

**Dr. Schock, Faculty Emeritus, Business Division
West Valley College—Office C in Business—FALL 2010
Phone: 408-741-2447 to leave a message 24 hours a day.
E-mail address : schockme@justice.com (In the Subject line please state the following: WVC Student-law lecture—Day and time of class & your name)
This is a 3 unit course transferable to most Universities and Colleges**

OFFICE HOURS: MW 8: 00AM—9:00 AM and by arrangement; Email him anytime at schockme@justice.com if you have a question; Dr. Schock usually responds within 48 hrs. unless he's out of town or at a conference. Location: Office C; Business Division.

SUBJECT: BUSINESS LAW LECTURE COURSE

Welcome to this LECTURE CLASS in Business Law.

Your law instructor for this semester is Dr. Schock, Faculty Emeritus

Dr. Schock's contact e-mail address is as follows: schockme@justice.com
Telephone 408-741-2447; Remember: His email address is schockme@justice.com

IMPORTANT INFORMATION: Whenever you email Dr. Schock, be sure to email him at the above email address and say in the subject line: BUS law lecture 28 MW (& section no.) In the email message say your full name, the class you're enrolled in and your question. (Dr. Schock usually has several courses and may be off campus and it would be helpful if you identify yourself and the specific class in which you're enrolled). If you do not hear from him within 72 hours, you should call and leave a message at 408-741-2447. Be sure to repeat your phone number and area twice because sometimes Cell phones break up and the message is not clear. Leave your phone number with area code twice; cell phones often break up and we may not completely hear the number; speak slowly and clearly; ALSO, please add Dr. Schock's email address to your address book; otherwise, he may not be able to respond to you because you may have a spam filter, which will block his return email or call.

I. Basic Information—Welcome to Business Law.

A. Course Title:

The name of this course is Business Law 28 and is transferable to the University of California and most California State University systems as a lower division business requirement for the baccalaureate degree. Please check your WVC catalogue listing or see your counselor for specific university recommendations regarding courses you need to complete.

B. Course Description:

Through the use of lectures, case studies, group activities, video presentations, chalk board and overhead presentations, the student will learn the following basic legal topics and reasoning skills plus learn about current cases in the legal system as related to the subject currently being discussed:

- History of law in America and comparisons with the English system
- Civil and criminal law elements and issues
- Court structure and procedure
- Constitutional law and the Bill of Rights
- First Amendment rights
- Tort elements
- Negotiable instruments
- Debtor-creditor relationships
- Sales contract issues
- Contract essentials and issues
- Product liability, leasing, third party rights
- Types of business organizations
- Government regulation
- Real and personal property issues
- International law issues
- Ethics and social responsibility issues
- Cyber law within the legal environment
- Checks and the banking system
- Sole proprietorships, partnerships, and corporation issues
- Corporate merger issues
- Special business forms and private franchises
- Antitrust law, consumer and environmental law
- Employment law and discrimination issues
- Insurance, wills, trusts, agency issues, international environment issues
- Current legal issues related to the Internet, cyberspace, and
- Environment issues

C. Course Objectives and student learning outcomes:

Course objectives are designed so that you will obtain a basic understanding of business law within the legal environment and be able to use this knowledge and make important choices and decisions in your personal and professional life. This course may serve as a basis to further study of the legal environment and to enlighten you as to legal litigation issues.

1. General Requirement:

We assume that you can read and speak the English language at the 12th grade level. If your reading level is below this point, you should see your counselor or the Supported Education Program Department (SEP). If you have any learning disability or need additional time to take exams, you will need to see your counselor or the SEP Department.

A. Student Evaluation Procedure:

SEVENTY (75 %) percent of your semester grade will be based on the total of **three objective exams**--two midterms and one final exam. Each exam will consist of 100 multiple-choice questions (400 pts. each for a total possible of 40,000 pts. for each examination and a combined class curve will be used to assign grades); the exam will be based on lectures, textbook reading assignments, and video presentations. As mentioned above, a class curve method from the combined lecture sections is used to establish your grade on these three examinations. For example, 10 percent of the highest scores from all class sections will receive A's, the next 20 percent of the highest scores in all classes will receive B's, the next 40 percent of the highest scores will receive C's, the next 20 percent of the highest scores will receive D's and the bottom 10 percent might receive F's. This grading method is known a standard bell-shaped class curve modification arrangement and has been used for years because of its statistical fairness based on research and years of experience in higher education. After you take each examination, you should tell no one of the questions on the exam you take because it could lower your grade overall because the exams are based on how well you did in comparison with your student peers. You cannot hope to earn an A for the semester unless you complete all of the research papers course requirements listed below.

The remaining 25 percent of your semester grade will be based on **REQUIRED** in-class and out-of-class assignments, which include the following:

- Required Courthouse visitation; + or - given
- Required Small claims court paper: + or - given
- Required 5 Internet assignments—+ or – given for each assignment
- Attendance, puzzles, and video quizzes; + or – given for each assignment

B. Credit-No Credit Option:

You may choose a letter grade or a credit/no credit option. If you choose a credit/no credit option, you must follow the guidelines in the WVC Catalog to qualify for the credit/no-credit option. In other words, you must be earning a C average in the class if you wish to receive credit. If you receive less than a C average, you will receive No Credit. This is only if you choice this option. This option must be chosen one week after the first examination.

