

**US AGRICULTURAL LAW  
AGEC 342 – SPRING 2017  
School of Agriculture – Western Illinois University**

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**INSTRUCTOR**

Dr. Jason Franken

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Office Hours: M, T, W, Th 9:00–10:00

or by appointment

**CLASS TIMES AND LOCATIONS**

AGEC 342 meets on M, W, F in 308 Knoblauch Hall from 10:00 – 10:50 p.m.

**EMAILS**

Please be sure to include the course in which you are enrolled in any emails.

**COURSE DESCRIPTION AND PREREQUISITES**

Law as it applies to the agricultural operation. Partnership, corporation, agribusiness contracts, leases, leasing practices, environmental, tort and liability law are covered.

*Prerequisite: AGRI 220. 3 hrs. lect.*

**REQUIRED TEXTS AND OTHER MATERIAL**

- Looney, J.W. and Uchtmann, Donald L. Agricultural Law – Principles and Cases, Second Edition, McGraw-Hill, Inc. ISBN 9780070657465
- Supplemental Handouts

**COURSE OBJECTIVES**

1. To develop a basic understanding of law and the legal system as it pertains to agriculture.
2. To learn basic legal terminology relevant to duty, liability, contracts, tenancy, property transfer, and organization and operation of businesses.
3. To gain practical experience regarding civil and criminal procedures through mock trials.

**EXPECTATIONS OF STUDENTS**

Participation: Students are expected to regularly attend class and to actively participate in discussions.

- Online Absence Reporting System (OARS) - <http://wiu.edu/oars>.

Academic Integrity: The rules and regulations outlined in the University's policy on academic integrity are applied to this course. See <http://www.wiu.edu/policies/acintegrity.php>.

Student Rights and Responsibilities: Detailed information regarding student rights and responsibilities can be found at <http://www.wiu.edu/provost/student/>. It is your responsibility to be familiar with the posted information.

Special Accommodations: If you need special accommodations, please feel free to stop by and discuss your needs or contact Disability Resource Center at 309-298-2512 or [disability@wiu.edu](mailto:disability@wiu.edu).

**TOBACCO POLICY**

Tobacco use of any kind will not be tolerated in class. This includes chewing tobacco.

**USE OF CELLULAR PHONES**

As a courtesy to other students and to the instructor, all cell phones should be turned off prior to class. Continued disregard of this policy may result in ejection from the course. If, due to

medical or public safety concerns, a student needs an exception to this policy he/she should inform the instructor prior to class. Cell phones are not be used under any circumstances on exams. **Texting** is not allowed during class and repeated violations may lead to dismial from the course with an assigned grade of F.

### IMPORTANT DATES

- Jan 30 - Last day to drop without being assessed tuition or receiving a "W" grade
- Feb 13 - Lincoln's Birthday - No Classes/University Closed
- April 2 - Last day to drop with a "W"
- May 8 - Comprehensive Final Exam: 8:00 am – 9:50 am

### GRADING POLICY

The course grade will be based on the following factors, with weightings as indicated:

Exam I	20 %	A = 93% or above	C- = 70-72.99%
Exam II	20 %	A- = 90-92.99%	D+ = 67-69.99%
Class Participation	20 %	B+ = 87-89.99%	D = 63-66.99%
Quizzes and Homework	20 %	B = 83-86.99%	D- = 60-62.99%
<u>Comprehensive Final Exam</u>	<u>20%</u>	B- = 80-82.99%	F = <60%
Total	100%	C+ = 77-79.99%	
		C = 73-76.99%	

Grade breaking points may be lowered, but in no case will they be raised. These breaking points will be evaluated only after final numerical grades have been calculated.

**Attention Education Majors:** The changes within the state certification requirements, which go into effect immediately for all of those students who graduate in the spring 2012 and after, you are required to receive a grade of a "C" or better in this course in order to meet these new requirements. With the new university +/- grading system, receiving a "C-" or below will require you to retake this course or find a substitute course to meet School of Agriculture graduation requirements.

