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AN ANALYSIS OF MAJOR TOPICS AND
SUBTOPICS OF BUSINESS LAW
CONSIDERED MOST IMPORTANT FOR
INSTRUCTION IN THE LANSING PUBLIC
SCHOOLS AS DETERMINED BY
LANSING AREA ATTORNEYS

An Independent Study for
the Degree of M. A.
MICHIGAN STATE UNIVERSITY
GERALD MAX BROWN
1972

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BUSINESS LAW CONSIDERED MOST IMPORTANT
FOR INSTRUCTION IN THE LANSING PUBLIC
SCHOOLS AS DETERMINED BY LANSING
AREA ATTORNEYS

An Independent Study for the M.A. Degree

By

Gerald Max Brown

Business and Distributive Education
Michigan State University

October, 1972

ABSTRACT

AN ANALYSIS OF MAJOR TOPICS AND SUBTOPICS OF BUSINESS LAW CONSIDERED MOST IMPORTANT FOR INSTRUCTION IN THE LANSING PUBLIC SCHOOLS AS DETERMINED BY LANSING AREA ATTORNEYS

Business law content must be evaluated to determine if the proper topics of business law are being presented as units of instruction. A list of the major topics and subtopics found in the business law textbook used in the Lansing School District was prepared in a survey-questionnaire. This survey-questionnaire was then sent to Lansing area attorneys. Upon receipt of the returned survey-questionnaires, the data was tabulated and rank order of importance was assigned to the major and subtopics listed in the survey-questionnaire. The results of the tabulation of the main topics of business law revealed that Lansing area attorneys ranked in order of importance the following: contracts, debtors and creditors, buyer and seller, property, commercial paper, insurance, business organization, employer-employee,

Gerald Brown

motor vehicles, principal and agent, law and legal problems, and bailments. Each of the major topics was further broken down and they were also ranked in order of importance as reported by Lansing area attorneys.

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Approved: _____

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Chapter 1

INTRODUCTION

We live in an ever changing society. Many laws that rule our lives are being deleted from the law records, others are going through revision, and new laws are constantly being enacted. These laws govern all phases of our activities; criminal activity as well as business activity. If we, as instructors of high school business law classes, are to keep pace with the legal business structure in our society, then we must keep up-to-date and informed as to what is critical in the area of business law. In order to do this we must inquire of the legal profession within our own community to provide us the needed assistance to determine what is critical and what business law topics must be taught at the high school level.

Statement of the Problem

All secondary Lansing schools should reevaluate their business law program. Teachers of business law should take special plans to focus their program less on the functions of law in the rather academic, textbook

sense, and more on the "real-world" functions of the legal process. Thus, each school should not only reexamine the course offering in business law, but should also reevaluate the subject matter presented in business law.

In July, 1971, the Governor of the state of Michigan signed into law a bill that lowered the age of majority from twenty-one years of age to eighteen years of age. This legislation has had an impact on nearly all individuals and groups throughout the state. The schools particularly will feel the impact of the new law since not only will some students who are in school now be within the age of majority, but further, students in secondary, particularly in the upper grades will now be much closer to the age of majority while they are still in schools and will, therefore, be more vitally concerned with the rights and responsibilities that will accrue to them soon.

Importance of the study. Because it is important for young people, as well as citizens in general to be well informed about their everyday business responsibilities and rights, it is imperative that schools respond in providing them with the proper needed information.

Limitations of the study. The topics used in the survey were selected from the table of contents of a major publishing company's business law textbook that is authorized for use in the Lansing Public Schools. The topics corresponded to a high degree with other publishing

companies' business law texts table of contents. Lawyers within the greater Lansing Metropolitan area were sent a copy of a survey-questionnaire in which they could respond in writing. All contact made with lawyers was in writing. No personal visits or telephone calls were made.

Definition of term. Business law means an introduction to those activities dealing with:

1. Law and legal problems
2. Contracts
3. Bailments
4. Buyer and seller
5. Debtors and creditors
6. Commercial papers
7. Employer and employee relationships
8. Principal and agent
9. Insurance
10. Motor vehicles
11. Property
12. Business organization.