C. How to Drop this Class:

Should you choose to drop this class, **you must** turn in a drop slip to WVC Admissions and Records office on or before the drop deadlines to avoid receiving a failing grade. You will not be dropped automatically if you stop attending classes. **Dr. Schock will not drop you;** that is **YOUR** responsibility. **The last day to drop semester length classes without a W is _____.** See attached Calendar of dates for other important **DEADLINES.**

D. Required Textbook: (we have two books on Reserve at the WVC Library)

The required textbook is **BUSINESS LAW TODAY/THE ESSENTIALS** by **Roger LeRoy Miller and Gaylord A. Jentz—N I N T H EDITION**. (DO NOT USE earlier editions) NOTE: It is not recommended that you use previous editions because the chapters and brief assignments may not be the same. Many laws have been changed or updated. You may choose to use the highly recommended Study Guide.

PLEASE NOTE: TURN OFF your pagers and cell phones during lectures, video presentations, and examinations. No electronic or handheld dictionaries or electronic messaging will be allowed during the examination. Hats, caps, and sunglasses also are **not** allowed during any examination period. If you have a learning disability or need more than the standard time of one hour to take a test, you must contact your counselor, Health Services, or WVC Supported Education Programs (SEP) department for an approved waiver. Call 408-2200, press zero for the operator and ask to be connected to Mr. Mike Scalletta.

E. Here is a detailed list of required activities, examinations, and assignments to be completed throughout the semester. Unless told otherwise, **all outside assignments are due the last day the class meets before the final examination. Briefs are due on a weekly basis; do not wait until the end of the semester to turn all the briefs; they will not be accepted.**

1). Attendance and participation COUNTS! Attendance for the semester will be worth 72,000 points. (18 weeks X 2,000=36 X 2 pts. for each day=72,000 pts.) This score will be computed within the 25 percent category of the overall semester evaluation. Attendance is taken during the FIRST FIVE MINUTES OF CLASS. If you arrive late to class, sorry, you will not be counted as present. **Since it generally is held and valued in the business world that people be prompt, it shall apply to this class.** Two thousand points will be deducted for each class missed and one point deducted for coming to class late. You will be marked absent if you arrive late to class and do not see the instructor or sign the attendance sheet. Once you have enrolled in the class, you have formed a contract with me to continue with the class until the end of the semester. **Not continuing the class is a breach of contract** unless you officially withdraw from class through the Admissions and Records process no later than _____. You must drop the class; Dr. Schock will NOT drop you. INC's (I-Fs) are given to students who miss the final exam for ANY reason.

2). Remember this: there will be **three OBJECTIVE** multiple-choice examinations. Each exam is worth 40,000 points; 400 pts each question times 100 equals 40,000 points possible. (Exams account for 75 percent of your semester grade). On the day of the exams you will need a NO. 882-ES Scantron form and a #2 pencil. Sample exam questions appear at the end of this course syllabus and an Examination Study Guide will be given to students a week before exam day. Please do not miss the scheduled exam; Dr. Schock does NOT give makeup examinations.

3). When there is a video/DVD presentation in class, you will often receive an activity quiz questionnaire which is to be completed as you watch the video and turned in after the presentation. It will be counted as a quiz. If you miss class when a video quiz is presented, there is NO way to make it up. Dr. Schock has allowed four absences or missed quizzes a semester, which should not cause any major consequence in this portion of your semester grade.

4). You may receive three or four study guide or sample **crossword style quiz puzzles**, which are to be turned in on the date the instructor assigns.

5). There will be OPTIONAL weekly short case briefs assigned based on textbook reading assignments. Each completed case brief is given a + or a - and is part of the 25-percentage factor of your semester grade. OPTIONAL Briefs are due the last day we meet during the week. Each optional case brief is tied specifically to the respective chapters of the textbook and is intended to enable you to better understand the finer and more complex points of law. For your reference on how to do a case brief, a sample case brief and blank brief outline can be found later in this course syllabus. Dr. Schock prefers you use the firac case brief (FIRAC METHOD)(Facts, Issue, Rule of Law, Analysis, and Conclusion) sample outline I've presented later in this outline. NOTE: THE BRIEFS ARE OPTIONAL ASSIGNMENTS AND WILL BE EVALUATED AT THE END OF THE SEMESTER AS EXTRA CREDIT ASSIGNMENTS. DO NOT WAIT UNTIL THE END OF THE SEMESTER TO TURN IN ALL THE BRIEFS; THEY WILL NOT BE ACCEPTED. You are to complete and turn in the briefs EACH week. AGAIN, this is an optional assignment and is not required.

