University of South Dakota  
Beacom School of Business  
BLAW 452/552 – Commercial Law and Ethics  
Spring 2019 Course Syllabus

School of Business Mission Statement

Our primary mission is excellence in undergraduate and graduate education that develops successful future business leaders. We deliver high value to our students, employers and community through distinctive teaching and learning supported by significant intellectual and professional contributions and meaningful service.

“Business is the engine of democracy.”

Course Description: Commercial Law and Ethics is the study of the legal and ethical aspects of commercial transactions. Topics covered include: secured transactions, commercial paper, debtor-creditor relationships, securities regulation, and real and personal property. Ethical and relevant international issues are integrated throughout the course. Additional topics may include insurance, wills and trusts, and bankruptcy.

Prerequisites: BADM 350 – Legal Environment of Business

“Teachers, yes. We are the waiters and waitresses in the Brain Food Café. We are pilots of the Knowledge Express. We are tour guides through the tunnel of discovery.”

Faculty: Gregory M. Huckabee, J.D., M.B.A., M.S., M.A., LL.M., LL.M.

Office Phone: 605-658-6541  
Office FAX: 605-677-5058  
Office: Beacom School of Business, Room 231  
E-Mail: Gregory.Huckabee@usd.edu

Office Hours: My goal is to answer all phone calls and emails within 24 hours. Between Friday at 4:00 p.m. and Monday 8:00 a.m., however, the family demands care and feeding, so all communication received over the weekend will need to wait until Mon for response. My face-to-face office hours are MWF 1:00-4:00. You may contact me to schedule a time to meet in Vermillion on-

My plan is to conduct an online Virtual Live Office Hours (VLOH) chat room every Monday from 12:00 to 1:00 p.m. (lunch hour-eat and learn!). I will always try to answer any questions immediately during that timeframe. Please keep in mind, that I may be answering another student’s questions also at that same time. Please be “flexible” with the immediate response expected.

To access Collaborate Ultra and participate in this VLOH, please click on the BLAW 452/552 on the D2L course website, then “Click Here to Attend VLOH Session ...” in each week’s section located in the course’s D2L “Content” area. If no one makes use of the VLOH for a period of ten minutes, the Collaborate recording will cease and the VLOH will be concluded. Each VLOH will be recorded and
available for you to review. A link for each Monday’s VLOH will be provided in the Content area of the course in D2L and is located under each week’s module. Simply click on the link to watch.

**Course Time and Location:** This is an online class. Each module week will run Monday 12:00 a.m. to Sunday 11:59 p.m.

Class **begins on January 7th** (hoorah!) and **ends sadly Fri, May 3rd.** All assignments and quizzes must be submitted by **May 4th** for any credit. Most, if not all assignment due dates, are before then, so pay close attention to this syllabus. As in business, late submissions entail consequences.

> “Lack of decision is the worst fault.” Duff Cooper

**TECHNOLOGY REQUIREMENTS**

**Desire2Learn (D2L):** There are two ways to access D2L: [http://d2l.sdbor.edu](http://d2l.sdbor.edu) and [http://my.usd.edu](http://my.usd.edu). Click on MYUSD, then log in and scroll down to Single Sign on at lower left. Then click Desire to Learn. Type in your new login credential for D2L that is provided to you by USD. After login, then click BADM 762. Now you should be in the class! All video lectures are under Content. We recommend accessing the online d2l system and the weekly chatroom videos using Google Chrome or Firefox web browsers.

All student grades are posted in this course under Assessments, then click on grades to ensure grade point accuracy. **STATUTE OF LIMITATIONS:** One of the law’s first lessons is timeliness. Students have only **five days (5) from grade posting** to bring any errors to the instructor’s attention, otherwise any errors are **waived.** Waiting until the end of the semester is not an option. “In God we trust, everyone else we check!

**Download Respondus Lockdown Browser for taking all quizzes and exams.**

The University of South Dakota has established minimum technology requirements for participation in online courses. These are outlined under the “Technology Support and Requirements” section in the CDE Online Student Handbook in the Getting Started widget on the course homepage.

