

FO 4353 / 6353 — NATURAL RESOURCE LAW

SYLLABUS ✧ DEPARTMENT OF FORESTRY ✧ COLLEGE OF FOREST RESOURCES ✧ MISSISSIPPI STATE UNIVERSITY

Instructor

Dr. Changyou “Edwin” Sun
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MW 11 a.m. – 12 noon (office hour, or by appointment)

Course Schedule

MW 2:00 – 3:15 p.m.; 208 Thompson Hall Annex

Course Description (Mississippi State University Bulletin)

(Prerequisite: Junior standing or consent of instructor). Three hours lecture. A comprehensive study of the laws relating to natural resources and forestry with emphasis on tort law, real property law, environmental law, taxation law and contract law.

Course Objectives

This course focuses on the legal environment of natural resources and forestry. Law is a body of rules that governs the conduct of people and their affairs. A resource manager’s work can be affected by law in various ways. This course covers both the theories and fundamentals of business and environmental laws related to natural resources and professional practices. By the end of the course, students will understand

- the major stakeholders in resource management;
- the definition and classification of law, and the American judicial system;
- major laws related to natural resources and forestry (e.g., administrative law, property law, tort law, taxation law, and contract law)

Required Textbooks and Materials

Kubasek, N.K., B.A. Brennan, and N. Browne. 2011. *The Legal Environment of Business: A Critical Thinking Approach*. 6th Edition. Prentice Hall. 864 pages. ISBN-10: 0132664844.

Sun, C. 2012. Case Studies and Reading Materials. 164 pages.

Other reading materials will be assigned in class or posted on the course Web site.

Grading and Evaluation

	Percentage
1 st Exam	25%
2 nd Exam	25%
Final Exam	35%
Case Studies	15%

Final determination of letter grades will be based on the following scale:
A: 90.0-100%; B: 80.0-89.9%; C: 70.0-79.9%; D: 60.0-69.9%; F: < 60.0%

Notes on Lectures and Grading

1. **Lecture:** Lectures are primarily based on the materials assigned in class. Microsoft PowerPoint slides will be posted on the course Web site. You are *strongly* encouraged to take good notes in class.
2. **Attendance:** Attendance is required as detailed in the University policy below. Even though there is no direct score associated with attendance, case studies will give students incentives to attend class. For class absence with legitimate reasons, **written evidences or emails** should be submitted within **four days** of absence. In other words, **oral messages** will not be counted in any circumstances. Any form of evidence will not be counted **after four days** unless there are legitimate reasons.
3. **Examination:** The coverage of the 1st and 2nd exam will be announced in class. The final exam will be comprehensive. Missing an exam at the specified time is not allowed unless there is a legitimate excuse. If needed, make-up exams will be dealt with case by case.
4. **Case studies**
 - 4.1. Group formation: Undergraduate students will form groups to work on the case studies; each group will have about three students. For graduate students, depending on the number of students enrolled and their backgrounds, they will be allowed to work on the case studies either as groups or individuals.
 - 4.2. Outputs: Every group will need to submit their answer sheets at the beginning of the class. Furthermore, one individual group will lead the discussion of a case study in the classroom.
 - 4.3. Others: All answer sheets must be printed out and no hand-written answers will be accepted. No late answers will be accepted unless there are legitimate reasons and evidences. If a student or group misses a case study with a legitimate excuse, the student must give the instructor **written evidences** of the absence and the answer sheets for the case study within **four days**. If a student misses a case study without a legitimate excuse, the student will receive zero for that case study.

Responsibilities

Student:

1. Read syllabus and other materials provided by instructor;
2. Attend lectures and take good notes in class;
3. Review notes periodically and ask questions if necessary;
4. Learn (rather than memorize) the material presented by the instructor;
5. Prepare for case studies and participate in class discussion;
6. Pass exams.

Instructor:

1. Teach the course in a clear and understandable manner to encourage learning;
2. Answer questions related to the course;
3. Provide opportunities to practice methods covered by lectures;
4. Accurately assess and report the level of understanding achieved by each student in the course.

Attendance

The official code of class attendance for the University is documented in the Academic Operating Policy and Procedure (AOP 12.09). Upon registration, the student accepts the responsibility of attending all classes and doing any work the instructor may prescribe. When absence from class is essential, the student is responsible for providing satisfactory evidence to the instructor to substantiate the reason for absence. The student is also responsible for making arrangements that are satisfactory to the instructor in regard to work missed. These arrangements should be made prior to the absence when possible. Among the reasons absences are considered excused by the university are the following:

- Participation in an authorized university activity.
- Death or major illness in a student's immediate family.
- Illness of a dependent family member.
- Participation in legal proceedings or administrative procedures that require a student's presence.
- Religious holy day.
- Illness that is too severe or contagious for the student to attend class.
- Required participation in military duties.
- Mandatory admission interviews for professional or graduate school which cannot be rescheduled.

It is the student's responsibility to secure documentation of an illness from a physician. The documentation must contain the date and time the student sought treatment. Based upon the documentation, the instructor will decide whether makeup work will be allowed.

Academic Dishonesty

MSU Honor Code: "As a Mississippi State University student I will conduct myself with honor and integrity at all times. I will not lie, cheat, or steal, nor will I accept the actions of those who do."