6). **There is One REQUIRED Courthouse Visitation Paper** ; + or - assigned. The purpose of this paper is to help you experience a real court system in action and how it functions in the real world. Your court visit should be one that includes a trial or a judge. Your court visit must be either a civil case, a criminal case, or a federal case. Traffic courts, arraignments, and arbitration cases are NOT—repeat—are usually NOT acceptable court visits. You may complete the courthouse visitation anywhere convenient for you. (As an option, you may write about your own court experience if you were arrested or cited within the past year in a civil action or a felony conviction--all writing requirements--docket number, etc., apply--if you choose this option, you must have approval by your instructor). During your personal courthouse visitation, observe and take notes. One requirement for this paper is to interview a court official, which could include but is not limited to a court reporter, bailiff, judge, or attorney. Look elsewhere in this course outline for the various courts to visit. The detailed format to use for this paper is explained elsewhere in this outline. You may use related textbook or lecture material to complete your paper. Samples of previously successful reports are available in my office during office hours. You cannot hope to earn an A in the class if you do not complete the required court visit.

Here are some suggested questions you should use when interviewing a court official:

- How long have you served the courts?
- Where did you go to school?
- What was your most memorable moment on the job?
- What was your most challenging moment on the job?
- How has the court system changed in the past few years?
- What recommendations would you make to students like myself who want to become educated?
- (Judge question only) How would you like to be remembered as a Judge?

Important grading criteria and content of the court visit:

+ or – issued for :

Time and date of visit

Court visited

Presiding judge/identify type of case--felony, civil, etc.

Court Case No. or docket No. must be cited in your paper!!!!

+ or – issued for:

Description of what you observed

Name and title of person interviewed

Description of the interview with the judge or other court official

+ or – issued for:

Your reaction to the observation in detail

A description of what you learned

+ or – issued for:

How well have you followed the above format?

No 5" by 7" white folder label? -5 pts. 5 by 7 labels can be found at most stationery stores OR you can simply cut a piece of paper of that size and glue or tape it to the front of your report cover.

7). One required Small Claims paper: + or - issued.

With this assignment you are to secure all the forms necessary to file a small claims suit against another person. You should use related textbook or lecture material within your paper.

Grading criteria and content of the Small Claims (SC) paper:

Explain what you learned from this assignment. Then, in your own words, summarize the steps in filing a small claims suit in the Santa Clara County. Here are some questions you should answer in your paper:

- What are the legal requirements for Small Claims?
- Where does one file such an action? With whom? What hours?
- What topics does a small claims suit include?
- What is the dollar limit one can sue for?
- Can SC include real property, personal property, torts, etc.?
- What specific papers must be filed? How much does it cost to file?
- Other fees?
- Can an attorney be present at your SC appearance? Why or why not?

You ALSO need to **provide samples** of all necessary forms to begin the process of filing a Small Claims Action. These forms are FREE of charge and may be picked up at most Muncipal Court systems or on the Internet. Put the forms at the end of your paper. (+ or -)

How well have you followed the format (+ or -)?

No 5 by 7 inch Cover Sheet LABEL (long side should be parallel with the top of the folder) or wrong size cover sheet + or -.

No nicely typed 5" by 7" white folder label? + or -.

NOTE: you will not be expected to file a small claims suit; you will only be required to show evidence that you know how to file a SC action.

8). Five Internet assignments: + or -, + or -, + or -, + or -, + or - assigned) These required assignments utilize the Internet and World Wide Web, and each assignment will be a + or a - when it is COMPLETE or INCOMPLETE. Write a two full-page summary explaining what you read and your reactions to the subject matter. Agree? Disagree? Why or why not? Remember on each page identify the assignment number--i.e., EXAMPLE ONLY; Assignment #1--Sexual Harassment--identify HTML address. With each Internet assignment you are to print out one page from the web site used and attach it to the back of the assignment. Use related textbook or lecture material within your paper.

Note: This assignment satisfies the laboratory requirement for 1.5 hrs. weekly by arrangement.

NOTE: contrary to some students' beliefs, he reads ALL papers and projects.

Extra Credit/Extra Points

1). On the second or third week of class you will be given a name tent that has a stamp on the back of it. If you retain the same card until the end of the semester and turn it in, you will receive + or -.

2). You may complete ONE extra court visitation for **extra** credit. You must follow the exact format of the assigned court visitation paper. You will receive a + or - **and earned EXTRA CREDIT will be noted by your name.** If you choose to do some extra credit work, be sure to identify it as EXTRA CREDIT and place it in a red cover sheet with a white 5 by 7 label (NOT 3 by 5) on the outside of the folder(the 5 inch portion should be parallel to the bottom of the folder). Ask if you're not sure or see samples in my office. 5 by 7 labels are available at most stationery stores OR you can cut a piece of paper and glue it to the front of the folder. Points will be subtracted for not following directions or by placing the WRONG size label on the folder.

3). For additional extra credit you may also read a very popular non-fiction book entitled, "Murder in Greenwich--who killed Martha Moxley?"(ISBN#0-06-109692-X). (+ or - issued). A three-page summary detailing the events and what happened are required to receive extra credit for this reading option. Also,

include your feelings on this book as to which you think committed the crime, what went wrong, and why things like this can be allowed to happen.

Format for Court Visit, Small Claims, and Internet Papers:

All of the above papers (Court visit, Small Claims, and Internet Papers) must contain a minimum of two pages of your own evaluation which is double-spaced, and typewritten on a word processor. (Your writing must extend onto the third page for full credit). They should be written in essay form. Only use 12-point Palatino, Geneva, Bookman or similar font. Handwritten or incomplete papers are unacceptable. Use 8 -1/2 by 11 inch paper that has a paper weight of 15 pounds or higher. All pages should be double-spaced and have 1 inch margins all around) Use 10-12 font style for completing your assignments.

