

Fall 2016

AGRICULTURAL LAW

AGEC 45500

(A survey of business, property & tax law with an emphasis on Indiana Ag.)

8:30 MWF

Krannert G-2

Instructor: Gerald A. Harrison, PhD, JD; 690 KRAN Purdue phone: 49-44216 E-mail is preferred. Office: harrisog@purdue.edu Home: gah104@comcast.net I normally work at home in the afternoons, evenings and week-ends. Office Visits: By Appointment. Check your E-mail daily for this course.

Staff Assistant: Tracy Buck, 688 Kran. To the right off the elevator. Phone: 49-44208 E-mail: tbuck08@purdue.edu

Objectives: The student will become familiar with selected legal principles and transactions in Ag business. Students will be taught how to brief court cases from the course text and other cases that may be assigned.

The course text is, Agricultural Law: Principles and Cases, 2nd Edition by Looney and Uchtmann. Course text and selected materials are supplied by the instructor. Some materials will be supplied as handouts (HO). Selected materials are reserve reading (RR) at the Purdue Library. (IN) indicates the item is on the Internet at the address provided. The Internet provides a wealth of information (definitions, appealed cases, documents ...) on the law. HW is Homework and the number in (x) are the max. points for credit. Watch for daily E-mails on class information.

Many lawyers have basic law information posted on their Web pages as do Land Grant University Cooperative Extension Service activities. If you need help in finding something the instructor may be able to help, E-mail (preferred): harrisog@purdue.edu or gah104@comcast.net .

Table with 5 columns: Class, Date, Topic, Readings, Comments & Homework. It lists class sessions from 1 to 6, including dates, topics like 'Intro. to Law & Legal System', 'Torts', and 'Contracts', and associated readings and homework assignments.

<u>Class</u>	<u>Date</u>	<u>Topic</u>	<u>Readings</u>	<u>Comments & Homework</u>
7	W - 9/7	Ag Labor	Chap. 14, 403-422 IN - "google" Summary of Federal Laws and Regulations Affecting Ag Employees, USDA, 2000. IN - Child Labor Requirements Under FLS ... online at: http://www.dol.gov/whd/regs/compliance/childlabor102.pdf Indiana site for child labor information at: http://www.in.gov/dol/2398.htm	HW #2 due!
8	F - 9/9	Ag Labor	Chap. 14, 423-435 Chap. 4, 51-5	Bonus HW #1(20) Questions #4, #5, #9, #19; page 434
9	M - 9/12	Property I	Chap. 4, 51-62 HO - Characteristics of Ownership Interests	
10	W- 9/14	Property II	Chap. 4, 62-72	Bonus HW#1 due!
11	F - 9/16	Property III	Chap. 5, 73-98, HO - Deeds in Indiana, Harrison	
12	M - 9/19	Property IV	Chap. 5, 98-112	
13	W - 9/21	Property Rights	Chap. 6, 113-134 IN - Prop. Rights, Richardson & Harrison IN - Conservation Easements, Harrison & Richardson HO - Eminent Domain & Condemnation, Harrison IN - The Law Behind Planning and Zoning, Harrison IN - Answers to Your Questions About Planning and Zoning in Indiana, Sargent RR - Chap. 4, County Govn ' t, <i>Here is Your Indiana Government</i>	Bonus HW #2(20) Prob. #2, page 145
14	F - 9/23	Landowner Duties & Limitations	Chap. 6, 131-151 IN - Indiana Fence Law at- < http://www.extension.purdue.edu/extmedia/EC/EC-657.pdf > IN- Federal "Takings"-- Acquisition and Relocation at: http://portal.hud.gov/hudportal/HUD?src=/program_offices/comm_planning/library/relocation/publications	Bonus HW #2 due!
15	M - 9/26	Rights and Limits In Using Ag Prop.	Chap. 7, 152-168 HO - Indiana ' s "Right To Farm Law, Harrison RR - Chap. 2 & 3, <i>A Livestock Producer=s Legal Guide: Nuisance, Land Use Control ...</i> Hamilton	
16	W - 9/28		Chap. 7, 169-191	
17	F - 9/30		Review	
18	M - 10/3		40 Min. Test #1_ (100 points)	