The official code of student conduct for the University is documented by the *Bulldog Handbook*. Several examples are listed in the handbook that illustrates the kinds of activities considered to be "academic misconduct" by the University. These include, but are not limited to:

- Using unauthorized materials (crib notes, books, etc.) as an aid during an examination;
- Looking at or using information from another person's exam, report, or assignment;
- Providing assistance to, or receiving assistance from, another person in any manner prohibited by the instructor;
- Possessing or providing an examination or assignment, or any part thereof, at any time or in any manner not authorized by the instructor;
- Taking a quiz, examination, or similar evaluated assignment for another person; or utilizing another person to take a quiz, examination, or similar assignment in place of oneself;
- Submitting any course materials or activities not the student's own, allowing such a submission to be made for oneself, or making such a submission for another;
- Using the ideas, organization, or words from a book, article, computer file, or other source in any assignment without giving proper credit following accepted citation rules (plagiarism).

Sanctions for academic misconduct include a grade of "F" in the course and suspension from the University.

Students with Disabilities

If a student has a disability and desires any assistance devices, services, or other accommodations to participate in any activities associated with this course, please contact me, or call 325-0928 during normal business hours, as soon as possible to discuss the necessary accommodations.

Course Schedule

Mississippi State University
FO4353 & FO6353—Natural Resource Law

N	Date	Day		Section	Materials
1	Jan 7	Mon	Syllabus		
2	Jan 9	Wed		Section 1 Fundamentals of Forestry	Papers
3	Jan 14	Mon		Section 2 Meaning and Nature of Law	Chapter 2
4	Jan 16	Wed		Section 3 American Judicial System	Chapter 3 & papers
5	Jan 21	Mon	Holiday		
6	Jan 23	Wed		Section 3 American Judicial System	Case Study 1
7	Jan 28	Mon		Section 4 Civil Trial Procedure	Chapter 3
8	Jan 30	Wed		Section 4 Civil Trial Procedure	Case Study 2
9	Feb 4	Mon	1st Exam		
10	Feb 6	Wed		Section 5 Tort Law	Chapter 12
11	Feb 11	Mon		Section 5 Tort Law	Chapter 12
12	Feb 13	Wed		Section 5 Tort Law	Case Study 3
13	Feb 18	Mon		Section 6 Contract Law	Chapter 10, 11 & papers
14	Feb 20	Wed		Section 6 Contract Law	Case Study 4
15	Feb 25	Mon		Section 6 Contract Law	Chapter 10, 11 & papers
16	Feb 27	Wed		Section 6 Contract Law	Case Study 5
17	Mar 4	Mon		Section 7 Property Law – Personal	Chapter 14
18	Mar 6	Wed	2nd Exam		
19	Mar 11	Mon	Spring break		
20	Mar 13	Wed	Spring break		
21	Mar 18	Mon		Section 7 Property Law – Real	Chapter 14
22	Mar 20	Wed		Section 7 Property Law	Case Study 6
23	Mar 25	Mon		Section 7 Property Law	Case Study 7
24	Mar 27	Wed		Section 8 Business Organization	Chapter 17, 18
25	Apr 1	Mon		Section 8 Business Organization	Case Study 8
26	Apr 3	Wed		Section 9 Taxation Law	Haney (2000) & papers
27	Apr 8	Mon		Section 9 Taxation Law	Haney (2000) & papers
28	Apr 10	Wed		Section 9 Taxation Law	Case Study 9
29	Apr 15	Mon		Section 10 Administrative Law	Chapter 19 and Papers
30	Apr 17	Wed		Section 10 Administrative Law	Chapter 19 and Papers
31	Apr 22	Mon		Section 10 Administrative Law	Case Study 10
32	Apr 24	Wed	Summary		
	May 1	Wed	Final exam	3:00 – 4:30 pm	

Reading Materials

Mississippi State University
FO4353 & FO6353—Natural Resource Law

Section 1. Fundamentals of Forestry

1. Baker, S.A. and W.D. Greene. 2008. Changes in Georgia's logging workforce. *Southern Journal of Applied Forestry* 32(2): 60-68.
2. Greene, W.D., B.D. Jackson and J.D. Culpepper. 2001. Georgia's logging businesses, 1987 to 1997. *Forest Products Journal* 51(1): 25-28.
3. Mehmood, S.R. and D. Zhang. 2001. Forest parcelization in the United States: A study of contributing factors. *Journal of Forestry* 99(4): 30-34.
4. USDA Forest Service. 2008. Mississippi Forest Factsheet. 4 pages.

Section 3. American Judicial System

5. Mersky, R.M. and D.J. Dunn. 2002. Fundamentals of Legal Research. Chapter 3 Court Reports (P. 21 – 39). Foundation Press, New York.

Section 6. Contract Law

6. Bowers, S. 2005. Contracts for woodland owners and Christmas tree growers. Oregon State University. 27 pages.

Section 9. Taxation Law

7. Haney, H.L., Jr., W.L. Hoover, W.C. Siegel, and J.L. Greene. 2001. Forest Landowners' Guide to the Federal Income Tax. Agriculture Handbook 718. Washington, DC: U.S. Dept. of Agriculture.

Section 10. Administrative Law

8. Malmshemer, R.W., D. Keele, and D.W. Floyd. 2004. National forest litigation in the US courts of appeals. *Journal of Forestry* 102(2): 20-25.
9. Teich, G.M.R., J. Vaughn, and H.J. Cortner. 2004. National trends in the use of Forest Service administrative appeals. *Journal of Forestry* 102(2): 14-19.

Other Materials

A list of reference law books related to natural resources.