Chapter 2

METHODS AND PROCEDURES

Organization of Instruments

The leading textbooks used by teachers of Business Law were examined as to content matter. Their table of contents were compared and found to be very similar regarding subject matter. Therefore, it was decided to use the exact table of contents of the Business Law textbook in current use in the Lansing Schools for the survey-questionnaire.

A survey-questionnaire was constructed so the major topics and subtopics were in a left-hand column. In a column to the right of each topic, both major topics and subtopics, was a space to assign the degrees of importance to each particular topic. The degrees of importance ranged from Essential, Major, Minor or No Emphasis. (Essential was assigned a weight of 4, major 3, minor 2 and no emphasis 1). At the end of the survey-questionnaire a space was provided in which comments could be made by the reader (see Appendix A).

Selection of Study Groups

The study group was selected from the Lansing area Michigan Bell Telephone directory, 1972-1973, issued March, 1972. The yellow pages section, listing attorney's-at-law, was consulted. Starting with the first name and counting by threes, the names were checked. These names, 80 in all, were then listed along with their addresses. Where the addresses of the attorney's were the same, another method of selection was made by the researcher. This procedure was continued to guarantee that the survey-questionnaire was not sent to the same address; thus insuring a wider variety of professional responses.

Method of Gathering Data

The survey-questionnaire was sent to the 80 lawyers in the study group on August 4, 1972, requesting that it be returned by September 15, 1972. Of the 80 survey-questionnaires sent out, fifty were sent back in completed form. Fifty survey-questionnaires were sent back, or a 63% return of the total survey-questionnaire originally sent out.

Only those articles that dealt with curriculum or content in business law courses was included as reference material for the study.

Chapter 3

REVIEW OF THE LITERATURE

In 1945 Paul M. Boynton, then Supervisor of Education, Bureau of Youth Services, for the State of Connecticut, suggested that the business law curriculum in the public high schools of Connecticut spend one-fourth of its teaching time in instruction regarding contracts. Another one-fourth of the teaching time should be instruction in negotiable instruments with the remaining time devoted to sales, agency, bailments, insurance, partnerships, corporations and common carriers.

As long ago as twenty years E. C. McGill and Edwin S. Hooper wrote an article for Business Education World in which they stressed that the subject matter should consist of the teaching of: contracts, negotiable instruments, employer-employee relationships, principal and agency, guarantee and suretyship, insurance, real property, bailments, sales, business organizations, common carriers, hotel and innkeepers, wills and intestacy, torts and crimes, and courts and administration of the law. The instructor should utilize lecture, case discussion, projects and question and answer sessions to teach his class. This trend of thought continued until J. V. McGrail made

this statement in 1965.

If the primary or secondary goals of business education are to be met then the student must be informed of his legal rights both as a businessman and consumer.¹

In order to accomplish what he said, McGrail insisted that the following topics should be included in every business law course outline: (in outline form for simplification)

1. The legal status of organization
 - a. Sale proprietorship
 - b. Partnership
 - c. Corporation
2. Purchasing or selling a business or home
3. The lease
4. The conduct of a business
 - a. The businessman and his customer
 - b. The businessman and his employees
 - c. The businessman and his creditors
 - d. The businessman and his government
5. Bankruptcy.

If we examine the proposed outline of J. V. McGrail closely with the course content of what McGill and Hooper suggested some twelve years earlier, we really find that most of McGrail's proposed topics are included in McGill and Hoopers' work--under "traditional" headings.

¹J. V. McGrail, "Are These Five Topics Part of Your Business Law Course?" Journal of Business Education, 41, December, 1965, p. 109.

Francis J. Radice in 1967, examined seventeen of the most commonly used college level business lawbooks and five high school level business lawbooks to determine what topics of business law were most commonly taught. From the books examined, a list of topics and subtopics was compiled and sent to 295 college business law teachers, 307 attorneys, 290 former business law students, and to textbook authors located in the United States and Puerto Rico. Contracts were rated as being the most important topic to teach in a business law course. The next two topics selected as most important by the groups were negotiable instruments, and sales--with emphasis placed on buyer-seller relationships. The following areas were also considered by the groups to be important topical selections to include in a business law course: (1) agency, (2) corporation law, (3) government regulations of business, (4) landlord-tenant-leases, (5) partnerships, (6) personal property, and (7) real property.