**Desire2Learn (D2L)** There are two ways to access D2L: [http://d2l.sdbor.edu](http://d2l.sdbor.edu) and [http://my.usd.edu](http://my.usd.edu). Click on MYUSD, then log in and scroll down to Single Sign On. Then click Desire to Learn. Type in your new login credential for D2L that is provided to you by USD. After login, then click BLAW 452/552. Now you should be in the class! All video lectures are under Content. You access the videos using Mozilla Firefox. All student grades are posted in this course under Assessments, then click on grades to ensure grade point accuracy. **STATUTE OF LIMITATIONS:** One of the law’s first lessons is timeliness. Students have only **five days (5) from grade posting** to bring any errors to the instructor's attention, otherwise any errors are **waived.** Waiting until the end of the semester is not an option.

**PLEASE NOTE:** If you are a University of South Dakota business student who has not been accepted to your major (U.NODEG.BUS), you must have permission to enroll or remain enrolled in any 300/400 level business courses. (Exception: BADM 321.) Please stop by the Student Services Center and fill out a WAIVER OF ADMISSIONS REQUIREMENTS form and submit it to the Beacom School of Business Student Services Center. (The form is also available on-line. Go to the
portal, click on the Academics Tab, then the School of Business channel, and finally the Undergraduate Forms link. You will find the Waiver Form listed.) The form should be submitted by Friday, January 10th. Earlier submission is strongly recommended. If there are problems related to your enrollment in the course(s), you will be notified on or before Tuesday, January 16th. The last day to drop a course without being billed is Wednesday, January 17th. If you have not submitted a waiver form by January 12th and you do not have permission to be enrolled in this course, your situation will be reviewed and you may be administratively dropped from the course.

WITHDRAWAL POLICY
The last day to drop a class with a refund and without having the class recorded on your academic record is **Jan. 10.** The last day to drop a full term class with a grade of “WD” is **Apr. 1.**

The instructor of a course may drop a student for non-attendance or non-participation provided the student is in violation of the official attendance policy or participation policy of the course. Instructor initiated drops are at the instructor's option, but they must be submitted to the Registrar's Office and be approved by the dean of the college or school in which the course is offered. The student is notified by the Registrar's Office that he/she has been dropped from the course. The grade assigned is in accord with the drop policy for student initiated drops.

“It is of first importance that we should know our own minds; it is of almost equal importance that the world should make no mistake about our intentions.”

*Winston Churchill*

**Course Goal:** The goal of this course is to provide the student with a working knowledge of the legal requirements and ethical ramifications of commercial and financial transactions. Additionally, emphasis is placed on the business transactions topics addressed on the CPA examination.

**Course Learning Objectives:**

<table>
<thead>
<tr>
<th><strong>How measured:</strong></th>
<th><strong>Q=quizzes, E=exams, EA=ethics analysis papers, F=final exam</strong></th>
</tr>
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<tbody>
<tr>
<td><strong>Q, E, EA, F</strong></td>
<td><strong>1. Describe fundamental business principles, generalizations, or theories.</strong></td>
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<td><strong>Q, E, EA, F</strong></td>
<td><strong>2. Apply factual knowledge (business terminology, classifications, methods, trends).</strong></td>
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<tr>
<td><strong>Q, E, F</strong></td>
<td><strong>3. Identify and be able to discuss the requirements of the Uniform Commercial Code (UCC) Article 9 for the governance of secured transactions in personal property.</strong></td>
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<td><strong>Q, E, F</strong></td>
<td><strong>4. Identify and be able to discuss the law regulating commercial paper, UCC Art. 3, and types of negotiable instruments.</strong></td>
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<tr>
<td><strong>Q, E, F</strong></td>
<td><strong>5. Identify and be able to discuss the law regulating the sales of securities, and the rights, responsibilities and liabilities of agents, and sellers.</strong></td>
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6. Understand the ethical responsibilities and social impact of corporate business, and its impact on society while inculcating high ethical standards and principles for conduct of business. Graduate students will learn these lessons at a deeper level through additional work.

“Students must let the gritty reality of this world into their lives.”
Fr. Peter Hans Kolvenbach, S.J.

Texts:


--“Ethics 101” by John Maxwell, ISBN# 0-446-57809-6

--Wall Street Journal (WSJ): order online $1 per week delivered to your front door ($15 for semester) at WSJ.com/studentoffer (list me as your instructor Greg Huckabee to get the great subscription rate). It will be used as source for class discussion/participation (CP). Save your copies! Call 1-800-JOURNAL (568-7625) and ask to have it MAILED to you. Delivery is better! You will need these as sources for your ethics analysis papers.