The cover sheet can be from 14-24 font size. If your cover sheet is missing, you will lose points. The cover sheet and the label for the folder should be typed. One cover sheet is needed for all 5 Internet assignments, and the cover sheet needs to contain the following for full credit: You will be completing a total of three stapled reports—(1) court visit, (2) small claims paper, (3) Internet paper that will be stapled individually with a cover sheet and then placed in ONE folder. All papers should be placed in a folder that has been described in class. Folders not following the format outlined will LOSE points. Remember, you are doing three reports with three cover sheets for each subject that will be stapled individually to each report and then all three reports are placed into ONE folder. If you elect to complete extra credit work, it must be done in the same manner and placed in a RED folder.

S A M P L E cover sheet for Small Claims

Assignment Name: (Small Claims Paper)
 PRINT Your Name (& circle your last name)
 Business Law--day and time class meets and date of report
 FALL 2010
 Grade issued: + or –
 Points given:
 Dr. Schock
 Faculty Emeritus

Note: List all html addresses as a header on the cover sheet for the Internet cover sheet only. Remember: Individual html addresses for each assignment should be placed as a header at the top of each page so that Dr. Schock can access the site should he choose to do so at a later time. He reserves the right to make copies of outstanding papers submitted for the benefit of future classes.

Place **one vertical staple** parallel with the upper left-hand corner of your paper. Do not use paper clips, dog-ears, scotch tape or glue to fasten your papers together. Your support material, forms, etc. should be stapled to the back of the report. You need one major folder (any color but red) to hold the court visit, small claims, and Internet assignments. You may glue or tape a 5 by 7 inch (NOT

3 by 5) label outside the folder. This ONE label needs to list the following information:

Your Name _____ (Circle your last name)
 Business law --day and time (Your class days and time)
 Court Visitation Paper _____ (+ or - assigned)
 Small Claims Paper _____ (+ or - assigned)
 Internet Assignments 1-5 _____ (+ or - assigned)
 Dr. Schock, Faculty Emeritus
 FALL 2010

(label must be printed on a computer; you will lose points if you handwrite the label)

IMPORTANT NOTE: PLEASE use your computer or your word processor and make a back-up COPY OF EVERYTHING YOU DO for your records. It's a good idea to make a backup copy of all briefs you complete in the very rare event the lab aide or I fail to record it. You will need to show proof that you have completed the work if any question or error arises. If for any unknown reason your paper is lost, you will need to submit a copy at the instructor's request. Additional note: PLEASE DO NOT USE THE TECHNOLOGY CENTER OR COMPUTER ROOM TO PRINT OUT MORE THAN 2 PAGES PER ASSIGNMENT. The purpose of these directions is to see if you can follow directions. Points will be deducted for those students who do not follow directions. It is smart to use a header on every page of your assignment, too. All internet assignments should especially include a header for each pager that shows the HTML address, etc.

THIS IS IMPORTANT; Please turn your assignments in on time--**not before, not late, but ON TIME!!!** Dr. Schock strongly recommends that you NOT wait until the last minute or week to complete these assignments. Start completing your assignments TODAY!! Read the textbook, take the exams, ask questions, enjoy yourself, dress casually, and have fun! ALL COURT VISITS, SMALL CLAIMS PAPER, and LAB ASSIGNMENTS are due on the last day of class before finals begin OR as modified by your instructor. Check your school schedule of class for the exact date. Graded papers will be held for 1/2 of the following semester for pickup. After that time, they will be discarded. PLEASE DO NOT EMAIL YOUR PAPERS AS ATTACHMENTS. They will not be accepted. Hard copies only are acceptable. I read all papers and reports.

Let's summarize what you are to do for the semester.

1. Attend class and take notes. Special note: It has been Dr. Schock's experience that some students come to class late and leave early. Because of this possible issue and the fact that it disrupts class, I reserve the right to assign everyone with a point value of 10,000 points and deductions will be made if, in the opinion of the instructor, the student is coming to class late or leaving early. SHUT OFF ALL PAGERS AND TELEPHONES during lectures!!!
2. Take and pass three examinations (2 midterms, 1 final exam) objective; 400 pts each for a total of 40,000 points possible for EACH examination. These exams

represent 75 percent of your semester grade. Class curve method used for its statistical fairness to all students.

3. Complete the video/class activities sheets.
4. Complete the puzzles and quizzes.
5. If you wish extra credit, Complete the short case briefs.
6. Complete the courthouse visit and interview a court official—+ or -
7. Complete the small claims report + or -.
8. Complete the FIVE Internet Assignments (1) + or -, (2) + or -, (3) + or -, (4) + or -, (5) + or -.
9. Complete the extra credit assignments.

Here's how you should complete the brief textbook cases for full credit using what Dr. Schock calls the F-IRAC METHOD (facts, issues, rule of law, application, and decision)

Briefing a case is really EASY if you have read the case. You simply make a brief written summary or abstract of the case in your own words, which a lawyer could submit to the court on behalf of his or her client. Learning to brief cases properly serves two purposes: It encourages the student to read the case more thoroughly and carefully because he/she has to go back and dig out the essentials, organize them and state them in his/her own words.