The groups made no mention or recommendations that other phases of law topics be taught in the business law course.

Research done on a doctoral dissertation by Allan M. Agnew in California in 1966 compared the rank order of topics in the business law textbook used in the California public high schools with actual court litigations. Following is the rank order of topics:

1. Contracts
2. Personal property and sale of personal property
3. Negotiable instruments
4. Insurance
5. Bailments
6. Business organization
7. Real property and conveyance of real property
8. Employer-employee relations
9. Agency
10. Torts
11. Wills and intestacy.

These same topics, according to court litigation in California, were in the following order:

1. Real property and conveyance of real property
2. Torts
3. Contracts (per se)
4. Personal property and sale of personal property
5. Wills and intestacy
6. Employer-employee relationships
7. Insurance
8. Negotiable instruments
9. Business organizations
10. Bailments
11. Agency.

From the results of this study done by Allan M. Agnew, he wrote an article for the Balance Sheet in March of 1968 in which he proposed that litigation should determine the course content of the business law course.

If we hold to Agnew's proposal, then the law of torts would play an important role in our business law course.

It is interesting to note that a study done by Carol Mathieson in Minnesota revealed that out of seventy attorneys contacted in a survey, the attorneys ranked the teaching of torts to be eleven out of a possible thirteen ranked order. Teachers who taught a full year business law course ranked the teaching of torts as eighth in importance, while teachers who taught only a half-year course of business law ranked torts in a fifth place position of importance.

A. Lincoln Lavine very succinctly stated that law should be introduced to the public generally with the aim of introducing the basic aspects of the law.

For in a civilized society, the law touches us all. It is ever present and essential as air and water. Whether we are aware of it or not, whatever our chosen field, wherever we go and whatever we do, we cannot escape a constant contact with the law. If we recognize these contacts when we see them, they may serve us well; if not, they may prove painful when we least expect it.²

²A. Lincoln Lavine, "Major Functions of Business Law," American Business Law Journal, Vol. 2, No. 3, Fall, 1964, pp. 315-318.

Chapter 4

RESULTS OF THE SURVEY-QUESTIONNAIRE

Tabulated Results

After completing the tabulation of the returned survey-questionnaire, it was found that the following business law major topics were ranked in the following order of importance:

1. Contracts
2. Debtors and creditors
3. Buyer and seller
4. Property
5. Commercial paper
6. Insurance
7. Business organization
8. Employer-employee
9. Motor vehicles
10. Principal and agent
11. Law and legal problems
12. Bailments (see Appendix).

The subtopics within the major topics were tabulated as follows:

Contracts:

- Offer and acceptance

- Consideration

- Nature of contracts

- Legal agreement

- Form of agreement

- Remedies for breach

- Defective agreement

- Competent parties

- Third parties

- Discharge of contracts

Debtors and Creditors

- Secured and unsecured debts

- Security agreements

Buyer and Seller

- Rights and remedies

- Nature of sales contracts

- Form of sales contracts

- Warrantees and product liability

- Ownership and risk of loss

- Consumer protection

Property

- Transfer

- Landlord and tenant

- Ownership

- Wills and intestacy

Commercial Paper

- Drafts and checks

- Nature and kinds

- Promissory notes

- Transfer

- Form and content

- Rights of holders

Insurance

- Nature of insurance

- Life insurance

- Property and casualty insurance

- Social Security benefits

Business Organization

- Partnerships

- Corporations

Employer and Employee

- Protection of employees

- Contracts of employment

- Government regulations

Motor Vehicles

- Automobile insurance

- Traffic regulations

Principal and Agent

- Duties and liabilities

- Creating an agency

Law and Legal Problems

- Legal rights and duties
- Courts and law enforcement
- Nature and kinds of laws

Bailments

- Nature and types of bailments
- Mutual benefit bailments
- Common carriers (see Appendix)

Letters and Comments

Several of the respondents took the opportunity to reply by letter or commented directly on the survey-questionnaire. These letters and comments are included in Appendix C.

