

Business Associations - Law 315

LAW 315 BUSINESS ASSOCIATIONS

COURSE DESCRIPTION

Pre-requisites/Co-requisites: None

Unit Value: 2.0

Hours per week: 4

Term Offered: Spring 2010

Instructor: Martha O'Brien

A. Assumptions

Most students will have little or no background knowledge of business and business terminology. Most students will eventually practice law and will practice in a wide range of areas, including civil litigation, administrative, general corporate and commercial, securities, tax, real estate, labour, family, criminal, environmental, or in general practice. In each of these areas of practice, and outside the practice of law, it will be useful to have a general knowledge of agency law, and of what partnerships and corporations are and how they are organized, governed, operated and financed. The role of business associations in Canadian and international social and economic policy is also better understood from a position of knowledge of the fundamentals of the law of business associations.

B. Educational Goals

Students will acquire an understanding of how the main forms of business association used in Canada (agency, sole proprietorship, partnership, limited partnership and corporation) are established, the legislative provisions and case law applicable to each, and the legal rules governing the internal functioning of these business associations and the relationships between the business association and third parties.

C. Required Materials:

Consolidated Canada Business Corporations Act and Regulations 2009 29th ed. (Thomson Carswell, 2008) ("CBCA") (available at the bookstore).

Partnership Act, R.S.B.C. 1996, c. 348 (updated to 2009). This provisions of this statute that are listed in the Syllabus may be downloaded from the internet at http://www.qp.gov.bc.ca/statreg/stat/P/96348_01.htm.

Available from the Course website:

Statutory Supplement

Partnership Cases Coursepack

Corporations Cases Coursepack

Additional materials distributed in class and by email, and posted to the web site.

D. Objectives for Evaluation

On the final examination, students should be able to demonstrate an understanding of the law of agency, sole proprietorship, partnerships, limited partnerships, limited liability partnerships and corporations by answering short exam questions on specific aspects of the law governing these business associations. Students will also be required to answer questions in problem format requiring identification of legal issues, explanations of applicable legal principles, and application of such legal principles to the fact situations presented. Students may be asked to demonstrate an appreciation of the social and political context in which business associations operate and the policy issues which arise by answering an essay question on an exam or by commenting on the application of a law or legal principle as part of a response to a question on a point of law or in problem format.

E. Teaching Methodology

The teaching method will be primarily lectures, with class discussion and problem analysis.

F. Evaluation

Evaluations will be by way of an **OPEN BOOK** final examination for **100%** of the final grade. Students may use whatever materials they choose to answer the exam questions, other than library books and information stored or accessed by computer. The exam will consist of a combination of short answer questions and longer problem style questions in response to which students will be required to analyze a fact situation, identify issues, state and apply the law with supporting statutory and case authority.

Students may also be required to respond in essay format to a policy-oriented question.

Use of Exam Software for Final Exams in this Course

Use of the software will be an option for your final exam in this course in April 2010.

The exam software (Exam4 by Extegrity; www.exam4.com) allows students to type their exam answers onto their laptops during the scheduled exam time. The software is downloaded onto the laptop (PC or Mac) so it can be used as a “dedicated essay exam-taking machine” using a very basic word-processing interface. The software allows students to type their exam answers but blocks access to everything else.

To use the software, students must attend a MANDATORY SOFTWARE DOWNLOAD AND PRACTICE EXAM SESSION. Although students will be given the opportunity to opt out (i.e. handwrite the exam in this course) of using the software, they are encouraged to attend this session to learn more about the software and to try it out. Students who prefer to hand-write their exams must notify administrative staff that they will be opting out, otherwise the assumption will be that they are using the software.

Detailed information regarding download session dates and opt out deadlines will be sent to the class list serve after spring term courses begin.

Students will receive a letter grade in accordance with the chart below.

Faculty of Law - Letter Grade Equivalencies

A+	9	90-100%	Exceptional, outstanding, and excellent performance, normally achieved by a minority of students. These grades indicate a student who is self-initiating, exceeds expectation, and has an insightful grasp of subject matter.
A	8	85-89%	
A-	7	80-84%	
B+	6	75-79%	Very good, good, and solid performance, normally achieved by the largest number of students. These grades indicate a good grasp of subject matter or excellent grasp in one area balanced with satisfactory grasp in the other area.
B	5	70-74%	
B-	4	65-69%	
C+	3	60-64%	Satisfactory or minimally satisfactory performance.
C	2	55-59%	These grades indicate a satisfactory performance and knowledge of subject matter.
D	1	50-54%	Marginal performance. A student receiving this grade demonstrates a superficial grasp of subject matter.
F	0	49 and below	Unsatisfactory performance.