Course curriculum:

Video lectures: Provocative, scintillating, and didactic video lectures are provided for each class on D2L, starring guess who?

Discussion entries are to be made on the course website in D2L under Communications, click on Discuss

Quizzes: All quizzes are taken online on D2L under ASSESSMENTS.

Ethics Analysis Papers: Send assignments to DROP BOX under D2L ASSESSMENTS.

Assessment Tests: Tests are taken online on D2L under Assessments.

“Why is a world of excessive competitiveness reflected in individualism, consumerism, and success at all costs a good thing?”

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<thead>
<tr>
<th>Date</th>
<th>Chapter</th>
<th>Topic</th>
<th>Assignment/Notes</th>
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<tbody>
<tr>
<td>1st week</td>
<td>2</td>
<td>Course Introduction, Business Ethics and CSR reading, and DISCUSSION INTRODUCTION due Jan. 13.</td>
<td>pgs. 24-55</td>
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<td>Jan. 7</td>
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<tr>
<td>2nd week</td>
<td>Ethics 101 text</td>
<td>Ethics 101 read, take Quiz #1, view movie &amp; GREED Movie by clicking on link at D2L CONTENT, then take Quiz #2 found in D2L under ASSESSMENTS, all due Jan. 20</td>
<td>pgs. 1-40</td>
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<td>Jan. 14</td>
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<tr>
<td>Week</td>
<td>Date</td>
<td>Assignment/Activity</td>
<td>Pages</td>
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<tr>
<td>3rd week</td>
<td>Jan. 21</td>
<td><strong>Ethics 101</strong> Quiz #3 Continued &amp; WALL Street 1 Movie Quiz #4 under Assessments due Jan. 27; read and view movie by clicking on link at D2L CONTENT;</td>
<td>41-84</td>
</tr>
<tr>
<td>4th week</td>
<td>Jan. 28</td>
<td><strong>Ethics 101</strong> &amp; complete Quiz #5 due Feb. 3 found in D2L under Assessments</td>
<td>85-104</td>
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<tr>
<td>5th week</td>
<td>Feb. 4</td>
<td><strong>ETHICS</strong> Assessment test #1 due Feb. 10 covers Beatty Chap. 2, Ethics 101 text, &amp; movies only; read Secured Transactions, then take Quiz #6 Chapter 24 due Feb. 10</td>
<td>590-625</td>
</tr>
<tr>
<td>6th week</td>
<td>Feb. 11</td>
<td>Secured Transactions Continued read &amp; take Quiz #7 due Feb. 17; DISCUSSION Engagement #1 due Feb. 17</td>
<td>590-625</td>
</tr>
<tr>
<td>7th week</td>
<td>Feb. 18</td>
<td>Creating a Negotiable Instrument read &amp; Quiz #8 due Feb. 24; business ethics analysis problem assignment #1 due Feb. 24</td>
<td>626-651</td>
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<tr>
<td>8th week</td>
<td>Feb. 25</td>
<td>Liability for Negotiable Instruments &amp; Quiz #9 due Mar. 3; spring break Mar. 4-8</td>
<td>652-677</td>
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<td>9th week</td>
<td>Mar. 11</td>
<td><strong>Assessment test #2</strong> covers Chaps. 24, 25, and 26 only, due Mar. 17; read Accountants’ Liability; Quiz #10 due Mar. 17; and business ethics analysis problem #2 due Mar. 17</td>
<td>678-705</td>
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<tr>
<td>10th week</td>
<td>Mar. 18</td>
<td>Bankruptcy read &amp; take Quiz #11 due Mar. 24; DISCUSSION Engagement #2 due Mar. 24</td>
<td>929-957</td>
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<tr>
<td>11th week</td>
<td>Mar. 25</td>
<td>Securities Regulation read &amp; take Quiz #12 due Mar. 31</td>
<td>958-989</td>
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<td>12th week</td>
<td>Apr. 1</td>
<td><strong>Assessment test #3</strong> covers Chaps. 27, 36, and 37 due Apr. 7; read Real Property &amp; Landlord-Tenant Law &amp; take Quiz #13 due Apr. 7;</td>
<td>1102-1133</td>
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<td>13th week</td>
<td>Apr. 8</td>
<td>Personal Property and Bailment read &amp; take Quiz #14 due Apr. 14; (graduate 552 students only- business ethics analysis problem assignment #3 due Apr. 14)</td>
<td>1134-1155</td>
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<td>14th week</td>
<td>Apr. 15</td>
<td>Planning for the Future: Wills, Trusts, and Insurance read &amp; take Quiz #15 due Apr. 21;</td>
<td>1156-1185</td>
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<td>15th week</td>
<td>Apr. 22</td>
<td>Consumer Protection read; DISCUSSION Engagement #3 due Apr. 28</td>
<td>1016-1044</td>
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<tr>
<td>16th week</td>
<td>Apr. 29</td>
<td>COMPREHENSIVE FINAL ASSESSMENT EXAMINATION! Must be completed not later than Fri, May 3 at 5:00 pm</td>
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“The interplay of experience, reflection, and action can produce the educated person for others.”
Graded Events – Spine sweat—From success to significance!