Conclusions and Recommendations

The survey-questionnaire afforded valuable information especially to Lansing, Michigan, High School instructors of business law. The professional opinions of legal experts must be allowed to be felt. High School teachers should use the findings of the study, critically evaluate them, and implement them in the curriculum.

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APPENDIX A

Survey-Questionnaire

The objective of this study is to improve the course in business law at the high school level. It is being conducted as part of the requirements for a master's project at Michigan State University, East Lansing, Michigan.

In the column at the left are listed the major topics and subtopics of business law, which are representative of the topics and subtopics found in most high school business law textbooks. However, this list is not inclusive. Please place a check mark after each major topic in Part I, and after each subtopic in Part II, according to the degree of importance you feel should be assigned.

If you care to comment about about any topic, subtopic, or the study, please use the other side of this page. Your participation in this study will be helpful.

DEGREES OF IMPORTANCE

| MAJOR TOPICS - PART I | Essen- tial | Major | Minor | No Emphasis |
|---------------------------------|----------------|-------|-------|----------------|
| LAW AND LEGAL PROBLEMS | | | | |
| CONTRACTS | | | | |
| BAILMENTS | | | | |
| BUYER AND SELLER | | | | |
| DEBTORS AND CREDITORS | | | | |
| COMMERCIAL PAPER | | | | |
| EMPLOYER AND EMPLOYEE | | | | |
| PRINCIPAL AND AGENT | | | | |
| INSURANCE | | | | |
| MOTOR VEHICLES | | | | |
| PROPERTY | | | | |
| BUSINESS ORGANIZATION | | | | |
| SUBTOPICS - PART II | | | | |
| LAW AND LEGAL PROBLEMS | | | | |
| Nature and Kinds of Law | | | | |
| Courts and Law Enforce- ment | | | | |
| Legal Rights and Duties | | | | |
| CONTRACTS | | | | |
| Nature of Contracts | | | | |
| Competent Parties | | | | |
| Offer and Acceptance | | | | |
| Defective Agreements | | | | |
| Legal Agreement | | | | |
| Consideration | | | | |
| Form of Agreement | | | | |

| | Essen- tial | Major | Minor | No Emphasis |
|-------------------------------------|----------------|-------|-------|----------------|
| Third Parties | | | | |
| Discharge of Contracts | | | | |
| Remedies for Breach | | | | |
| BAILMENTS | | | | |
| Nature and Types of Bailments | | | | |
| Mutual Benefit Bailments | | | | |
| Common Carriers | | | | |
| BUYER AND SELLER | | | | |
| Nature of the Sales Contract | | | | |
| Form of Sales Contract | | | | |
| Ownership and Risk of Loss | | | | |
| Warranties and Product Liability | | | | |
| Rights and Remedies | | | | |
| Consumer Protection | | | | |
| DEBTORS AND CREDITORS | | | | |
| Secured and Unsecured Debts | | | | |
| Security Agreements | | | | |
| COMMERCIAL PAPER | | | | |
| Nature and Kinds | | | | |
| Form and Content | | | | |
| Transfer | | | | |
| Rights of Holders | | | | |
| Promissory Notes | | | | |
| Drafts and Checks | | | | |
| EMPLOYER AND EMPLOYEE | | | | |
| Contracts of Employment | | | | |
| Protection of Employees | | | | |
| Government Regulation | | | | |
| PRINCIPAL AND AGENT | | | | |
| Creating an Agency | | | | |
| Duties and Liabilities | | | | |
| INSURANCE | | | | |
| Nature of Insurance | | | | |
| Property and Casualty Insurance | | | | |
| Life Insurance | | | | |
| Social Security Benefits | | | | |
| MOTOR VEHICLES | | | | |
| Traffic Regulations | | | | |
| Automobile Insurance | | | | |

| | Essen- tial | Major | Minor | No Emphasis |
|-----------------------|----------------|-------|-------|----------------|
| PROPERTY | | | | |
| Ownership | | | | |
| Transfer | | | | |
| Landlord and Tenant | | | | |
| Wills and Intestacy | | | | |
| BUSINESS ORGANIZATION | | | | |
| Partnerships | | | | |
| Corporations | | | | |

Completed by _____

Title or Position _____

Institution _____

Address _____

Please return by September 15, 1972, using the enclosed envelope.