It gives the student a permanent condensed written record of each case, which can be placed in a notebook for further reference. **Please make electronic backup copies of all work you complete for class.**

Cardinal Rules in constructing excellent OPTIONAL briefs: (NOT REQUIRED but is recommended if you're serious about learning how to brief cases or if you are considering law as a career)

Don't try to brief the case until you have read it through the first time.

Write the brief in your own words- just don't copy parts of the opinion.

Organize your briefs- put in all the essential matters in logical order, but be as concise as you can. There are five (5) parts to every briefing. FIRAC (facts, issues, rule, application, and conclusion)

1. Report the FACTS of the case (as a minimum, **five statements are required** for this section of the brief if you wish to receive credit.
2. What are the ISSUES of the case? (one simple question)
3. What is the RULE of law? (one statement)
4. What is the APPLICATION of the law? (five complete statements are required as a minimum)
5. What was the CONCLUSION of the court? (one statement)

FACTS: Include what happened to the parties (who did what to whom) who brought the suit and what sort of action it was, what the defense was, what happened to the controversy up to the time it reached this court. Statement of fact should also include what happened in the lower (trial court) and how the case came to this court and the asserted errors. **Legal Issue(s):** Include a statement as an indication of the precise points the court passed on in deciding the case. State as a one-sentence question answerable only by "yes" or "no". For

example; "Is Brown (the appellant) liable to Arnold (the appellee) for breach of the contract made between them based on her anticipatory repudiation on July 25, 1976? You should have at least FIVE STATEMENTS or more OF FACTS in this category.

ISSUE: What is the main issue? One statement in the form of a question is acceptable.

APPLICATION, RATIONALE, AND ANALYSIS OF THE PRESIDING COURT:

How is it applied in this case? This is the WHY portion of the case. Why the person would win or lose. YOU BE the JUDGE and tell me how you think the court would decide this case. In other words, how would YOU decide if you were the court in this case? You should have at least 5 statements in this area if you want to receive credit.

CONCLUSION; Decision, or Holding: Include the holding reached by the present court. It should be AFFIRMED, REMANDED, GUILTY AS CHARGED, OR NOT GUILTY AS CHARGED. Be sure to state which party won (decision for whom?) One statement is satisfactory. You be the judge. Please use this as your guide when completing assigned briefs:

Sample Case Brief-- A review—Optional

PRINT Student Name _____ (circle last name) _____
 Circle Class meeting time: MW 9: 20 or 12:20 a.m.
 SCORE _____

NOTE: FIRAC method: Facts, Issues, Rule of law, Application of the law, and Conclusion) you must respond to all of these items to receive credit for your brief) .

FACTS--Brief description of the facts only. (Minimum of five complete statements is required for credit.)

ISSUE--What is the primary issue in this case? (Usually asked in question form-- one question is satisfactory)

RULE OF LAW: (usually found in the chapter reading assignment) One statement is all that is necessary.

APPLICATION, RATIONALE, AND ANALYSIS OF THE PRESIDING COURT:

Includes the "why" the court ruled the way it did- IT IS THE REASONING of the court. Try to sift out the thinking of the court in the writing of their opinion. Reword the language of the court in your own language.) This is perhaps the

most important part of the brief. **(five statements necessary for FULL credit. Any less than five partial credit will be given).**

CONCLUSION: AFFIRMED, REMANDED, ETC. (one statement is all that is necessary)

Sample Case Brief**
EXAMPLE

Student Name: Mr. Ican Doit
Class meets: MW 9:20 a.m.--10: 45 a.m.

Type of Case: Case 2.9 Duty to Consumers- SCORE _____
You will be using what is called the FIRAC method (FACTS, ISSUE, RULE OF LAW, APPLICATION, AND CONCLUSION) when briefing cases.
What are the FACTS of the case.

FACTS: (1)This is a case about the Seven-up Bottling Company. (2)As part of a marketing scheme Seven-up placed two glass bottles of Like Cola on the front entrance of the Gruenemeir residence. (3)Their son, Russell began playing with the bottles, fell, and the bottle broke cutting his right eye and later he lost his eyesight. (4)The parent sued Seven-up claiming that the damage to Russell was due to negligence. (5)Seven should not have placed glass bottles in the reach of children who might become injured. (6)The firm should have used plastic bottles in its marketing scheme. (5 statements minimum if you want credit)

ISSUE: Should Seven-Up be held responsible for the boy's injuries? Why or why not?

RULE of LAW-- Products that are not inherently or potentially dangerous means that a manufacturer could be found to be negligent for marketing its product in glass bottles. Liability of the manufacturer or supplier must be negligent in that a reasonable person would not exercise under similar circumstances.

APPLICATION, RATIONALE, AND ANALYSIS OF THE PRESIDING COURT:

(1)I would argue that the answer is NO. (2)The glass bottle is not an inherently dangerous product. (3)The Supreme Court of Nebraska found that Seven-up was not negligent in placing the bottles on the entrance of Gruenemeier's residence. (4)Glass bottles are commonly found in every household. (5)I would argue that the court would find in favor of the bottling company. 5 statements if you want full credit.

