

Syllabus: Commercial Law General Business (GENB) 7305, 5305, and 4320

Summer 2021 (July 12 – August 11, 2021)

Instructor: Troy Hopkins, JD, PHR, SHRM-CP

Textbook: West's Business Law, **14th Edition**, Clarkson, Miller, and Cross, Cengage Learning

ISBN-13: 978-1305967250

ISBN-10: 1305967259

Class Meetings: - **Asynchronous – No required LIVE class meetings Weekly**

Q&A sessions Thursday nights starting at 6:00 PM

Contact the Instructor

- By email: tdhopkins@uh.edu
- By Phone at 832-842-6131
- Office Hours by appointment through MS Teams

About This Syllabus

The instructor reserves the right to change this syllabus during the semester as the need arises without prior notice. **This is NOT a contract.** The instructor will email and announce to class members notice of the changes as soon as possible if they need to be made.

Course Description

Application of basic legal principles to contracts, sales, insurance, commercial paper, agency, business organizations, real property, personal property, trade regulation, secured transactions, and bankruptcy.

Course Objectives

1. Survey the legal environment as it relates to commerce, focusing on the laws and legal system of the United States.
2. Enable each student to establish a sustainable working knowledge base of the core legal terms and concepts necessary for making informed business judgments throughout their subsequent career.
3. Enable each student to develop an appreciation of the wide range of legal constraints which affect decision-making in business.
4. Enable each student to appreciate the implications of the increasing use of criminal sanctions to oversee business activities.

Course Objectives (Cont'd)

This course includes assignments related to the Texas Board of Public Accountancy's CPA eligibility standards as they relate to business law, including study of the Uniform Commercial Code. This course also incorporates the Goals of a Master of Science in Accountancy to provide graduates with

- a) oral communication skills (through classroom interaction),
- b) written communication skills in the form of short answer or essay questions on some exams,
- c) research skills (through learning how to integrate commercial law concepts into a functional personal knowledge base),
- d) ethics awareness (through consideration of the relationship between ethics and law),
- e) global awareness (by examination of, and tests covering, materials addressing international law),
- f) technological skills (by examination of and tests covering, materials addressing the commercial law interface with changing technology),
- g) analytical problem solving skills (through heavily analytical problem solving focused exams covering commercial law topics), and
- h) financial risk assessment skills (through focus on evolving compliance requirements in commercial law).

This course incorporates the following Accounting Program Learning Goals:

- a) capacity to record, analyze, and interpret financial and other information (mechanics/journal entry) through a broader understanding of the underlying legal framework for various transaction types;
- b) capacity to identify and diagnose accounting problems through a wider understanding of the legal context of transactions;
- c) capacity to recognize ethical and regulatory dilemmas through readings and discussions focused on the role of law in such dilemmas; and
- d) basic understanding of accounting and financial concepts (theoretical) through their relationship to the legal environment.

Organization of the Course

1. The scope of the material covered by the course is **extremely broad**.
2. Consequently, this course will stress breadth of exposure to the legal environment.
3. The assigned readings are not for show and are not a topics list to be scanned from some canned outline.
4. You are expected to carefully read the assigned materials (**especially the cases**) **before viewing the recorded lecture**.

Grading Policies

The final grade in the class will be based on a total of 100 points, graded as follows

A=93 and up, A- =90 through 92,
B+ =87 through 89, B 83 through 86, B- =80 through 82,
C+ =77 through 79, C =73 through 76, C- =70 through 72,
D+ =67 through 69, D =63 through 67, D- =60 through 62,
F = less than 60.

1. The grade will be based on FOUR exams and class participation. The exams count for 100% of the course grade. Extra credit will not be offered.
2. Exams will be Multiple Choice.
3. All exams will be ONLINE through Blackboard outside of class.
4. Exams will focus very heavily on the assigned readings and accompanying **recorded lectures** that add color to the book.
5. ~~If more than 50% of the class misses an exam question, that question will be thrown out (not counted on the exam). That question constitutes a failure on my part, not yours.~~ **This rule in the past applied to students that attended lectures. This no longer applies as there is no way to see who viewed the recorded lectures and who is simply guessing without preparing.**
6. **All make-up exams will be essay.** There will be no curve added to any make-up. The make-up for the exams will be at a time arranged between the student and the instructor. **In no instance will an early exam be approved.** All make-up exams must occur after the exam as there are no early exams.
7. As stated previously, there is never any “extra credit” for this course.
8. There is NO Comprehensive Final Exam in this course.