APPENDIX B

Table 1. Importance of Major Topics of Study for a Business Law Course in the Secondary Schools as Determined by the Ratings Sample Bases, 1972.

| Major Topic of Study | Essential | Major | Minor | No . Emphasis | Score Weighted | Rank Order of Importance |
|-------------------------|-----------|-------|-------|------------------|-------------------|-----------------------------------|
| Contracts | 21 | 11 | 1 | 0 | 119 | 1 |
| Debtors and Creditors | 14 | 16 | 2 | 1 | 109 | 2 |
| Buyer and Seller | 14 | 15 | 3 | 1 | 108 | 3 |
| Property | 6 | 22 | 3 | 1 | 97 | 4 |
| Commercial Paper | 7 | 13 | 13 | 1 | 94* | 5 |
| Insurance | 7 | 14 | 11 | 2 | 94* | 5 |
| Business Organization | 6 | 14 | 10 | 3 | 89 | 6 |
| Employee-Employer | 4 | 15 | 10 | 4 | 85 | 7 |
| Motor Vehicles | 7 | 7 | 14 | 4 | 81 | 8 |
| Principal and Agent | 4 | 10 | 16 | 2 | 80 | 9 |
| Law and Legal Problems | 10 | 5 | 8 | 3 | 74 | 10 |
| Bailments | 2 | 7 | 17 | 6 | 69 | 11 |

NOTE: A Numeric Value was assigned to each of the categories rated by the number of attorneys rating that category. The assigned numeric values are: Essential = 4, Major = 3, Minor = 2, No Emphasis = 1.

*Unit received same weighted score as another unit, placing it in the same rank order of importance.

Table 2. Importance of Subtopics Within the Major Topics for a Business Law Course in the Secondary Schools as determined by the Ratings of Fifty Lansing Area Attorneys Drawn on a Random Sample Basis, 1972.

| Subtopic | Essential | Major | Minor | No Emphasis | Weighted Score | Rank Order of Importance |
|------------------------------|-----------|-------|-------|----------------|-------------------|--------------------------------|
| <u>CONTRACTS</u> | | | | | | |
| Offer and Acceptance | 13 | 14 | 4 | 1 | 103 | 1 |
| Consideration | 10 | 15 | 7 | 1 | 100 | 2 |
| Nature of Contracts | 13 | 12 | 3 | 1 | 95 | 3 |
| Legal Agreement | 9 | 14 | 6 | 2 | 92 | 4 |
| Form of Agreement | 8 | 14 | 7 | 3 | 91* | 5 |
| Remedies for Breach | 8 | 15 | 6 | 2 | 91* | 5 |
| Defective Agreement | 8 | 11 | 11 | 3 | 90 | 6 |
| Competent Parties | 7 | 11 | 11 | 2 | 85 | 7 |
| Third Parties | 6 | 8 | 14 | 5 | 81 | 8 |
| Discharge of Contracts | 4 | 12 | 12 | 3 | 79 | 9 |
| <u>DEBTORS AND CREDITORS</u> | | | | | | |
| Secured and Unsecured Debts | 10 | 17 | 3 | 1 | 99 | 1 |
| Security Agreements | 7 | 10 | 6 | 1 | 71 | 2 |
| <u>BUYER AND SELLER</u> | | | | | | |
| Rights and Remedies | 16 | 13 | 7 | 0 | 117 | 1 |
| Nature of the Sales Contract | 16 | 12 | 3 | 0 | 106 | 2 |