Student Responsibilities:

- Online quizzes (15) & exercises (20 pts each) 300 points 30%
- Exams (3 X 100 points each) 300 points 30%
- Business Ethics Analysis (2 X 100 pts each) 200 points 20%
- Comprehensive Final Examination 200 points 20%

Total 1000 points 100%

Course Grading Scale:

A 900 or more points
B 800-899
C 700-799
D 600-699
F Less than 600 points

Grades are based exclusively on academic achievement, and are not a reflection of need, desire, or even effort (although students who work hard tend to make better grades than those who do not.) In borderline cases, it is the prerogative of the professor to give the higher of the two possible grades IF such student has evinced to this professor sincere hard work to learn the material covered in this course.

Students are expected to complete the reading assigned from the text as well as any additional reading (WSJ) assigned for that class period. It is the student’s responsibility to make sure these materials and all assigned chapters are mastered. Any problems or questions from any of the assigned readings should be raised during chat room office hours on Monday. Other students may have similar questions, so do not be bashful about ruffling Professor Huck’s tail feathers. He has been shot at on more than one occasion. Reading assignments will be given for each weekly module (see pgs. 4-5 above). Students are encouraged to seek additional guidance from the professor during office hours Mon 5:00-7:00 pm.

This class is like a dance. We are partners. The professor will furnish half of the effort, but you, the student, must put in the other half if we are to succeed. As the teacher, I lead but that is just a portion of my 50 percent. I pledge to do my share, but you are absolutely responsible for your part. You need to know, right from the start, that I am not the only person doing any real work. Prepare, prepare, prepare! I will.

“The world is unlikely to thank us for being men and women for others, just as we know the pursuit of justice often attracts more enemies than friends. Nevertheless, we prepare students for struggle.”

Quizzes: (20 pts each) A quiz may be given each week of class. Check the website below in preparation for class each week to see if a quiz is offered. They are to be taken online in D2L under ASSESSMENTS and are due by each subsequent Sun by 11:59 pm. You have 15 minutes to complete the 20 question online quiz. You can then check D2L for your score after the quiz. Just click the arrow next to your assigned quiz and click Submissions. This will bring up the quiz answers. The correct answers will be posted after the closing date. Quizzes are closed book. They encourage us to read assigned chapters in advance to be prepared for a more informed and involved
understanding of the material. Quizzes may be over the material assigned for the day and/or material from the prior class as a means of reinforcement. Based on past experience students who waste time trying to look up answers routinely run out of time and fail to answer all the questions. Be forewarned! We do not offer Make-up quizzes/exercises or we would all lose our minds trying to keep track of them.

“It is the chief duty of education to make men and women virtuous.”

Examinations: Three exams (100 pts) plus the final comprehensive exam (200 pts) will be given in this course as a means to practice and assess what we have learned. The exams consist of 100 questions in 75 minutes. They are to be taken online in D2L and are due by each subsequent Sun by 12:00 pm. Late is late=no credit! The correct answers will be posted after the closing date. Grades will be posted within one week. Final exam will consist of 100 questions (200 pts).

Business Ethics Analysis: (200 pts-100 pts ea) Students will be given 2 business problems to analyze applying what they have learned in the course. See Appendix A for a model analysis approach and Appendix B below for grading criteria. The analysis should be printed double-spaced not to exceed six (6) pages. The submission date is on the syllabus above. The ethics problems are found on D2L under CONTENT. Grades will be posted within two weeks on your grade chart. Papers with comments will be returned within the same period. Your papers are to be submitted to my DROPBOX located under ASSESSMENTS on D2L. There will be a Dropbox Folder called Business Ethics analysis.

