

UNIVERSIDAD DEL SAGRADO CORAZÓN
BUSINESS ADMINISTRATION DEPARTMENT

SYLLABUS

COURSE TITLE: Business Law I
CODE: ADM 201
CREDITS: Three (3) credits, three (3) weekly hours, one (1) semester

DESCRIPTION

This course focuses on those general concepts of Business Law proven to be fundamental in business management. It is grounded on in the constitutional principles and of the PR/ US legal system. Content will emphasize on the dispositions related to obligations and contracts. We will study Business Law as the branch that specifically covers business activities and the obligations derived from these activities. We will make reference to applicable Puerto Rico's legislation and jurisprudence.

JUSTIFICATION

An understanding of applicable norms and regulations is essential for every business administration student knowledge and the capability of practical application of these concepts will contribute to his or her professional growth and development. More importantly, the state compels its citizens to know the current legal dispositions, as it establishes that ignorance of the law offers no excuse for noncompliance. It is very important for the student to understand the impact of legal dispositions on businesses and its relevance to its potential development and survival. This course offers students with the relevant legal framework to assess the legal consequences of his or her managerial decisions.

OBJECTIVES

At the end of this course students will be prepared to:

1. Identify and understand the constitutional foundations applicable in Puerto Rico and the individual guarantees that protect Puerto Ricans in their relationship with the federal government. This knowledge will serve as a frame of reference that will aid their business performance.
2. Interpret applicable legal and contractual premises (or principles) and how these affect business decisions.
3. Apply the basic legal concepts and dispositions that regulate business relationships in the local jurisdiction and key and prevalent business contracts.

CONTENT

- I. Principles and foundations of the law
 - A. Notes on Puerto Rican law
 - B. Legal sources

1. Jurisprudence
 2. Regulations
 3. Treaties
 4. Common usage
 5. General principles of law
- C. Legal classifications
1. Public and private
 2. Substantive and procedural law
 3. Business Law
- II. Constitutional basis
- A. The Constitution's purposes
 - B. Separation of powers
 - C. Relationship with the Federal Constitution
 1. Supremacy clause
 - D. Due process of law
 - E. Equal protection under the law
- III. Judicial power
- A. Judiciary Act of 1952
 - B. Judiciary Act of 1994
 - C. Judiciary Act of 2003
 - D. Structure and composition of Puerto Rican courts
 - E. Structure and composition of Federal courts and their relationship with Puerto Rico.
- IV. Obligations and contracts
- A. Sources of obligations
 1. Law
 2. Contracts

3. Quasi contract
- B. Extinguishment of obligations.
 1. Payment
 2. In lieu of payment
 3. Novation
 4. Compensation
 5. Confusion
 6. Condonation
 7. Consignation
 8. Prescription
- C. Contracts
 1. Requirements
 - a. Object
 - b. Cause
 - c. Consent
- D. Examples of business contracts
 1. Rent
 2. Bond
 3. Power of attorney
 4. Loan
 5. Mortgage
 6. Sales agreement
- V. Business types
 - A. Sole proprietorship
 - B. Partnerships and special partnerships
 - C. Corporations

INSTRUCTIONAL STRATEGIES

- On-line classes and presentations
- On-line guest speakers
- Virtual student discussion forums
- Classroom sessions
- Group discussions

EVALUATION

Weekly assignments; Investigations	40%
Attendance and in-person participation	20%
Partial exam	20%
Final exam	<u>20%</u>
Total	100%

BIBLIOGRAPHY

- Administrative Office of the United States Courts. (s.f.). *Understanding the Federal Courts* [webpage]. Recuperado de <http://www.uscourts.gov/FederalCourts.aspx>
- Delgado, C. (1980). Derecho y colonialismo. *Revista Jurídica de la Universidad de Puerto Rico*, 49(133) (1980).
- Karambelas, N. G. (2008, February). The revised uniform limited Liability Company Act. *Washington Lawyer*, 22(33).
- Fellner, G. M. (2007, October). Are they still enforceable? Non compete agreements revisited. *New York State Bar Association Journal*, 79(8). University Press.
- Mann, R. A., Roberts, B. S., & Smith, L. Y. (2000). *Smith and Roberson's business law*. West Legal Studies in Business. Recuperado <http://search.ebscohost.com/login.aspx?direct=true&d=nlebk&AN=21462&lang=es&site=ehost-live>
- Negrón, L. M. (1997). *Derecho Mercantil*. Autor
- Negrón, L. M. (1998). *Derecho corporativo puertorriqueño*. Autor
- Plotkin, R. (2007, June). The opinions uproar: Fraud goes dating. *Washington Lawyer*, 21(37).
- Rivera, J. M. (2006). *El sistema judicial de Puerto Rico* [versión Adobe Digital Edition]. Recuperado de <http://www.jesusriveradelgado.com/JRes/articulos/>
- Rivera, L. (1996). El procedimiento de inscripción en el registro de la propiedad inmueble. *Revista Jurídica de la U.I.A.*, 30(287).
- Trías, J. (1980). La crisis del derecho en Puerto Rico. *Revista Jurídica de la Universidad de Puerto Rico*, 1.
- Van, R. C. (1997). *The birth of the English Common Law*. Cambridge University Press.
- Vázquez, J. (1999). Sociedad de responsabilidad limitada en Puerto Rico: Una nueva forma de prestar servicios profesionales. *Revista del Colegio de Abogados*, 60(1).