| | | | | | | |
|-------------------------------------|----|----|----|---|-----|---|
| Form of Sales Contracts | 10 | 13 | 9 | 1 | 98* | 3 |
| Warranties and Product Liability | 12 | 12 | 7 | 0 | 98* | 3 |
| Ownership and Risk of Loss | 7 | 16 | 9 | 1 | 95* | 4 |
| Consumer Protection | 10 | 13 | 7 | 2 | 95* | 4 |
| <u>PROPERTY</u> | | | | | | |
| Transfer | 11 | 13 | 7 | 1 | 98 | 1 |
| Landlord and Tenant | 10 | 14 | 7 | 1 | 97 | 2 |
| Ownership | 11 | 14 | 3 | 6 | 94 | 3 |
| Wills and Intestacy | 9 | 12 | 9 | 2 | 92 | 4 |
| <u>COMMERCIAL PAPER</u> | | | | | | |
| Drafts and Checks | 10 | 14 | 8 | 0 | 98 | 1 |
| Nature and Kinds | 10 | 12 | 8 | 1 | 93 | 2 |
| Promissory Notes | 7 | 13 | 10 | 2 | 89 | 3 |
| Transfer | 4 | 12 | 15 | 1 | 83 | 4 |
| Form and Content | 5 | 10 | 15 | 1 | 81* | 5 |
| Rights of Holders | 7 | 13 | 12 | 2 | 81* | 5 |
| <u>INSURANCE</u> | | | | | | |
| Nature of Insurance | 9 | 15 | 6 | 2 | 95 | 1 |
| Life Insurance | 9 | 12 | 8 | 3 | 91 | 2 |
| Property and Casualty Insurance | 7 | 16 | 5 | 3 | 89 | 3 |
| Social Security Benefits | 6 | 11 | 13 | 3 | 86 | 4 |

Table 2. Continued.

| Subtopic | Essential | Major | Minor | No Emphasis | Weighted Score | Rank Order of Importance |
|------------------------------------|-----------|-------|-------|----------------|-------------------|--------------------------------|
| <u>INSURANCE</u> | | | | | | |
| Nature of Insurance | 9 | 15 | 6 | 2 | 95 | 1 |
| Life Insurance | 9 | 12 | 8 | 3 | 91 | 2 |
| Property and Casualty Insurance | 7 | 16 | 5 | 3 | 89 | 3 |
| Social Security Benefits | 6 | 11 | 13 | 3 | 86 | 4 |
| <u>BUSINESS ORGANIZATION</u> | | | | | | |
| Partnerships | 7 | 17 | 14 | 1 | 94 | 1 |
| Corporations | 9 | 11 | 11 | 1 | 92 | 2 |
| <u>EMPLOYER AND EMPLOYEE</u> | | | | | | |
| Protection of Employees | 6 | 15 | 8 | 3 | 88 | 1 |
| Contracts of Employment | 6 | 13 | 9 | 3 | 84 | 2 |
| Government Regulations | 1 | 16 | 13 | 2 | 80 | 3 |
| <u>MOTOR VEHICLES</u> | | | | | | |
| Automobile Insurance | 6 | 12 | 11 | 2 | 84 | 1 |
| Traffic Regulations | 6 | 8 | 10 | 7 | 75 | 2 |

| | | | | | | |
|----------------------|---|----|----|---|----|---|
| Automobile Insurance | 6 | 12 | 11 | 2 | 84 | 1 |
| Traffic Regulations | 6 | 8 | 10 | 7 | 75 | 2 |

PRINCIPAL AND AGENT

| | | | | | | |
|------------------------|---|----|----|---|----|---|
| Duties and Liabilities | 8 | 11 | 11 | 2 | 89 | 1 |
| Creating an Agency | 7 | 10 | 14 | 1 | 87 | 2 |

LAW AND LEGAL PROBLEMS

| | | | | | | |
|----------------------------|----|---|----|---|----|---|
| Legal Rights and Duties | 12 | 9 | 9 | 1 | 94 | 1 |
| Courts and Law Enforcement | 11 | 9 | 10 | 0 | 81 | 2 |
| Nature and Kinds of Law | 9 | 7 | 10 | 3 | 80 | 3 |

BAILMENTS

| | | | | | | |
|-------------------------------|---|---|----|---|----|---|
| Nature and Types of Bailments | 6 | 5 | 14 | 5 | 72 | 1 |
| Mutual Benefit Bailments | 2 | 5 | 17 | 8 | 65 | 2 |
| Common Carriers | 3 | 3 | 15 | 9 | 60 | 3 |

NOTE: A Numeric Value was assigned to each of the categories rated by the number of attorneys rating that category. The assigned numeric values are: Essential = 4, Major = 3, Minor = 2, No Emphasis = 1.

