



COURSE OUTLINE

SCHOOL OF BUSINESS

COURSE NAME: Business and Family Law
COURSE CODE: LAW 4002
CREDIT HOURS: 42
PREREQUISITES: None
COREQUISITES: None
PLAR ELIGIBLE: YES (X) NO ()
EFFECTIVE DATE: September 2009
PROFESSOR: _____ **OFFICE #:** _____
PHONE: 416-415-5000 **EMAIL:** _____

NOTE TO STUDENTS: Academic Departments at George Brown College will NOT retain historical copies of Course Outlines. We urge you to retain this Course Outline for your future reference.

FOR OFFICE USE ONLY		
ORIGINATOR: _____	SIGNATURE	DATE
CHAIR: _____	SIGNATURE	August 2009 _____ DATE
DATE OF REVISION: _____		

EQUITY STATEMENT: George Brown College values the talents and contributions of its students, staff and community partners and seeks to create a welcoming environment where equity, diversity and safety of all groups are fundamental. Language or activities which are inconsistent with this philosophy violate the College policy on the Prevention of Discrimination and Harassment and will not be tolerated. The commitment and cooperation of all students and staff are required to maintain this environment. Information and assistance are available through your Chair, Student Affairs, the Student Association or the Human Rights Advisor.

George Brown College is dedicated to providing equal access to students with disabilities. If you require academic accommodations visit the Disability Services Office or the Deaf and Hard of Hearing Services Office on your campus.

STUDENT RESPONSIBILITIES: Students should obtain a copy of the *Student Handbook* and refer to it for additional information regarding the grading system, withdrawals, exemptions, class assignments, missed tests and exams, supplemental privileges, and academic dishonesty. Students are required to apply themselves diligently to the course of study, and to prepare class and homework assignments as given. Past student performance shows a strong relationship between regular attendance and success.

COURSE DESCRIPTION:

This course examines legal issues relating to business and family law that impact the development of a personal financial plan. It includes the study and analysis of contract law, tort law, and professional liability. Advantages and disadvantages of various legal forms of organization and the incorporation process are analyzed. Students examine the legal implications of marital status, including common law, same sex partners, and divorce. This leads to a consideration of different ways of assigning title to property. Students will also be introduced to the Financial Planner's Standard's Council "Code of Ethics" and apply these principles to the activities of Financial Advisors who hold the Certified Financial Planner (CFP) designation

ESSENTIAL EMPLOYABILITY SKILLS:

As mandated by the Ministry of Training, Colleges and Universities essential employability skills (EES) will be addressed throughout all programs of study. Students will have the opportunity to **learn (L)** specific skills, to **practice (P)** these skills, and/or **be evaluated (E)** on the EES outcomes in a variety of courses. The EES include communication, numeracy, critical thinking & problem solving, information management, interpersonal and personal skills. The faculty for this course has indicated which of the EES are either Learned (**L**), Practiced (**P**) or Evaluated (**E**) in this course:

Skill	L	P	E	Skill	L	P	E
1. communicate clearly, concisely and correctly in the written, spoken and visual form that fulfills the purpose and meets the needs of the audience		X	X	7. locate, select, organize and document information using appropriate technology and information sources		X	X
2. respond to written, spoken or visual messages in a manner that ensures effective communication		X		8. show respect for the diverse opinions, values, belief systems, and contributions of others		X	
3. execute mathematical operations accurately		X	X	9. interact with others in groups or teams in ways that contribute to effective working relationships and the achievement of goals		X	
4. apply a systematic approach to solve problems		X	X	10. manage the use of time and other resources to complete projects		X	
5. use a variety of thinking skills to anticipate and solve problems		X	X	11. take responsibility for one's own actions, decisions and consequences		X	
6. analyze, evaluate, and apply relevant information from a variety of sources		X	X				

COURSE OUTCOMES:

Upon successful completion of this course the students will have reliably demonstrated the ability to:

1. Examine the role and importance of Law in Canadian society with particular reference to the Charter of Rights and Freedoms

- Identify the sources
- Distinguish between different categories of law
- Assess the importance of the Constitution to citizens and businesses

- Explain key elements of the Charter of Rights and Freedoms

2. Explain both intentional and negligent Torts

- Examine the traditional intentional torts.
- Explain the process of establishing a tort of negligence.
- Examine the defences to a negligence action.
- Explain the potential liability of professionals

3. Assess the elements required for a contract to be valid and the various methods of discharging contracts

- Explain the basic requirements of a valid contract.
- Determine the factors that may prevent enforcement of a contract.
- Examine the methods of discharging a contract.
- Explain the various remedies available for breach of contract.

4. Examine the relationship between Principals and Agents with respect to obligations in contract, tort, and fiduciary duty. Discuss the ethical responsibilities of CFP and their obligations with respect to continuing education.

- Examine the variety of methods of establishing agency.
- Discuss the responsibilities of an agent in contract and tort.
- Assess the implications of a fiduciary relationship.
- Discuss the ethical standards required of a CFP and their enforcement.
 - Discuss continuing education requirements of the CFP.

