COURSE OUTLINE

AVM 375

LEGAL ASPECTS OF AVIATION

TEC BUILDING

Spring 2016

SOUTHERN ILLINOIS UNIVERSITY AT CARBONDALE

INSTRUCTOR
Steven M. J. Bost
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OFFICE HOURS
MONDAY - THURSDAY
9:00 A.M. - 4:00 P.M.
COURSE DESCRIPTION

AVM 375 - Legal Aspects of Aviation

This course is a general introductory course designed to give the Aviation Management student a background into general principles of law and the legal system, especially as these principles apply to general and commercial aviation.

COURSE OBJECTIVES

1. The student will have a basic understanding of the legal system within the United States.

2. The student will have a basic understanding of various specific areas of the law, including administrative law, tort law, criminal law, contract law, labor law, international law and the law of bailments, as they relate to the aviation industry.

3. The student will be introduced to techniques to enable him or her to read and understand reported court cases, statutes and administrative regulations.

4. The student will become aware of the various laws and regulating agencies relating to the aviation industry.

5. The student will be able to apply general legal theories to future aviation problems.

REQUIRED READING


2. Miscellaneous Court Cases, readings and handouts.
COURSE REQUIREMENTS/GRADING

Class Attendance and Participation  5%
Legal Terminology Quizzes  10%
Court Case Briefing  15%
Midterm  30%
Comprehensive Final Exam  40%

Students are expected to attend class and class roll will be taken. This class will be taught through the use of extensive class discussion and each student must be in attendance and participate to adequately understand the concepts covered in this course. Students are expected to have read and studied the materials, in particular the case law that will be critical to classes following the first month. Case law is where the “rubber meets the road,” where legal principles are applied to facts in the courts of law. If you are called on and you are clearly not prepared to explain or “brief” the case, your class participation grade will suffer. If you miss more than two classes, your class participation grade will suffer. This is a 300 level course in a field that you chose. While I understand that you may not be interested in the law, you are, in most cases, one year away from entering your chosen profession - be a professional and make the most of the money you are spending on YOUR education.

No course outline, or other materials, other than those accompanying this syllabus, and those handed out as additional reading, will be available to the student. Each student is encouraged to take extensive notes during class, and tape recording of the class is authorized. If a student must be absent, he or she should make arrangements to review other student’s notes, or have another student take notes for him or her. At the first of each session class will be open for questions on any prior class issues, which will be answered and fully discussed.

All papers must be turned in for this course on the date set out in this syllabus. Papers will not be accepted as E-mail, without special, advanced arrangement. Any paper turned in late will lose possible points due to being turned in late, and can only be turned in late with the specific approval of the instructor. All excuses from exams must be approved prior to the exam, except in extreme emergency cases.
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03/30/16  X.  Airlines  P. 355-526

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04/13/16  XII.  CASE BRIEFS TURNED IN  Finish Airports; Manufacturers  P. 717-758

04/20/16  XIII.  Liability: Accidents  P. 759-806

04/27/16  XIV.  Liability: Insurance  P. 807-846

05/04/16  XV.  International Aviation Law  P. 847-910

FINAL – 5pm May 11, 2016
CURRENT LIST OF CASES

Burbank vs. Lockheed Air Terminal, Inc.,
411 U.S. 624, 36 L.Ed.2d 547, 93 S.Ct. 1854 (1973)

Executive Jet Aviation, Inc. vs. Cleveland,
409 U.S. 249, 34 L.Ed.2d 454, 93 S.Ct. 493 (1972)

U.S. vs. Causby,
328 U.S. 256, 90 L.Ed. 1206 (1946)

Griggs vs. Allegheny,
369 U.S. 84, 7 L.Ed.2d 585, 82 S.Ct. 531 (1962)

Morrison vs. LeTourneau Co.,
138 F.2d 339 (CA5 1943)

Gatenly vs. Altoona Aviation Corp.,
407 F.2d 443 (CA3 1968)

Cox vs. N.W. Airlines,
379 F.2d 893 (CA7 1960)

Rauch vs. United Instruments, Inc.,
548 F.2d 452 (CA3 1976)

Green vs. Zimmerman,
269 S.C. 555, 238 S.E.2d 323 (1977)

Philko Aviation, Inc. vs. Shacket,
462 U.S. 406, 76 L.Ed.2d 678, 103 S.Ct.2476 (1983)

Bryski vs. City of Chicago,

U.S. vs. Varig,
467 U.S. 797, 81 L.Ed.2d 660, 104 S.Ct.2755 (1984)

Trans World Airlines, Inc. vs. Franklin Mint Corp.,

United States vs. Sokolow,
490 U.S. 1, 104 L.Ed.2d 1, 109 S.Ct.1581 (1989)
Chan vs. Korean Air Lines, Ltd.,

Skinner vs. Railway Labor Executives Assn.,

Morales vs. Trans World Airlines, Inc. et al.,
504 U.S. 374, 119 L.Ed.2d 157, 112 S.Ct.2031 (1992)

International Society for Krishna Consciousness, Inc. vs. Lee,
505 U.S. 672, 120 L.Ed.2d 541, 112 S.Ct.2701 (1992)

American Airlines, Inc. vs Wolens,

Northwest Airlines, Inc. vs County of Kent, Michigan,

Eastern Airlines, Inc. vs Floyd,
499 U.S. 530, 113 L.Ed.2d 569, 111 S.Ct.1489 (1991)

McGee vs Cessna Aircraft Company,
139 Cal.App.3d 179, 188 Cal.Rptr.542 (4th Dist.1983)

El Al Israel Airlines vs Tseng,
525 U.S. 155, 142 L.Ed.2d 576, 119 S.Ct.662 (1999)

