
Legal Studies 101

Law and Social Values

Professor Nichols

nicholsp@wharton.
upenn.edu

he/him/his

LGST 100-001 MW 10:15 to 11:45 AM

This is a class about law, and how law interacts with business and society. In many countries, particularly those that are active in the global economy, law is involved in almost everything. Law has at least four roles: it facilitates and supports relationships, it organizes and sets out rules, it allocates risks and responsibilities, and it memorializes the aspirations of a society.

As a member of society, a business leader, or someone who works in a business environment, you will interact with law. Some of those interactions will raise complex and difficult questions, and you should be prepared to respond to them. We will explore ways in which law creates and supports relationships, organizes and sets out rules, and allocates risk and responsibility. At the end of the course you should have experience with analytical thinking and should be better prepared to understand and interact with law, whether as a leader of a business or as an individual person.

Is Covid Coming Back?

At the time this syllabus is being created, the University of Pennsylvania indicates that classes will operate as normal, with only slight modifications in response to the lingering pandemic. Please continue to be aware, however, that everything is subject to change if government or university policy changes with respect to the pandemic.

Expectations

Come to class. Other than the first two sessions, classes will not be recorded (which means you can speak freely in class).

Before Each Class: (1) Do the assigned reading and watch the assigned video(s) before class. All of the assigned readings are available in the Files section of the Canvas site for this class; when available URLs are also provided in the syllabus. The videos are short. Some videos can be accessed through the Canvas site; for some videos an external url is provided. (2) If a quiz is available, take the relevant quiz on the readings/video. You can access the quizzes through the Canvas site for this class. **Your quiz will be scored, but it is not graded and does not contribute to your grade in this class.** The quizzes are entirely for your benefit, to help you determine if you have a basic understanding of the material and if there are any areas you should ask about in class. Because quizzes do not contribute to your grade, it would be a complete waste of your time and their time to ask someone for their answers to a quiz.

In Class: Other than the days used for debates and the project reports, class is a time to discuss the concepts and cases laid out in the readings and the videos. Sometimes we may have breakout groups, but most time will be spent as a class. *Please turn off all*

electronics before class begins. Highly interactive classes are new for some people; if you have any questions about class, feel free to ask me about it.

During the First Three (Maybe Four) Weeks: Schedule a one-on-one office hours with me. These office hours will be conducted through zoom. I will distribute sign up sheets.

At Least Once a Week – Your Journal: You are asked to keep a journal in this class during this semester. Please make an entry in your journal at least once each week. Entries do not need to be very long but they must indicate some degree of care and thought. In each entry, please discuss your thoughts about the material we have covered as it relates to law, social values, and your own sense of mindfulness. You do not need to share personal stories in your journal, and you should not use your journal to ask for help. If you need help just ask; I have been at Penn a long time and can help you find a good place to go, and if you are not comfortable talking with me I can help you find someone better. All entries will be held in strict confidence (except that I am required by law to alert an authority if someone threatens to harm a person). Your journal will not be graded on content but will be graded on whether or not you made the entries and whether the entries indicate some degree of effort.

Debates: After each subsection we will hold debates in class. The assigned reading should prepare you sufficiently for each debate. Your participation in debates will count heavily in your class participation score. Please be thoughtful and respectful in our these debates, and allow all to participate.

Project: After drop period ends, you will be randomly assigned to a team to write a final paper (five page limit) and to give a presentation to the class on that paper. Your group will choose a topic in which it is interested, but the topic must focus on solving a problem that involves law and social values. Presentations and papers will be graded on the understanding of the problem, and the coherency of the approach to solving that problem. We will talk more about the projects, but you should always feel free to ask questions.

Final Statement of Values: A final paper (two page limit) is due in the last week of class. In this paper, you will briefly describe what social values are important to you, and you will explain how you plan to live up to those values as you continue through Penn and through life. I will not grade the paper based on what values you choose, nor will I judge. The paper will be graded on its clarity, evidence of effort, and evidence that you thought about the material in this course.

Office Hours

Office hours will be held on Tuesdays from 10:00 AM to noon. You do not need to have a question to come to office hours; office hours are a great time to swap ideas and to hear other people's perspectives. Office hours are a lot of fun. If you have questions but cannot attend office hours during regularly scheduled times we can try to find another time.