CONCLUSION: Decision for Seven-up Bottling Company.

Student Notes:

Brief** SHELL--YOUR first and circle last Name: _____

EXAMPLE

Class meets: T-TH _____ a.m.

MW _____

Type of Case: _____

SCORE _____

FACTS:

ISSUE:

RULE of LAW--

APPLICATION, RATIONALE, AND ANALYSIS OF THE PRESIDING COURT:

CONCLUSION:

FIVE Internet Assignments—due on the last LECTURE day we meet before taking the final exam

- TWO full pages of your own writing--double space with 1 inch top, side, and 1" bottom margins. If you have LESS THAN 1 inch bottom margins, you may lose points.
- two pages from the site other than the first web page placed behind your writing.
- this means you will have a total of 20 pages (5X 5=5 +s or -s) in this report if you wish to receive full credit for this assignment.

The Technology Center at West Valley College has been overwhelmed nearly every semester by students who print out countless copies of unneeded and unnecessary material. Any offender caught using and abusing the printer at the Computer lab may be disallowed from further use of the lab. Please read the rules of the Computer lab when you use the facilities. ALSO NOTE: if you are having problems getting on line or doing a search, please see me first, I will be happy to help you. The following research Internet topics are as follows:

ASSIGNMENT 1: (REQUIRED) + or - issued. .) Look up the latest rulings with respect to the latest Illegal immigration law plus the latest issues regarding the Arizona law—pro and con issues—and be sure to identify the major issues and note where you stand and why on this important issue. (Note: you cannot hope to earn an A in this class if you do not complete the five required Internet Assignments)

ASSIGNMENT 2: (REQUIRED) + or - issued. Look up and find answers to this question: **What does it takes to get into law school?** In your own words, explain how much it costs to go to law school each year, what requirements are necessary to get into law school, what the LSAT is, what is meant by the terms BABY BAR and the GENERAL BAR, etc. You may choose any law school, accredited or unaccredited, Stanford, Yale, Harvard, Lincoln, Concord University (first on-line law school) or any other American Law school. Also, describe the curriculum and/or subjects that one can expect to face in law school. What grade point average is required to stay in law school?

ASSIGNMENT 3: (REQUIRED) + or - issued.

Look up **Capital punishment and present PRO and CON arguments.** Take a position and defend yourself. Which states still use the death penalty and what methods of execution are used in the various states. Is HANGING, electrocution, and firing squads still used in America? If so, which states? Compare and contrast the differences.

ASSIGNMENT 4: (REQUIRED) + or - issued. **Issue of Church and State:** In the Early 1950's the United States Congress added an important clause to the Pledge of Allegiance, placing the custody of our nation "under God." Recently, the Ninth U. S. Circuit Court ruled that to include the "under God" in the Pledge of Allegiance is unconstitutional. Your assignment is to LOOK up the latest

findings on the Internet regarding this important Constitutional issue and examine both sides of the arguments. List both pro and con arguments for both sides. First, look up the following websites and others if you find them: <http://www.Godlessgeeks.com> and study their arguments; then, look up <http://www.livingconnections.com/Evidence.htm> and study their arguments; then, present in your paper pro and con arguments and opinions on this important subject. Do you agree or disagree? Which arguments seem to be the strongest and why?

ASSIGNMENT 5: (REQUIRED) + or - issued.

Look up **PRO LIFE and PRO CHOICE**; give me legal definitions and arguments pro and con including Roe v. Wade and where the courts stand currently on this issue. Also, include your opinion on both of these issues and defend your position.

Courthouse Visitation Locations

(Note: these courts are ONLY suggestions; you may choose any other Superior Court that may be in your immediate neighborhood—also note, some telephone numbers may have changed; check directory listings to be sure)

Santa Clara County Superior Court:

Civil: 191 North First Street 408-299-2974
 Best days T, W, TH before 9:30 a.m. or after 1:30 p.m.
 Criminal: 115 Terraine 408-299-2974
 Best days-m-t or th 8:30 a.m. & after 1:30 p.m.
 ask in clerk's office

(Check phone numbers and locations--some numbers may have changed)

Los Gatos Municipal Court

Homestead avenue in Sunnyvale Call information for number
 Best days M, T, W, TH

Cities and areas served:

Los Gatos	San Jose	Monte Sereno	Campbell	San Jose
Saratoga	Alviso	Santa Clara	Milpitas	

Check phone numbers and locations--some numbers may have changed)

CA 6th District Court of Appeals

333 W. Santa Clara Street 408-277-1004

court is in session certain days only
 available for tours on the other days

US District Court

280 S. First Street 408-291-7783

(Check phone numbers and locations--some numbers may have changed)

Palo Alto Courthouse

270 Grant Avenue

Palo Alto, CA 94306

650-462-3820

Cities and areas served:

Palo alto, Los Altos, Los Altos Hills, Mountain View, Stanford University,
 Sunnyvale, Cupertino, and Moffet Field

South County Courthouse

12425 Monterey Road
San Martin, CA 95046
408-695-5012

(Check phone numbers and locations--some numbers may have changed) (Check phone numbers and locations--some numbers may have changed)
SPECIAL NOTE: All assignments should be spell checked, proofread, and grammar checked. I reserve the right to deduct points on reports, which contain misspelled words and/or reveal the use of poor grammar.