LEGISLATION

Constitución del Estado Libre Asociado de Puerto Rico.

Constitución de Estados Unidos.

Código Civil de P.R., 31 L.P.R.A. 1

Código de Comercio de P.R., 10 L.P.R.A. 1001

Ley General de Corporaciones, Ley Núm. 144, de 10 de agosto 10 de 1995, 14 L.P.R.A. 2601

Ley de la Judicatura de 2003, Ley Núm. 201 de 22 de agosto de 2003, 4 L.P.R.A. 24

Ley de la Judicatura Federal, 28 U.S.C.A. sec. 1331.

JURISPRUDENCE

Colón v. Glamorous Nails, 2006 T.S.P.R. 16

Colón y otros v. K-mart y otros, 154 DPR 510, (2001)

Las Marías Reference Laboratory Corp. v. Municipio de S. J. 2003 T.S.P.R. 121

León v. Transconex, Inc., 119 D.P.R. 102 (1987)

López Torres v. González Vázquez, 2004 T.S.P.R. 172

Luis Acosta, Inc. v. Departamento de Asuntos al Consumidor, 114 D.P.R. 160 (1983)

Mariano Canales Delgado v. Pan American World Airways, Inc., 112 D.P.R. 329 (1982)

Pescadería Rosas, INC., v. Lozada Rivera, 116 D.P.R. 474 (1985)

Reece Corp. v. Ariela, 122 D.P.R. 270 (1988)

U.S. Brewers v. Secretario, 109 D.P.R. 456 (1980)

Vigoreaux v. Quizno's 2008 T.S.P.R. 38

WEB RESOURCES

<http://assembler.law.cornell.edu/uscode/> - U.S. Code

<http://fatty.law.cornell.edu/topics/contracts.html> - Contratos

www.findlaw.com - Leyes, jurisprudencia estatal y federal E.U.

www.lupinfo.com/encyclopedia/c/commerc_/w.html - Derecho Mercantil

www.law.cornell.edu/topics/commercial.html - Derecho Mercantil

www.law.emory.edu/FEDCTS - Página Tribunales Federales Apelaciones

www.lexjuris.com - Leyes, jurisprudencia y códigos de Puerto Rico

www.tribunalpr.org - Rama Judicial de Puerto Rico

www.prd.uscourts.gov/ - Tribunal Federal de P.R.

www.supremecourtus.gov/ - Tribunal Supremo E.U.

www.uscourts.gov/ - Páginas de Tribunales Federales

Madre María Teresa Guevara Library is directly subscribed to COBIMET Consortium data bases that include books, documents, magazine and newspaper articles and other resources that offer information related to the topics explored in this course. To use the data bases follow these instructions:

To access from the Library:

- enter the following address in the browser:
<http://biblioteca.sagrado.edu/>,
- select **Biblioteca Virtual**; use the accessed page for searches, entry to data bases by discipline or alphabetic order.

From outside the university or from your personal computer:

- enter the following address in your browser **<http://biblioteca.sagrado.edu/>**,
- select **Biblioteca Virtual**; you will be redirected to the university's portal.
- write your username and password.
- search and select the *Biblioteca Virtual* symbol and use the accessed page for searches, entry to data bases by discipline or alphabetic order.

As a second option

- enter the following address in your browser: **<https://portal.sagrado.edu>**
- enter your username and password.
 - search and select the *Biblioteca Virtual* symbol and use the accessed page for searches, entry to data bases by discipline or alphabetic order.

Any student in need of reasonable accommodation should present a request with the Associate Dean for Student Affairs

Reserved rights USC

January 2013