Watch our thoughts; they become words.
Watch our words; they become actions.
Watch our actions; they become habits.
Watch our habits; they become character.
Watch our character; they become our destiny.
Dr. Charles W. Edwards, Jr.

BLAW 552 Students: Graduate students taking this course are expected to complete an additional assignment distinguishing graduate work from undergraduate work. They will be given a third Business Ethics problem requiring a thoughtful graduate level analysis not to exceed six (6) pages. Each Business Ethics Analysis will be allotted 66.6 pts each. Grades will be posted within two weeks on your grade chart. Papers with comments will be returned within the same period. Do not panic. This will be enjoyable and thought provoking.

Discussion engagement—Bonus points (BP): In addition to the student INTRODUCTION opportunity at the start of the course, during the semester there may be three bonus point opportunities involving up to 10 pts each. The professor will post a commercial law and/or ethics question taken from the Wall Street Journal (to which you subscribe) where you can share your opinion and also comment on other students’ responses. The quality of the student response will determine the number of BP awarded. This will be fun! Stay tuned! The discussion posts will be located under COMMUNICATIONS on D2L under Discussion #1, #2, or #3. When posted, you will be notified. Separate from this, the first week we would like you to introduce yourself to your classmates by clicking on INTRODUCTION found at the same location, and the four links that will ask you questions about yourself.
“Public service is the noblest of professions. To serve well, one needs the background to know, the vision to see, and the will to do. The keys to a happy and worthwhile life are participation, a concern for others, and the goal of making the world a better place in which to live. Think of the possibilities! Dr. William O. Farber

**Ethics.** Business does not build character; it reveals it. Consequently, students are expected to conduct themselves in an honest, dignified and professional manner. Such behavior includes respecting the rights of others and the diversity of other cultures, nationalities, and beliefs. See the Beacom Student Code of Ethics (on wall on first floor outside Student Services Office in Beacom School of Business).

**Academic Integrity.**
The University of South Dakota considers plagiarism, cheating, and other forms of academic dishonesty inimical to the objectives of higher education. The University supports the imposition of penalties on students who have been adjudicated to have engaged in academic dishonesty, as defined in the “Conduct” section of the University of South Dakota Student Handbook, and South Dakota Board of Regents policy 2-33 [www.sdbor.edu/policy/Documents/2-33.pdf](http://www.sdbor.edu/policy/Documents/2-33.pdf).
No credit can be given for a dishonest assignment. A student found to have engaged in any form of academic dishonesty may, at the discretion of the instructor, be:

a. Given a zero for that assignment.
b. Allowed to rewrite and resubmit the assignment for credit.
c. Assigned a reduced grade for the course.
d. Dropped from the course.
e. Failed in the course.

"Hope is not blind optimism. It's not ignoring the enormity of the tasks ahead or the roadblocks that stand in our path…Hope is that thing inside us that insists, despite all evidence to the contrary, that something better awaits us if we have the courage to reach for it and to work for it and to fight for it." President Barack Obama

**Freedom in learning.** Under Board of Regents and University policy student academic performance may be evaluated solely on an academic basis, not on opinions or conduct in matters unrelated to academic standards. Students should be free to take reasoned exception to the data or views offered in any course of study and to reserve judgment about matters of opinion, but they are responsible for learning the content of any course of study for which they are enrolled. Students who believe that an academic evaluation reflects prejudiced or capricious consideration of student opinion or conduct unrelated to academic standards should contact the Dean of the Beacom School of Business to initiate a review of the evaluation.

"Problems are only situations for which we have not trained ourselves."
“Would you tell me, please, which way I ought to go from here?” “That depends a good deal on where you want to get to,” said the Cat. “I don’t much care where—“said Alice. “Then it doesn’t matter which way you go,” said the cat. “—so long as I get SOMEWHERE,” Alice added as an explanation. “Oh you’re sure to do that,” said the Cat. “—if you only walk long enough.”