Study Groups

Form study groups. They are a great way to practice thinking and talking about the concepts in this class, and a great way to meet people. Turn to the people you sit near in class, use the chat functions on the Canvas site to find potential study group partners, or ask me to help.

Cheating

This is a class on law and social values. Don't cheat. Some of the work is group work, other than that please do all of the required work yourself. If you quote someone or use someone else's idea, cite them. If you have any questions at all about whether something would be cheating, please ask. I will not judge, and it is much better to ask than to risk cheating.

Grading

class engagement	15% (individual)
first examination	25% (individual)
second examination	25% (individual)
project	25% (group)
final values paper	10% (individual)

Classes, Material, and Assignments

subject to change; please check Canvas site for most recent syllabus

<i>class</i>	<i>date</i>	<i>topic</i>	<i>readings/videos (all readings are in the Canvas site)</i>
1	Sep 1	introduction: what is law?	none
	Sep 6	no class	it is a holiday (Labor Day) in the United States
2	Sep 8	legal reason- ing	An Introductory Note on Jurisprudence The Case of the Speluncean Explorers no video
relationships – property			
3	Sep 13	property: personal property	You are What You Own Popov v. Hayashi Swift v. Gifford video
4	Sep 15	property: in- tellectual property	Four Kinds of Intellectual Property in the United States DuPont deNemours v. Christopher Alice Corp. v. CLS Banking International video
5	Sep 20	class debate: repairing sys- temic prop- erty inequities	Ta-Nehisi Coates, The Case for Reparations www.theatlantic.com/magazine/archive/2014/06/the-case-for-reparations/361631/ videos
relationships -- contract			

6	Sep 22	contract: what is a contract	Introduction to Contracts Steinberg v. Chicago Medical School video
7	Sep 27	contract: remedies	Remedies A Note on Limitation to Remedies Ericson v. Playgirl video
8	Sep 29	class debate:	Bruce Springsteen, 'Born To Run,' And The Lawsuit That Almost Ruined His Career, https://groovyhistory.com/bruce-springsteen-born-to-run-lawsuit Badlands: Artist-Personal Manager Conflicts of Interest in the Music Industry pp. 526-532 video
relationships: business form			
9	Oct 4	business forms	The Fiduciary Relationship: A Legal Perspective Types of Business Organizations video
10	Oct 6	class debate: are corporations citizens	Summary of Citizens United v. Federal Elections Commission video
review and midterm examination			
11	Oct 11	review	
12	Oct 13	exam	
rules – constitution			
13	Oct 18	constitution and constitutionalism	Constitutional Law Constitutionalism video
14	Oct 20	privacy: and the Fourth Amendment	When Can the Police Conduct a Search and Seizure? Dow Chemical v. United States Kyllo v. United States video
15	Oct 25	class debate: business freedom v public safety	Constitutional Challenges to Pandemic Restrictions: What's Happening Now, https://www.jdsupra.com/legalnews/constitutional-challenges-to-pandemic-33072/
rules – criminal law			

16	Oct 27	criminal law	Criminal Law video
17	Nov 1	insider trading	The Conceptual Problems with the Law of Insider Trading Hedge Fund Billionaire Is Guilty of Insider Trading: A Circle of Tipsters Who Shared Illicit Secrets video
18	Nov 3	debate: enforcement	Baltimore: The Dehumanizing Gaze and Thug Life Excerpts from the Kerner Report
rules and risk allocation – tort			
19	Nov 8	tort: duties to one another	Intentional Torts video
20	Nov 10	tort: allocation of risk	Negligence and Strict Liability video
21	Nov 15	class debate: responsibility for covid	Immunity from Liability in the Age of COVID-19: A New Reality for Trial Lawyers?, https://www.americanbar.org/groups/litigation/committees/trial-practice/articles/2020/immunity-from-liability-covid-19-trial-lawyers/
review and midterm examination			
22	Nov 17	review	
23	Nov 22	exam	
	Nov 24	no class	friday schedule (go to the classes you go to on friday)
paper presentations			
24	Nov 29	presentation	
25	Dec 1	presentation	
26	Dec 6	presentation	
27	Dec 8	presentation	