### QUIZZES/HOMEWORK

The instructor reserves the right to use both announced and unannounced quizzes. Participation in mock trials, provide a "learn by doing" opportunity. Only excused absences will be allowed to make up missed points. Unless it is an emergency, only absences approved in advance will be excused. It is at the discretion of the instructor as to whether an absence is excused or unexcused.

### EXAMS

There will be two tests and one **comprehensive** final exam. Exams will consist of multiple choice, short answer, and problem solving questions. Makeup exams will only be given in extreme situations.

If a student disagrees with a particular answer, it is the student's responsibility to provide a logical reason in writing as to the reason for their disagreement. This does not apply to scoring errors. All instructors are human and occasional errors in grading will occur. Please bring any such errors to the instructor's attention immediately.

## COURSE OUTLINE

Week	Start of Week	Topic/Material
Week 1	1/16/2017	<b>Martin Luther King Holiday, Jan 16 - No Classes/University Closed</b> <b>Classes Begin Tuesday, Jan 17</b> Choosing an Attorney. <b>HW: Chapter Overview Presentations</b>
Week 2	1/23/2017	Chapter 1. Introduction to Law and Agricultural Law Review Components of Agricultural Law Chapter 2. Torts & Chapter 8. Liability for Farm Animals Fence Laws
Week 3	1/30/2017	Chapter 3. Contracts, & Supplemental Contract Lecture Chapter 4. Nature & Meaning of Property, & Intellectual Property Rights
Week 4	2/6/2017	Chapter 5. Acquiring & Disposing of Real Property Deeds and Land Ownership <b>Mock Civil Trial – Animals Running at Large</b>
Week 5	2/13/2017	<b>Lincoln's Birthday, Feb 13 - No Classes/University Closed</b> <b>Review &amp; Exam 1</b>
Week 6	2/20/2017	Chapter 6. Rights & Limitations in the Ownership of Agricultural Property Chapter 7. Rights & Limitations in the Use of Agricultural Property. Ownership Rights & Responsibilities, & Lecture on Property Insurance
Week 7	2/27/2017	Criminal Law Lecture, & Supplemental Criminal Law Lecture Chapter 9. Protecting the Environment & Productivity of Agricultural Land
Week 8	3/6/2017	Chapter 10. Water & Drainage <b>Wed: Mock Criminal Trial–Meat Packer&amp; Inspector, bribery&amp; assault</b>
	3/13/2017	<b>Spring Break, Mar 13-17 - No Class/University closed</b>
Week 9	3/20/2017	Chapter 11. Sales, Warranties & Products Liability Chapter 12. Marketing of Agricultural Products
Week 10	3/27/2017	<b>Review &amp; Exam 2</b>
Week 11	4/3/2017	Chapter 13. Agricultural Credit, Finance & Bankruptcy Chapter 14. Agricultural Labor, Agents & Independent Contractors Employment Legislation
Week 12	4/10/2017	Chapter 15. Farm Tenancy, & Lecture on Leases & Leasing <b>HW: Contract (Rental, other)?</b>
Week 13	4/17/2017	Chapter 16. Farm Partnership
Week 14	4/24/2017	Chapter 17. Farm Corporations Other organization forms: Farm Limited Liability Companies & Coops
Week 15	5/1/2017	Chapter 18. Farm Estate Planning <b>Review for Final</b>
Week 16	5/8/2017	<b>Comprehensive Final Exam 10:00 am Monday, May 8</b>

### ACCREDITATION

The School of Agriculture is housed in the College of Business and Technology which is accredited by AACSB-International.

### NOTICES

Please be advised that this syllabus is tentative. All classes are different and we may or may not be able to address all of the content areas or stick with the anticipated number of exams. Any deviations from the syllabus will be announced as soon as possible.