

**US AGRICULTURAL LAW  
AGEC 342 – SPRING 2020  
School of Agriculture – Western Illinois University**

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**INSTRUCTOR**

Dr. Jason Franken

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Office Hours: M, T, W, F 8:00 – 8:50

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.*

**TEXTS AND OTHER MATERIAL**

- Recommended: 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 disqualify from the course with an assigned grade of F.

### IMPORTANT DATES

- Jan 20 - Martin Luther King Holiday - No Classes/University Closed
- Jan 27 - Last day to drop without being assessed tuition or receiving a "W" grade
- Feb 12 - Lincoln's Birthday - No Classes/University Closed
- Mar 29 - Last day to drop with a "W"
- May 4 - Comprehensive Final Exam: 10:00 am – 11:50 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% |
| Comprehensive Final Exam | 20%  | 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 Illinois State Teaching License requirements, students are required to receive a grade of a "C-" or better in this course in order to meet state requirements. With the university's +/- grading system, receiving a grade below a "C-" 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  | 1/13/2020     | Choosing an Attorney.<br><b>HW: Chapter Overview Presentations</b><br>Chapter 1. Introduction to Law and Agricultural Law   |
| Week 2  | 1/20/2020     | <b>Martin Luther King Holiday, Jan 20- No Classes/University Closed</b><br>Review Components of Agricultural Law<br>Chapter 2. Torts & Chapter 8. Liability for Farm Animals<br>Fence Laws                                |
| Week 3  | 1/27/2020     | Chapter 3. Contracts, & Supplemental Contract Lecture<br>Chapter 4. Nature & Meaning of Property, & Intellectual Property Rights  |
| Week 4  | 2/3/2020      | Chapter 5. Acquiring & Disposing of Real Property<br>Deeds and Land Ownership<br><b>Mock Civil Trial – Animals Running at Large</b>   |
| Week 5  | 2/10/2020     | <b>Lincoln's Birthday, Feb 12 - No Classes/University Closed</b><br><b>Review &amp; Exam 1</b>  |
| Week 6  | 2/17/2020     | Chapter 6. Rights & Limitations in the Ownership of Agricultural Property<br>Chapter 7. Rights & Limitations in the Use of Agricultural Property.<br>Ownership Rights & Responsibilities, & Lecture on Property Insurance |
| Week 7  | 2/24/2020     | Criminal Law Lecture, & Supplemental Criminal Law Lecture<br>Chapter 9. Protecting the Environment & Productivity of Agricultural Land  |
| Week 8  | 3/2/2020      | Chapter 10. Water & Drainage<br><b>Wed: Mock Criminal Trial–Meat Packer&amp; Inspector, bribery&amp; assault</b>  |
|         | 3/9/2020      | <b>Spring Break, Mar 9-13 - No Class</b>  |
| Week 9  | 3/16/2020     | Chapter 11. Sales, Warranties & Products Liability<br>Chapter 12. Marketing of Agricultural Products  |
| Week 10 | 3/23/2020     | <b>Review &amp; Exam 2</b>  |
| Week 11 | 3/30/2020     | Chapter 13. Agricultural Credit, Finance & Bankruptcy<br>Chapter 14. Agricultural Labor, Agents & Independent Contractors<br>Employment Legislation   |
| Week 12 | 4/6/2020      | Chapter 15. Farm Tenancy, & Lecture on Leases & Leasing<br><b>HW: Contract (Rental, other)?</b>   |
| Week 13 | 4/13/2020     | Chapter 16. Farm Partnership  |
| Week 14 | 4/20/2020     | Chapter 17. Farm Corporations<br>Other organization forms: Farm Limited Liability Companies & Coops<br>Coops as Unique Corp   |
| Week 15 | 4/27/2020     | Chapter 18. Farm Estate Planning<br><b>Review for Final</b>   |
| Week 16 | 5/4/2020      | <b>Comprehensive Final Exam 10:00 am Monday, May 4</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.