The recorded lectures are the sole property of the instructor Troy Hopkins and may not be copied or redistributed without the express written consent of the instructor.

Academic Honesty

1. All applicable university policies apply. It is the duty of the student to be aware of these policies.
2. The instructor will aggressively pursue academic dishonesty to the maximum extent allowed by the university.
3. The University of Houston Academic Honesty Policy is strictly enforced by the C. T. Bauer College of Business. No violations of this policy will be tolerated in this course. A discussion of the policy is included in the University of Houston Student Handbook. Students are expected to be familiar with this policy.

Accommodations for Students with Disabilities

1. The C. T. Bauer College of Business would like to help students who have disabilities achieve their highest potential. To this end, in order to receive academic accommodations, students must register with the Center for Students with Disabilities (CSD) (telephone 713-743-5400), and present approved accommodation documentation to their instructors in a timely manner.
2. Students are urged to let me know early in the semester so that any needed accommodations can be arranged in a timely manner. Note: Exams are already built to accommodate for extra time.

DISCLAIMER

1. NOTHING THAT IS SAID OR PROVIDED IN THIS COURSE CONSTITUTES LEGAL ADVICE.
2. This course provides general legal information so that you can better understand the legal context of business.
3. Determining the exact applicable law for a specific legal problem is very complex and requires careful professional review of all relevant facts.
4. I cannot and will not be your attorney under any circumstances.
5. Nothing that I say to you should be interpreted as a legal answer to a specific legal problem.
6. Our discussions (both in and out of class) are too superficial for you to rely on for your personal or business legal problems.
7. Please DO NOT ask for specific legal advice about a situation confronting you or someone you know.
8. If you need legal advice, please consult a licensed attorney. I recommend <http://www.findlaw.com/>

Date (Mon/Wed 5:30-9:30 PM)	Topics	Chapter	Exam Focus
Pre-Class Videos (Blackboard)	Law and Legal Reasoning	1	None-Review
Pre-Class Videos (Blackboard)	Courts and Alternative Dispute Resolution	2	None-Review
Pre-Class Videos (Blackboard)	Court Procedures	3	None-Review
Pre-Class Videos (Blackboard)	Business and the Constitution	4	None-Review
Pre-Class Videos (Blackboard)	Business Ethics	5	None-Review
Lectures Pre-Recorded	Torts	6	Exam 1
	Strict Liability and Product Liability	7	Exam 1
	Criminal Law and Cyber Crime	10	Exam 1
	Contracts: Nature and Terminology	11	Exam 1
	Contracts: Agreement	12	Exam 1
	Contracts: Consideration	13	Exam 1
Available 7/16-7/18	Exam 1 on Blackboard		
	Contracts: Capacity and Legality	14	Exam 2
	Contracts: Mistakes, Fraud, Voluntary Consent	15	Exam 2
	Contracts: Writing Requirement, Electronic Records	16	Exam 2
	Contracts: Third Party Rights	17	Exam 2
	Contracts: Performance and Discharge	18	Exam 2
	Contracts: Breach of K and Remedies	19	Exam 2
Available 7/23-7/25	Exam 2 on Blackboard		
	Bankruptcy Law	31	Exam 3
	Agency Formation and Duties	32	Exam 3
	Agency Liability to Third Parties and Termination	33	Exam 3
	Warranties	23	Exam 3
	Function and Creation of Negotiable Instruments	25	Exam 3
	Transferability and Holder in Due Course	26	Exam 3
	Liability, Defenses, and Discharge	27	Exam 3
Available 7/30-8/01	Exam 3 on Blackboard		
	Banking in the Digital Age	28	Exam 4
	Creditors' Rights and Remedies	29	Exam 4
	Secured Transactions	30	Exam 4
	Professional Liability and Accountability	47	Exam 4
	Sole Proprietorships and Franchises	36	Exam 4
	Partnerships and Limited Liability Partnerships	37	Exam 4
	Other Organizational Forms for Small Business	38	Exam 4
	Corporate Formation and Financing	39	Exam 4
Available 8/06-8/08	Exam 4 on Blackboard		
Available 8/09-8/11	Make Up Exam Days (if needed)		