Please note that several hours have been spent producing this comprehensive course syllabus, which should answer most of your questions. Please read it **carefully** twice and highlight important dates and requirements. After you have read this outline in detail and if still have questions, please e-mail me at schockme@justice.com (subject line: WVC Student—law) or see me after class with your questions.

REMINDER: In previous semesters I have noticed some students consistently arriving to class late and leaving early. Because in my opinion, it tends to be disruptive, rude, and distracting to the class overall, I have assigned everyone at the beginning of the semester with 1000 subjective points and will subtract points for showing up to class late, leaving class early, being negatively argumentative and disruptive in class, showing attitude problems towards other students or the instructor, or talks to other students during lecture periods. If you have a counselors appointment, medical appointment, etc., it is wise to inform the instructor of this impending need and sit to the back of the room near the door.

If you would like to know about my credentials or background, please read the West Valley College Catalogue or go to **www. West valley. edu** and go to the instructional page and link onto Schock.

Have a nice, productive semester. Please feel free to visit me during my office hours if you wish to clarify any material presented in this course outline OR just say hi.

The following information will give you the tentative reading assignments, exam dates, due dates, and final examination schedule.

Tentative Reading ROAD MAP Assignment Sheet –FALL 2010— (all OPTIONAL briefs are due on THE LAST DAY WE MEET FOR THE WEEK)
Tentative Reading ROAD MAP Assignment Sheet Read each assigned Chapter and complete Briefs (end of week) BEFORE coming to class (Dr. Schock reserves the right to make changes as needed) + or – issued; PLEASE NOTE: IF YOUR CLASS MEETS TTH, THEN ANY ASSIGNMENTS WILL BE DUE ON THURSDAY; IF YOU HAVE A MW CLASS; THEN, THE ASSIGNMENTS WILL BE DUE ON WEDNESDAY.

By:	Read these chapters	Topics
8-30-10	First day of class--orientation--read the ENTIRE COURSE OL Read TEXT Chapters 1 & 2 for next time; read cases 2.1, 2.3 pg.61 (Do not Brief the case—read only)	
9-7-10	Discuss Chapters 1 and 2.....	Historical and Constitutional law issues
9-13-10	RE-Read cases 2.1 and 2.3 pg. 61 and brief using FIRAC method READ Chapters 3 & 4.....	Court Procedures/ ethics (optional BRIEF only one case from each of these chapters) Brief 3.3 pg. 95 OR 3.4 appellate review pg. 95. (read both cases)
9-20-10	Chapters 5 and 6.....	Criminal law / Cyberlaw Brief 5.1 patent issue-pg. 149 and 5.3 Copyright issue; brief ONLY ONE case
9-27-10	Read 6.1— pg. 176 & 6.6—14 th Amendment and brief ONLY 1. READ Chapters 7 and 8—read 7.2, 7.4, 8.1, and 8.3 and brief only one case from each chapter.	
10-4-10	READ Chapters 9 and 10; read cases 9.2 , 9.4, and 9.7 but brief only one case. Read cases 10.2—pg. 297 and 10.4—pg. 297	
10-13-10	Midterm Exam #1-closed book-Chapt 1-10 scan 882 & no.2 pencil	
10-18-10	Examination review—read chapters 11 and 12. Read cases 11.2 & 11.6—pg. 328; Brief either one of these cases; read cases 12.3 and 12.6 and brief one of these cases.	
10-25-10	Read Chapters 13 and 14; read cases 13.1, 13.3, and 13.5 pg. 389 and brief one case; read cases 14.4 pg. 422 and brief this case.	
11-1-10	Read Chapters 15 and 16; read cases 15.3 pg. 447, 16.1, 16.3; brief one of these cases	
11-8-10	Read Chapters 17, 18, 19; read cases 17.3 and 17.4 (brief one case) Read cases 18.4 and 18.6 (brief one case) 19.2 & 19.6 (one only)	
11-15-10	Read Chapters, 20 and 21; read cases 20.1—pg. 607 and brief it plus 21.3 insider trading? Pg. 637.	
11-17-10	Examination #2— Chapters 11-20 inclusive; bring scantron 882ES and NO. 2 pencil. CLOSED BOOK EXAM.	
11-22-10	Briefly review exam; Read Chapters 22 and 23; brief cases 22.6, 23.1 or 23.7 gift issue-pg. 690.	
11-29-10	Read Chapter 24; brief case 24.1.	
12-6-10	Read Chapter 25; brief case 25.6—Sovereign immunity—pg. 736.	
12-8-10	Discuss special cases and prepare for Final; Remember the upcoming final exam during the week of December 13 th is comprehensive; it covers all text chapters plus any video/DVD presentations and lecture notes. Bring a Scantron 882 answer sheet	

and No. 2 pencil. ALL PROJECTS AND PAPERS ARE DUE TODAY. Scantrons are available at the WVC books store.

12-13-10 **Final Exam period.** FINAL IS comprehensive—covers the entire book plus any lecture and video material. Your exam is given during this week; check WVC class schedule or contact instructor.