<u>Class</u>	<u>Date</u>	<u>Topic</u>	<u>Readings</u>	<u>Comments & Homework</u>
19	W - 10/5	Liability for Dogs & Animals	Chap. 8, 191-207 HO- Indiana Recreational User Law — Limiting Landowner Liability HO- Indiana Dog Law, Harrison	HW #3 (20), Prob. #1, page 190
20	F - 10/7	No Class	Rural /Urban Conflict? IN - https://mdc.itap.purdue.edu/item.asp?itemID=19869#.Vfq0133qXs0	
	10/10 & 11		October Break!	
21	W - 10/12	Animal Liability & the Environment	Chap. 8 &9, 208-233 IN - Indiana Fence Law (see above) or go to the Internet at: http://www.extension.purdue.edu/extmedia/EC/EC-657.pdf IN- Indiana CAFO rules http://www.in.gov/idem/4994.htm RR - Chap. 8 & 9, <i>A Livestock Producer's Legal Guide: Nuisance, Land Use Control ...</i> Hamilton	HW #3 due!
22	F - 10/14	Environment Soil Conservation	Chap. 9, 233-254 HO - Pesticide Spray Drift Liability ..., Harrison	
23	M - 10/17	Water & Drainage	Chap. 10, 255-271 HO - Indiana Farmland Drainage Law, Harrison http://iga.in.gov/static-documents/d/8/5/5/d8559a45/TITLE36_AR9_ch27.pdf	
24	W - 10/19	“ “ “	Chap. 10, 271-297	HW #4 (20), Prob. #5, page 297
25	F - 10/21	Sales, Warranties ...	Chap. 11, 312-329	
26	M - 10/24	Sales, Warranties ... Marketing Elevator Security	Chap. 11, 329-337 Chap. 12, 338-346 Indiana Grain Indemnity Program ... IN - http://www.in.gov/isda/2410.htm	HW # 4 due!
27	W - 10/26	Marketing	Chap. 12, 346-363 Demo Lexis-Nexis via Parish Kran Mgmt. Library try: https://login.ezproxy.lib.purdue.edu/login?url=http%3a%2f%2fwww.lexisnexis.com%2fhottopics%2flnacademic%2f	
28	F - 10/28	Ag Credit, Finance	Chap. 13, 364-386	Optional-- Submit a topic for course paper.
29	M - 10/31	Bankruptcy	Chap. 13, 386-402 HO - Bankruptcy for Family Farmers (Ch.12), Harrison & Farm Bankruptcy Considerations, U. of MN	
30	W - 11/2		Review	
31	F - 11/4		40 min. Test #2 (100 points)	

<u>Class</u>	<u>Date</u>	<u>Topic</u>	<u>Readings</u>	<u>Comments & Homework</u>
32	M - 11/7	Farm Tenancy	Chap. 15, 436-450 HO - Legal Aspects of Indiana Farmland Leases, Harrison IN - http://www.extension.purdue.edu/extmedia/EC/EC-713.pdf	
33	W - 11/9	“ ” “	Chap. 15, 448-469	HW #5 (20) Prob. #1, page 469
34	F - 11/11	Intro. Inc. Tax I	IN – “Google”--Farmer’s Tax Guide, IRS, Publ. 225 HO - Forms; 1040, A, C, D, E, F, SE, 4797, & 4835 IRS forms are at: http://www.irs.gov/formspubs/index.html	
35	M - 11/14	Intro. Inc. Tax II	See above	HW #5 Due!
36	W - 11/16	Farm Income Tax III		
37	F - 11/18	Farm Income Tax IV Intro. Bus. Org.	HO- Business Organization (alternatives) Table	
38	M- 11/21 11-23 thru 26		No Class! Thanksgiving Break	
39	M – 11/28	Bus. Org	Chapters 16&17 HO-Estate Planning Materials by G. Harrison	
40	W – 11/30	Estate Planning I	Chap. 18 Go online to find other materials.	
41	F – 12/2	Estate Planning II	Farm Estate & Business Planning (18th Edition) Print Version \$35.00, Ag Law Press order online at: http://www.agrilawpress.com/shop/farm-estate-and-business-planning/ PDF version is \$25	
42	M - 12/5	Estate Planning III		
43	W - 12/7	Estate Planning IV		
44	F – 12/9	Optional papers due! (optional)	In class presentations for extra credit or review for final.	
45	Finals Week 12/12-17		Final Exam (200 or 350 points*)	