Sutton vs United Air Lines, Inc.
527 U.S. 471, 144 L.Ed.2d 450, 119 S.Ct. 2139 (1999)

Kyllo vs United States
533 U.S. 27, 150 L.Ed.2d 94, 121 S.Ct. 2038 (2001)
IMPORTANT DATES *
Semester Class Begins: 01/19/2016
Last day to add a class (without instructor permission): 01/24/2016
Last day to withdraw completely and receive a 100% refund: 01/31/2016
Last day to drop a course using SalukiNet: 04/03/2016
Last day to file diploma application (for Spring 2016 Commencement program): 02/12/2016
Final examinations: 05/09–05/13/2016

Note: For outreach, internet, and short course drop-add dates, visit Registrar’s Academic webpage: http://registrar.siu.edu/

SPRING SEMESTER HOLIDAYS
Martin Luther King Jr’s Birthday Holiday 01/18/2016
Spring Break 03/12–03/20/2016

WITHDRAWAL POLICY – Undergraduate only
Students who officially register for a session may not withdraw merely by the stopping of attendance. An official withdrawal form needs to be initiated by the student and processed by the University. For the proper procedures to follow when dropping courses and when withdrawing from the University, please visit http://registrar.siu.edu/catalog/undergraduatecatalog.html

INCOMPLETE POLICY – Undergraduate only
An INC is assigned when, for reasons beyond their control, students engaged in passing classes are unable to complete all class assignments. An INC must be changed to a completed grade within one semester following the term in which the course was taken. Graduation, which occurs first. Should the student fail to complete the course within the one semester following the term in which the course was taken, or graduation, whichever occurs first, the incomplete will be converted to a grade of F and the grade will be computed in the student’s grade point average. For more information please visit: http://registrar.siu.edu/grades/incomplete.html

REPEAT POLICY
An undergraduate student may, for the purpose of raising a grade, enroll in a course for credit no more than two times (two total enrollments) unless otherwise noted in the course description. For students receiving a letter grade of A, B, C, or D, the course repetition must occur within Southern Illinois University Carbondale. Only the most recent (last) grade will be calculated in the overall GPA, and prior grades earned. For full policy visit: http://registrar.siu.edu/catalog/undergraduatecatalog.html

GRADUATE POLICIES
Graduate policies often vary from Undergraduate policies. To view the applicable policies for graduate students, please visit: http://gradschool.siu.edu/about-us/grad-catalog/index.html

DISABILITY POLICY
Disability Support Services provides the required academic and programmatic support services to students with permanent and temporary disabilities. DSS provides centralized coordination and referral services. To utilize DSS services, students must come to the DSS to open cases. The process involves interviews, reviews of student-supplied documentation, and completion of Disability Accommodation Agreements. For more information visit: http://disabilityservices.siu.edu/

PLAGIARISM
Student Conduct Code: http://grc.siu.edu/student-conduct-code/

MORRIS LIBRARY HOURS
http://www.lib.siu.edu/about

SAFETY AWARENESS FACTS AND EDUCATION
Title IX makes it clear that violence and harassment based on sex and gender is a Civil Rights offense subject to the same kind of accountability and the same kind of support applied to offenses against other protected categories such as race, national origin, etc. If you or someone you know has been harassed or assaulted, you can find the appropriate resources here: http://safe.siu.edu

SALUKI CARES
The purpose of Saluki Cares is to develop, facilitate and coordinate a university-wide program of care and support for students in any type of distress—physical, emotional, financial, or personal. By working closely with faculty, staff, students and their families, SIU will continue to display a culture of care and demonstrate to our students and their families that they are an important part of the community. For Information on Saluki Cares, call (618) 453-5714, or sicares@siu.edu, http://salukicare.siu.edu/index.html

EMERGENCY PROCEDURES
Southern Illinois University Carbondale is committed to providing a safe and healthy environment for study and work. We ask that you become familiar with the SIU Emergency Response Plan and Building Emergency Response Team (BERT) programs. Emergency response information is available on posters in buildings on campus and available on BERT’s website at www.ber.ts.siu.edu. Department of Safety’s website at www.dps.siu.edu (disaster drop down) and the Emergency Response Guideline pamphlets. Instructors will provide guidance and direction to students in the classroom in the event of an emergency affecting your location. It is important that you follow these instructions and stay with your instructor during an evacuation or sheltering emergency.

INCLUSIVE EXCELLENCE
SIU contains people from all walks of life, from many different cultures and sub-cultures, and representing all strains of society, nationalities, ethnicities, lifestyles, and affiliations. Learning from and working with people who differ is an important part of education as well as an essential preparation for any career. For more information please visit: http://www.inclusiveexcellence.siu.edu/

LEARNING AND SUPPORT SERVICES
Help is within reach. Learning support services offer free tutoring on campus and math labs. To find more information please visit the Center for Learning and Support Services website:
Tutoring: http://tutorial.siu.edu/
Math Labs: http://math.siu.edu/courses/course-help.php

WRITING CENTER
The Writing Center offers free tutoring services to all SIU students and faculty. To find a Center or Schedule an appointment please visit: http://write.siu.edu/

AFFIRMATIVE ACTION & EQUAL OPPORTUNITY
Our office’s main focus is to ensure that the university complies with federal and state equity policies and handles reporting and investigating of discrimination cases. For more information visit: http://diversity.siu.edu/

Additional Resources Available:

SALUKNET: https://salukinet.siu.edu/sp/home/displayLogin
ADVISEMENT: http://advisement.siu.edu/
PROVOST & VICE CHANCELLOR: http://pveaa.siu.edu/
SIU ONLINE: http://online.siu.edu/

Spring 2016 R.O'Toole