Alice in Wonderland, Lewis Carroll

Disability Services: Any student who feels he/she may need academic accommodations or access accommodations based on the impact of any disability should contact and register with the Office of Disability Services during the first week of class. Please contact both your instructor and the Director of the Office of Disability Services (Services Center North Room 119B; 605-677-6389; disabilityservices@usd.edu), Ms. Ernetta L. Fox, Director, to make these arrangements as early as possible in the semester. http://www.usd.edu/disabilityservices

"Imagination is not to be divorced from the facts: it is a way of illuminating the facts." Alfred Whitehead

DIVERSITY/INCLUSIVE EXCELLENCE STATEMENT: The University of South Dakota strives to foster a globally inclusive learning environment where opportunities are provided for diversity to be recognized and respected. The Beacom School of Business is committed to USD’s Inclusive Excellence initiatives. We are committed to cultivating an environment of Inclusive Excellence at all levels of the school. We are committed to graduating globally and culturally aware business students who are equipped with the tools to embrace and practice inclusiveness. See http://www.usd.edu/diversity-and-inclusiveness/diversity-and-inclusiveness-statement

“What nobler employment, or more valuable to the state, than the person who instructs the rising generation.” Cicero

STUDENT CODE OF ETHICS: Students enrolled at the Beacom School of Business are expected to maintain the highest standards of integrity and ethical principles and to adhere to the Student Code of Ethics developed and approved by Beacom School of Business students. This Code provides a frame of reference for the behavior of Beacom School of Business students in their personal, academic, and professional activities.

About the Instructor: “I believe that service to others is the obligation of mankind, that every right I claim imposes a responsibility, and every possession implies a duty.”

Professor Huckabee received his A.B., M.B.A., and J.D. from Gonzaga University in Spokane, WA. He received an LL.M. from The Judge Advocate General’s School in Charlottesville, VA; an M.S. in Education from Jacksonville State University in Jacksonville, AL; an M.A. in Congressional Studies from The Catholic University of America in Washington, D.C.; and an LL.M. from The George Washington University National Law Center in Washington, D.C.

Selected in 2000 by the Council for the International Exchange of Scholars and the U.S. Department of State to be a J. William Fulbright Scholar, Professor Huckabee served as a Senior Lecturer at the Jagiellonian University Center for American Studies in Krakow, Poland. He taught courses on the American Legal System, Civilian Control over the Military, and Constitutional Law. He also lectured at the University of Silesia and the Economics University of Katowice.
After serving 27 years as a Judge Advocate in the Regular U.S. Army, he became an Associate Professor of Business Law joining the faculty at the USD School of Business in August 2003. Previously he held a variety of legal positions including Deputy Staff Judge Advocate (Deputy General Counsel), Headquarters, First U.S. Army, Fort Gillem, GA, outside Atlanta, serving as Legal Advisor to the Dept. of Defense (DoD) Joint Task Force in support of the 2001 Presidential Inauguration, and Legal Advisor to the DoD Weapons of Mass Destruction Joint Task Force-East, supporting the FBI and FEMA.

He also served as the Staff Judge Advocate (General Counsel), Fort Buchanan, Puerto Rico; Chief, U.S. Army JAGC Recruiting Service, and earlier as Deputy Chief, Legal Assistance Division, Office of The Judge Advocate General, The Pentagon; Deputy Staff Judge Advocate, Chemical and Military Police Centers, Fort McClellan, AL; Commander, USA Legal Services Activity, Korea; Administrative Law Attorney, United Nations Command and Eighth U.S. Army, Seoul, Korea.

Professor Huckabee also served three years as an Associate Professor in the Department of Law at the U.S. Military Academy, at West Point, NY. During an earlier assignment, he performed succeeding duties as Defense Counsel, Legal Assistance Attorney, Claims Judge Advocate, Prosecutor, and Officer in Charge of the Hanau Legal Center, Germany, appearing as counsel in over 200 trials.

Selected as the 2004 Teacher of the Year by the student body of the University of South Dakota, Professor Huckabee was named Chair, Division of Entrepreneurship, Management, Marketing, and Law in January 2006. He received USD’s highest distinction for outstanding teaching in 2006 when he was presented the Belbas-Larson Award. Professor Huckabee was appointed to the Gonzaga University Board of Regents in 2007. During 2012-2013 he served as a Distinguished Visiting Professor at the U.S. Air Force Academy in Colorado Springs, CO.

