

Legal Business Environment Study Guide – Chapters 1, 2 & 4

Chapter 1: The Nature and Sources of Law

- **Legal Right** - Legal capacity to require another person to perform or refrain from performing an act.
 - Rights come from federal and state constitutions, federal and state statutes, and local ordinances
- **Individual Rights** - Rights given by the U.S. Constitution (freedom of speech, due process, right to vote, etc.)
 - Fourth Amendment - violation of unreasonable search and seizure
 - The Right of Privacy - Right to be secure against intrusion of other
 - Riley v. California - determined police cannot search a smartphone without a warrant.
 - Technology has changed the way we interact with each other and allows for easier intrusion into another's privacy
 - According to Courts and Congress, the right to privacy also exists in electronic form and online
 - Roe v. Wade - protects the right of privacy that gives women the right to choose whether to have an abortion.
 - Roe v. Wade - Class discussion
- **Duty** - Obligation of law imposed on a person to perform or refrain from performing a certain act.
- Duty and Rights coexist. **No right exists in one person without a corresponding duty resting in some other person or persons.**
 - For example, if the terms of a lease provide that the tenant has the right to live comfortably in a place kept in good condition, the landlord has corresponding duties to provide such a dwelling, including things such as heat in the winter and hot and cold running water.
- **Law** - Body of principles that govern conduct and can be enforced by the courts or administrative agencies / Bundle of rights and duties
 - Laws keep society running smoothly and efficiently
 - Laws tell people what they can and cannot do
- **Sources of Law**
 - **Constitutional Law** - Branch of law based on the constitution of a particular level of government
 - In each state, two constitutions are in force: the state constitution and the U.S. Constitution.
 - Constitution - body of principles that establishes the structure of a government and the relationship of that government to the people who are governed.
 - Generally a combination of the written document and the practices and customs that develop with the passage of time and the emergence of new problems.

Study Guide Legal Environment Today

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Study Guide Legal Environment Today:

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Table of Contents Study Guide Legal Environment Today

1. Understanding the eBook Study Guide Legal Environment Today
 - The Rise of Digital Reading Study Guide Legal Environment Today
 - Advantages of eBooks Over Traditional Books
2. Identifying Study Guide Legal Environment Today
 - Exploring Different Genres
 - Considering Fiction vs. Non-Fiction
 - Determining Your Reading Goals
3. Choosing the Right eBook Platform
 - Popular eBook Platforms
 - Features to Look for in an Study Guide Legal Environment Today
 - User-Friendly Interface
4. Exploring eBook Recommendations from Study Guide Legal Environment Today
 - Personalized Recommendations
 - Study Guide Legal Environment Today User Reviews and Ratings
 - Study Guide Legal Environment Today and Bestseller Lists

5. Accessing Study Guide Legal Environment Today Free and Paid eBooks
 - Study Guide Legal Environment Today Public Domain eBooks
 - Study Guide Legal Environment Today eBook Subscription Services
 - Study Guide Legal Environment Today Budget-Friendly Options
6. Navigating Study Guide Legal Environment Today eBook Formats
 - ePub, PDF, MOBI, and More
 - Study Guide Legal Environment Today Compatibility with Devices
 - Study Guide Legal Environment Today Enhanced eBook Features
7. Enhancing Your Reading Experience
 - Adjustable Fonts and Text Sizes of Study Guide Legal Environment Today
 - Highlighting and Note-Taking Study Guide Legal Environment Today
 - Interactive Elements Study Guide Legal Environment Today
8. Staying Engaged with Study Guide Legal Environment Today
 - Joining Online Reading Communities
 - Participating in Virtual Book Clubs
 - Following Authors and Publishers Study Guide Legal Environment Today
9. Balancing eBooks and Physical Books Study Guide Legal Environment Today
 - Benefits of a Digital Library
 - Creating a Diverse Reading Collection Study Guide Legal Environment Today
10. Overcoming Reading Challenges
 - Dealing with Digital Eye Strain
 - Minimizing Distractions
 - Managing Screen Time
11. Cultivating a Reading Routine Study Guide Legal Environment Today
 - Setting Reading Goals Study Guide Legal Environment Today
 - Carving Out Dedicated Reading Time
12. Sourcing Reliable Information of Study Guide Legal Environment Today
 - Fact-Checking eBook Content of Study Guide Legal Environment Today
 - Distinguishing Credible Sources
13. Promoting Lifelong Learning

- Utilizing eBooks for Skill Development
- Exploring Educational eBooks

14. Embracing eBook Trends

- Integration of Multimedia Elements
- Interactive and Gamified eBooks

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