ALL ASSIGNED BRIEFS, INTERNET ASSIGNMENTS, PAPERS, & Court visits and SC's are ABSOLUTELY DUE the last lecture class before the final exam, which is Wednesday, December 8, 2010; **NO EXCEPTIONS** or Excuses please! * I reserve the right to make assignment changes to this schedule as necessary. THE COMPREHENSIVE FINAL EXAM WILL BE CLOSED BOOK, CLOSED NOTES.

Assumptions about the learning process:

About you as learners.....

1. You are here because you want to learn.
2. You are open to new experiences and ideas.
3. You are like no other person in that you may have diversity in terms of background, perspectives, ages, profession, ethnicity, etc.
4. You have valuable experience, expertise, and special needs.
5. You will participate in class and be involved.
6. You are willing to study and to be flexible regarding assignments.
7. You are willing to complete the requested assignments.

About the class as a whole.....

1. We are a learning community.
2. We are resources to each other--each of us has special skills or knowledge that another person in class may not have.
3. Our collective thinking enhances the quality of our individual thinking.
4. We need to respect each other's differences, failures, and successes.

About Dr. Schock's role as instructor.....

1. Dr. Schock is interested in facilitating learning.
2. Dr. Schock operates on the assumption that learning is an active process and his job is to engage you in a collaborative learning process, not to make you learn.
3. The purpose of studying this subject is the expansion of understanding of the range of alternatives available to use as a decision-maker and implementer of action.
4. Dr. Schock is not interested in pushing for complete consensus--he respects the fact that each of you has opinions, but *opinions should be backed up with facts.*
5. Dr. Schock respects the fact that you may have a varied expertise.
6. Dr. Schock may switch roles, sometimes as a content expert; other times as a process observer.

7. Dr. Schock will choose the material for study but leave it up to you to learn it.
8. Dr. Schock honors differences among you realizing that some concepts are new to some and old to others.
9. Dr. Schock will assume you will respect his position as an instructor and professional and will be supportive in terms of reaching our mutual goals in the course.
10. Dr. Schock will directly refer any student who attempts to disrupt the class, is argumentative, hostile, or disorderly to the Dean of Student Activities for College disciplinary action.
11. Dr. Schock celebrates your ethnicity and celebrates everyone's uniqueness.

-----**Emergency Information--West Valley College
Classes**

In the event of the following situations, the West Valley College Safety Committee requests that you follow the directions below:

FIRE ALARM OR EVACUATION NOTICE

If the fire alarm sounds in the building OR an evacuation is requested by an administrator OR Campus Police, follow your instructor to the designated assembly area (see maps at the back of each classroom). Take your VALUABLES with you. After your instructor checks that all students are accounted for and the official "ALL CLEAR" is given, you will be instructed when to leave the area. The nearest fire alarm is near the Business Division Office. The nearest Fire Extinguisher is in the Business Division Office. Call 911 to report a fire before you attempt to put it out. Inform the Division or Department Senior coordinator secretary (741-2012) that 911 has been called and where the emergency is located.

EARTHQUAKES

If an earthquake occurs, take cover under a sturdy desk, table, or other furniture OR Drop to the floor, fold arms on floor close to your knees and bury face in arms. Move away from windows and wall shelves and heavy equipment. Do NOT run outside during the shaking--you may fall and be injured.

EVENING SAFETY ESCORTS

Escorts are available from 4-10 p.m. Monday--Thursday at NO COST during the Fall and Spring semesters. Call the District Police Office at 741-2092 to arrange an escort.

INJURY OR ILLNESS

If you or someone is injured or ill while on campus, contact the Student Health Center for first aid assistance, follow up care or referrals. Report to the Student Health Center all student accidents that occur on campus or at college sponsored activities. Your instructor is certified CPR and

Student Health Emergency Line: Ext. 222. Call for First Aid assistance.
Life Threatening Emergencies like heart attacks, strokes, etc., call 911
From the college offices, dial (9); then, 911.

MAJOR DISASTER or terrorist threats or events

A Command Center will be set up at the Campus Center in the event of a major disaster when phones may not be working and outside assistance is not readily available. A representative of your building or class should be sent to report problems or injuries. -----A final note: Please read your student handbook carefully regarding Sexual Harassment, disruptive behavior in the classroom, etc. Do not bring weapons to school!!! The District (WVMCCD) takes these issues very seriously and will deal promptly with any issues that relate to students hassling other students, etc. There are several plain clothes and undercover police persons on campus for your protection.

Important West Valley College (WVC) Policy statements:

As mentioned elsewhere in this syllabus, WVC makes reasonable accommodations for persons with documented disabilities. Students should notify Mike Scaletta at the Disability and Educational Support Program (DESP) at 741-2010.

If you have a complaint or someone has shared information with you as a student that is unlawful discrimination or sexual harassment, contact the Associate Vice Chancellor of Human Resources (HR) at the West Valley Mission College District office at 741-2060. Severe penalties to the student may be applied for any false reports submitted to HR. (See the WVC Catalogue for details)

The WVMCCD's policy on academic dishonesty covers in-class cheating, out-of-class cheating, plagiarism, and furnishing false information. Plagiarism is the unauthorized use of ideas from published or unpublished works as a student's own work for a grade in class. (See the WVC Catalogue for details)

Have a productive semester.