personal Jurisdiction IRAC due in-class |
| 1/15 | Pre-Trial | Chapter 3: Litigation, Section 3.3 Quiz #4: Chapter 3.3 Review due before class |
| 1/17 | Trial & Appellate Process | Chapter 3: Litigation, Sections 3.4 – 3.5 Quiz #5: Chapter 3.4-3.5 Review due before class |
| 1/20 | MLK Holiday | |
| 1/22 | Alternative Dispute Resolution | Chapter 4: Alternative Dispute Resolution Quiz #6: Chapter 4 Review due before class |
| 1/24 | Federal Power & Commerce Clause | Chapter 5: The Constitution, Sections 5.0 – 5.2 |
| 1/27 | Commerce Clause & Individual Rights | Chapter 5: The Constitution, Sections 5.3 – 5.4 Quiz #7: Chapter 5 Review due before class |
| 1/29 | Constitutional Law & Individual Rights | Chapter 5: The Constitution, Sections 5.3 – 5.4 (cont'd) |
| 1/31 | UNIT 1 EXAM | Study !! |
| UNIT 2: CONTRACTS & INTELLECTUAL PROPERTY | | |
| 2/3 | Contract Formation | Chapter 6: Contracts, Sections 6.0 – 6.1 <i>Beastie Boys v. Monster Energy Co.</i> <i>Blackmon v. Iverson</i> |
| 2/5 | Contract Breach & Remedies | Chapter 6: Contracts, Sections 6.2 <i>Hallmark Cards v. Murley</i> <i>Kent State Univ. v. Ford</i> Assignment #2: Contracts IRAC due Feb. 9 @ 11:59 PM |
| 2/7 | Contract Drafting & Clauses | Chapter 6: Contracts, Sections 6.3-6.4 Review T-Mobile Terms & Conditions Review Facebook Terms of Service Quiz #8: Chapter 6 Review due before class |
| 2/10 | Intellectual Property: Patents & Trade Secret | Chapter 9: Intellectual Property, Sections 9.0 – 9.3 |
| 2/12 | Intellectual Property: Trademarks | Chapter 9: Intellectual Property, Section 9.4 <i>Trademark Distinctiveness</i> <i>Louis Vuitton v. Haute Diggity Dog</i> |
| 2/14 | ONLINE: International Business | Chapter 13: Business in the Global Legal Environment Assignment #3: Online Discussion due Feb. 18 @ 11:59 PM |
| 2/17 | President's Day Holiday | |
| 2/19 | Intellectual Property: Copyright | Chapter 9: Intellectual Property, Sections 9.5 – 9.6 <i>Winstead v. Jackson</i> Quiz #9: Chapter 9 Review due before class |
| 2/21 | UNIT TWO EXAM | Study !! |

UNIT 3: BUSINESS ENTITIES, TORTS, & EMPLOYMENT

| | | |
|------|-------------------------------------|--|
| 2/24 | Sole Proprietorships & Partnerships | Chapter 11: Business Organizations, Sections 11.0-11.2 |
| 2/26 | LLCs & Corporations | Chapter 11: Business Organizations, Sections 11.3-11.4 Quiz #10: Chapter 11 Review due before class |
| 2/28 | Intentional Torts | Chapter 7: Torts, Sections 7.0-7.1 |
| 3/2 | Negligence | Chapter 7: Torts, Section 7.2 <i>Weirum v. RKO General, Inc.</i> |
| 3/4 | Strict & Product Liability | Chapter 7: Torts, Sections 7.3-7.4 Quiz #11: Chapter 7 Review due before class |
| 3/6 | Employment & Agency | Chapter 12: Employment Law & Agency, Sections 12.0-12.1 |
| 3/9 | Employment Discrimination | Chapter 12: Employment Discrimination, Sections 12.2-12.5 Quiz #12: Chapter 12 Review due before class |
| 3/11 | Employment Discrimination | <i>Blakey v. Continental Airlines</i> (on Canvas) <i>EEOC v. Abercrombie & Fitch</i> |
| 3/13 | UNIT 3 EXAM | Study !! |
| 3/16 | Capstone Working Group | Capstone IRAC & Reflection due Mar. 20 @ 11:59 PM |