5. Examine the important differences between sole proprietorships, partnership and corporations

- Discuss the different forms of business ownership.
- Examine the potential liability of sole proprietors, partners and owners of corporations
- Contrast the advantages and disadvantages of partnerships and corporations
- Assess the duties and liabilities of corporate directors and officers

6. Assess the impact of divorce upon ownership of family property and upon obligations for child and spousal support

- Explore the rules imposed by the Family Law Act for ownership of family property at divorce.
- Explain the relevance of title to ownership of property.
- Examine the obligations of child support
- Assess the situations in which an order of spousal support may be made

7. Assess the possible use of trust law in the breakdown of common law relationships.

- Examine the application of resulting trust.
- Discuss the situations in which constructive trusts may be imposed.

DELIVERY METHODS / LEARNING ACTIVITIES:

Lecture, collaborative work, online learning, and independent study.

LIST OF TEXTBOOKS AND OTHER TEACHING AIDS:

Required: Duplessis, Enman, Gunz, O'Byrne, *Canadian Business & the Law*, 3rd ed., Nelson, 2008

Financial Planning Fundamentals CFP Education Program Course 1: 2005-2006, Module 3, Advcoics, CCH Canadian Ltd., 2008

TESTING POLICY:

Exemption or deferral of a term exam or final examination is not permitted except for a medical or personal emergency. The professor must be notified by e-mail prior to the test. Appropriate documentation, as determined by the professor, must be submitted.

Absence from final exam:

- Professor must be notified by e-mail **before** the examination
- Documentation must be presented to the professor **within three working days**.
- If the majority of the course work has been completed with a passing performance, and the documentation is acceptable, an "Incomplete" grade (INC) will be entered by the instructor. **An INC grade will not be granted if term work was missed or failed.**
- The final examination must be written **within 60 days of the submission of the incomplete grade**. **Failure to do this will result in an F grade.**

A dictionary in book form (not electronic) may be used. Law dictionaries may not be used. No electronic devices.

Students will not be admitted to the exam after 30 minutes or after any student has left the examination room.

ASSIGNMENT POLICY:

Students unable to submit an assignment on the due date should discuss the matter in advance with the professor. At the professor's discretion, late assignments may not be accepted. Where late assignments *are* accepted, the professor will apply a late penalty.

Students are advised to keep all marked assignments, course work, and course outlines for possible future reference. In cases of disagreement over marks or work completion, the student must produce the assignments.

EVALUATION SYSTEM:

Assessment Tool:	Description:	Outcome(s) assessed:	EES assessed:	Date / Week:	% of Final Grade:
Quizzes	Multiple choice	All		Weekly	10
Two Assignments	Case Studies	All	1,4,5,6,7	5 and 13	2@20each
Midterm Exam	Multiple choice, short answer, case problems	1 – 3	1,4,5,6,7	7	20
Final Exam	Multiple choice, short answer, case problems	All	1,3,4,5,6,7	15	30
				TOTAL:	100%

GRADING SYSTEM

The passing grade for this course is: D

A+	90-100	4.0	B+	77-79	3.3	C+	67-69	2.3	D+	57-59	1.3	Below 50	F	0.0
A	86-89	4.0	B	73-76	3.0	C	63-66	2.0	D	50-56	1.0			
A-	80-85	3.7	B-	70-72	2.7	C-	60-62	1.7						

Excerpt from the College Policy on Academic Dishonesty:

The *minimal* consequence for submitting a plagiarized, purchased, contracted, or in any manner inappropriately negotiated or falsified assignment, test, essay, project, or any evaluated material will be a grade of zero on that material. To view George Brown College policies please go to www.georgebrown.ca/policies

TOPICAL OUTLINE:

Week	Topic / Task	Outcome(s)	Content / Activities	Resources
1	Introduction	1		Duplessis 2 and 4
2	Torts	2	Quiz	Duplessis 10 and 12
3	Negligence and Professional Liability	2	Quiz Assignment available	Duplessis 11 and 22: 550 - 554
4	Creation of Contracts	3	Quiz	Duplessis 5 & 6
5	Contractual Terms Non-Enforcement	3	Quiz Assignment due	Duplessis 7 and 8
6	Defects and Remedies	3	Quiz	Duplessis 9
7	Midterm exam			All material to date
8	<i>INTERSESSION WEEK</i>			
9	Agency Ethics and Continuing Education	5		Duplessis 13 and 22: 544-549, 555-559 Advocis Module 8
10	Partnership	5	Quiz	Duplessis 14
11	Corporations	5	Quiz Assignment available	Duplessis 15 and 16
12	Family Law Act: Division of Property	6	Quiz	Family Law Act Advocis, Module 3
13	Domestic Contracts Trust doctrines	6 and 7	Quiz Assignment due	Family Law Act Advocis, Module 3
14	Child and Spousal Support	6 and 7	Quiz	Divorce Act Advocis, Module 3
15	Final Exam			All material
Please note: this schedule may change as resources and circumstances require.				
For information on withdrawing from this course without academic penalty, please refer to the College Academic Calendar: http://www.georgebrown.ca/Admin/Registr/PSCal.aspx				