*Unit received same weighted score as another unit, placing it in the same rank order of importance.

APPENDIX C

LETTERS AND COMMENTS

CARL H. REYNOLDS
Counselor at Law
213 East Saint Joseph Street
Lansing, Michigan 48933

Phone 517/485-4611

August 16, 1972

Mr. Gerald M. Brown
2614 Wayburn Road
Lansing, Michigan 48910

Dear Mr. Brown:

There has not been a sooner answer to your note of August 4 because, in reviewing the matter as you set forth in the proposed questionnaire, I find myself unable to answer those questions as you have them set up.

In the first place, I have no idea what the high school course covers; how long the course is pursued; at what stage in high school education the course is offered; nor what its ultimate purpose is intended to be.

Anyone who undertook to make any practical use of the information which these courses would ultimately provide, if careful study were made, would have to spend considerably more than any time a high school could offer in the study. All of the subjects are of prime importance, and I don't see how any high school course could do more than acquaint the student of the existence of the classifications of subjects which your questionnaire presents; and which might, or might not, inspire enough interest to develop further study.

I should like to be of any assistance I can in your own formal education but it seems to me to be quite useless to make marks on a questionnaire which cannot possibly be honestly answered by that method.

If you would like to call me, I shall be glad to talk with you on the subject.

Very truly yours,

Carl H. Reynolds

CHR/ejw

MacLEAN, SEAMAN, LAING & GUILFORD
ATTORNEYS AND COUNSELORS
1504 Michigan National Tower
Lansing, Michigan 48933

August 8, 1972

Mr. Gerald M. Brown
2614 Wayburn Road
Lansing, Michigan 48910

Dear Mr. Brown:

I have completed your questionnaire with some mixed feelings. Probably like most lawyers, I tend to disparage high school business law courses, in the first place. I tend to feel the salting approach to education on a topic of this sort is not helpful and, in fact, little knowledge is a dangerous thing in this area.

I would much prefer to see a course of business law deal only with two or three topics in depth. Other topics would necessarily arise and could be disposed of for most purposes in a five or ten minute discussion. In an oversimplified sense, this is really the approach used in case-method teaching in law school.

For instance, if high school people could be exposed to all of the file in a typical, complicated lawsuit involving pleadings, some trial or hearings, possibly an appeal, and proceedings with regard to execution or attachment, etc., they could follow the proceedings like a novel or adventure story on television, and learn in the process more than they ever would in several semesters of dry study out of textbooks.

Several of your topics, such as employer and employee, principal and agent, insurance, motor vehicles, and bailments, are really subcategories of contracts or debtors and creditors and should not be given the same prominence as the major topics, it seems to me. Also, I think the concept of "business" law is misleading except as it may indicate an intention to exclude from discussion criminal law, constitutional law and adjective law in its many phases. I would think in a survey course of this type, a proper title could be "An Introduction to Law." As such, one would not be constrained to keep it business oriented but could deal with topics of far more interest and lasting value to the student such as property matters.

Most people are woefully uninformed about such a simple matter as buying and selling their home and the effect and significance of retail purchase contracts. I would prefer to see the emphasis shift from law for the prospective business man to law for the prospective consumer and citizen.

Sincerely,

Richard A. Guilford

RAG:hh

COMMENTS ON SURVEY-QUESTIONNAIRE

Donald B. Lawrence, Jr.
Attorney - Glassen Parr Rhead & McLean
800 Davenport Blvd.
Lansing, Mi. 48933

So often this type of course tries to make junior lawyers out of the students. Obviously the writer is in a position of self interest but "do-it-yourself" lawyers make more work for us than can be believed. The lawyer is a professional technician who at a reasonable investment can often save a client thousands of dollars if the client comes to him first--before the fact. If a high school course can teach the role of preventive and protective "medicine" it can be termed a success.

Ian C. McLeod
Patent Lawyer
Miller, Morriss, Pappas, & McLeod
2195 Grand
Lansing, Mi.