<u>Points</u>	<u>Activity</u>
100	Class Participation: attendance, recitation, ability to ask and answer questions. Minus 1, when not prepared or an un-excused absence.
250	Best 5 Quizzes , 50 points each. Expect 12 to 15 quizzes. Unexcused absence for a quiz is minus 10
100	Homework: five -- 20 points each.
200	Two Tests --100 points each.
* ?	*150 -- points on an optional <u>course paper</u> using Lexis online research. --- topic is student’s choice but subject to instructor approval. The guidelines for paper grading are provided.
?	Bonus points: How? Bonus home works.
350	* Final Exam: 200 points with a course paper. <u>Graduate students are required to do a course paper.</u>
1000	

<u>Grade</u>	<u>%</u>	<u>Grade</u>	<u>%</u>	<u>Grade</u>	<u>%</u>	<u>Grade</u>	<u>%</u>	<u>Grade</u>	<u>%</u>
A +	97-100	B+	87-89	C+	77 -79	D+	67-69	F	<60
A	94-96	B	84 - 86	C	74-76	D	64-66		
A-	90-93	B-	80- 83	C-	70-73	D-	60-63		

Attendance Policy: Class attendance and participation is mandatory!

Illnesses: Do not come to class if you are ill/sick! Best to have a doctor's excuse slip.

Missing a Class? -- Contact the instructor before or same day -- if you are going to miss or have missed a class.

Electronic devices (cell phones, etc.): None in use during class!

Cheating leads to severe penalties!

COMMUNICATION

Please note that my primary out-of-class method of communication will be via email to harrisog@purdue.edu and gah104@comcast.net I will not contact you at email addresses other than your Purdue email address unless you the student wishes to use another e-mail (so notated on your data card). It is your responsibility to check for e-mail on a regular basis. I recommend checking your Purdue email daily, usually in the late evenings or mornings before classes.

SPECIAL NEEDS

If you have a disability that requires academic adjustments, please make an appointment to meet with me during the first week of classes (by e-mail is okay) to explain your needs. Please note that university policy requires all students with disabilities to be registered with [Adaptive Programs](#) in the [Office of the Dean of Students](#) before classroom accommodations can be provided.

ACADEMIC INTEGRITY

University policy on academic dishonesty is clear: academic dishonesty in any form is strictly prohibited. Anyone found to be cheating or helping someone else cheat will be referred directly to the Dean of Students for disciplinary action. Penalties are severe and may include dismissal from the University.

The risks associated with cheating far outweigh the perceived benefits. Academic dishonesty includes citing someone else's work as your own, using "cheat sheets" or sharing your answers with someone else. If you are unsure whether your planned action constitutes academic dishonesty, seek clarification from your instructor. Other information regarding your rights and responsibilities as a student is contained in the Purdue University [Code of Conduct](#). Writing assignments for this course may be checked for originality using the iThenticate software.

CAMPUS EMERGENCIES

In the unusual event of a major campus emergency, course requirements, deadlines and grading percentages are subject to changes that may be necessitated by a revised semester calendar or other circumstances. To get information about changes in this course visit the course home page, and see above.

To report an emergency, call 911.

To obtain updates regarding an ongoing emergency, sign up for Purdue Alert text messages, view www.purdue.edu/ea. There are nearly 300 Emergency Telephones outdoors across campus and in parking garages that connect directly to the PUPD. If you feel threatened or need help, push the button and you will be connected immediately.

If we hear a fire alarm during class we will immediately suspend class, evacuate the building.

Do not use the elevator.

If we are notified during class of a Shelter in Place requirement for a tornado warning, we will suspend class and shelter in the basement. If we are notified during class of a Shelter in Place requirement for a hazardous materials release, or a **civil disturbance, including a shooting or other use of weapons, we will suspend class and shelter in the classroom**, shutting the door and turning off the lights. Please review the Emergency Preparedness website for additional information at: http://www.purdue.edu/ehps/emergency_preparedness/index.html