“The best thing for being sad,” replied Merlyn…“is to learn something. That is the only thing that never fails. You may grow old and trembling in your anatomies, you may lie awake at night listening to the disorder of your veins,…you may see the world around you devastated by evil lunatics, or know your honor trampled in the sewers of baser minds. There is only one thing for it then—to learn. Learn why the world wags and what wags it. That is the only thing which the mind can never exhaust, never alienate, never be tortured by, never fear or distrust, and never dream of regretting. Learning is the thing for you.” T.H. White, The Once and Future King

APPENDIX A

Ethics Case Analysis Model: The FIRAC (facts, issue, rule of law or ethics principle or both, application, and conclusion) format will be used to facilitate ethical problem analysis.

FACTS. Provide a concise recitation of the most salient facts. Do not just read from the case. (Summarize)

ISSUE. Spot the ethical and/or legal issue and frame it in the form of a brief question, which you will then proceed to answer. The issue will often be apparent from the question asked;
and, at the very least, the question you are asked should put you on the path to the correct issue. This is important, because if you miss the issue, your answer will most likely be incorrect. For instance, if you are given a set of facts, and then asked what non-judicial actions are available, no issue regarding judicial actions is raised and any discussion of judicial actions would be incorrect. Be careful; answering more than you are asked is a common mistake. Learning to spot issues is a critical tool for any business person.

**RULE.** Once the ethical and/or legal issue has been identified, you should state the rule that applies as the next part of your answer. For purposes of this class, you will have to “know” some ethics and law; for example, general rules applying to such things as duty, breach, foreseeability, harm, and remedy, and golden and platinum rules.

**APPLICATION.** This is the substance (meat) of your answer. Unfortunately, it is the most neglected step and often is completely ignored. Spotting the issue and giving the rule without applying it to the facts given, does not provide a useful answer and helps no one. What you must do is take that ethics and/or law rule and apply it to the facts of the particular question. This takes some analytical thinking, and really involves what it takes to succeed in a law course and later.

**CONCLUSION.** You have spotted the issue, stated the pertinent ethics and/or rule of law, and applied that rule to the specific facts of the problem. Now you must wrap it up by briefly concluding what it all means. You should answer the question, "So what?" Going back to the issues presented above, if your issue is what legal remedies are available, your conclusion would be to recommend the specific actions to be taken.

**APPENDIX B**

Criteria for Grading Written Assignments

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<th>15</th>
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<td>1. Quality of Thought</td>
<td>0</td>
<td>15</td>
<td>22</td>
<td>24</td>
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</tr>
<tr>
<td>2. Grammar, Punctuation, Spelling</td>
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<td>15</td>
<td>22</td>
<td>24</td>
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</tr>
<tr>
<td>3. Organization and Logical Development</td>
<td>0</td>
<td>4</td>
<td>7</td>
<td>8</td>
<td>10</td>
</tr>
<tr>
<td>4. Clarity of Expression</td>
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<td>4</td>
<td>7</td>
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<td>5. Use of Evidence</td>
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<td>4</td>
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<td>6. Selection of References/exhibits</td>
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**Guidelines to Understanding the Criteria**
1. **Quality of Thought.** In the best papers, the author does more than just explain or describe. The author shows evidence of sophisticated analysis and that s/he has thought about the subject in depth. The subject is analyzed from different angles and assessed critically.

2. **Grammar, Punctuation, and Spelling.** The best papers are characterized by consistently correct grammar, punctuation and spelling. Verbs agree with their subjects. Sentences are complete. There should be no single sentence paragraphs.

3. **Organization and Logical Development.** The best papers show evidence of prior planning. An outline prepared in advance assists the author in this process. An organized and logical paper has a purpose or theme, which is introduced in the introduction, developed in the body of the paper, and returned to in the conclusion. Paragraphs are linked to each other in a logical sequence using transitional sentences. Arguments, examples, facts, opinions, and details explain the main point and lend credibility to each point being developed.

4. **Clarity of Expression.** In the best papers, words are carefully chosen and sentences are purposefully constructed. Each point the author makes is expressed precisely and clearly.

5. **Use of Evidence.** The best papers are characterized by consistently referencing facts and analysis that is demonstrable to the reader. The best papers are analyzed using standard and reproducible tools and techniques.

6. **Selection of References.** Be sure to properly cite others’ work.

9/19/18