The instructor should teach the high school student to recognize when he has a problem and get professional help. Many of your topics are technical and require consultation with a lawyer. (Business organization, wills, and property). In many instances they will be able to save themselves money and future problems by consulting a lawyer in the early stages.

Carl L. Reger

I am retired from the practice of law effective as of May 1, 1972, so I do not believe any information I could give you would be helpful.

Benjamin F. Watson

I don't believe I can be helpful with relation to the attached. In my judgment, high school students are not qualified to undertake study of more than 4 or 5 of the subjects listed. Most would be highly confusing and possibly leave inaccurate residual impressions, difficult later to dispel.

However, thank you for writing me.

William H. Wise

Lawyer - Self Employed
608 Michigan National Tower
Lansing, Mi.

LAW AND LEGAL PROBLEMS:

Valid only for prospective lawyers

CONTRACTS

All subdivisions are technical but necessary for all forms of business activity.

BAILMENTS

A little used part of the law--but essential

BUYER AND SELLER

A rapidly growing and developing field for all citizens.

DEBTORS AND CREDITORS

More study and development of this area is needed.

COMMERCIAL PAPER

Except for Drafts and Checks this classification the average person does not come into contact with.

EMPLOYER AND EMPLOYEE

New field still developing fast

PRINCIPAL AND AGENT

Previous to liberalization of corporation law-a necessity-now too dangerous to use.

INSURANCE

A "modern" necessity

MOTOR VEHICLES

The basis of our mobile society

PROPERTY

Touches everyone - of necessity

BUSINESS ORGANIZATION

As under principal and agent

Joe C. Foster Jr. Partner
Fraser, Trebilcock, Davis & Foster
10th Floor
Michigan National Tower
Lansing, Mi.

INSURANCE:

Include hospital and medical insurance

BUSINESS ORGANIZATION

Include Sole Proprietorship

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APPENDIX D

RECIPIENTS OF SURVEY-QUESTIONNAIRE

RECIPIENTS OF SURVEY-QUESTIONNAIRE

Frederic B. Abood, 117 E. Allegan
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Patrick J. Berado, 901 Capitol Savings and Loan Building
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John E. Bos, 1016 Michigan National Tower
Richard M. Brake, 515 N. Capitol
James Burren Brown, 834 N. Capitol
Leslie B. Butler, 301 Capitol Savings and Loan Building
Edgar L. Church, 3939 Capitol City Blvd.
Daniel S. Cooper, 826 Michigan National Tower
Corbin R. Davis, 116 W. Ottawa
William B. Davis, Jr. 4515 W. Saginaw
Richard DeLamielleure, 355 Hollister Building
John Robert Dethmers, 1050 Michigan National Tower
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Roger T. Ederer, 1200 Bank of Lansing Bldg.
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Thomas J. Fagan, 610 S. Walnut
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Raymond R. Joseph, 830 Stoddard Building
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Jerrold Keyworth, 1000 Washington Square Bldg.
Joseph Lavey, 409 W. Ionia
Russel A. Lawler, 200 Hollister Bldg.
Conway Longson, 2706 E. Michigan Avenue
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Thomas P. Mitchell, 807 W. Allegan
Stephen V. Moulton, 920 N. Fairview

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John P. O'Brien, 368 S. Jefferson
Carl H. Reynolds, 213 E. St. Joseph
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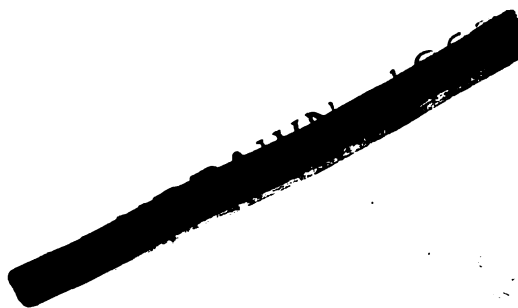
William K. Haron, 1699 E. Grand River, Okemos, Michigan

Ronald F. Heck, 2142 Hamilton, Okemos, Michigan

Ph. D.
1972

G.M. Brown





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