

Problems In Society

Business Law

Chapter 3



Problems in Society

- ◆ Doctrine of public policy – gives the federal and state governments the right to regulate the health, safety, welfare, and morals of the people. Individuals have the right to expect the government to protect them from harm.

Problems in Society

- ◆ Drug use – involves the use of substances that are illegal and harmful, including alcohol and tobacco which are legal for adults but not for teenagers or children
- ◆ Addiction – occurs when a person can no longer function normally without regularly consuming drugs or alcohol, with a tendency to increase use

Problems in Society

- ◆ Alcohol – the most commonly used drug in the United States
 - ◆ A merchant or bartender convicted of selling an alcoholic beverage to someone who is underage may be jailed or fined and may lose the license required to sell such beverages
 - ◆ The underage individual also may be prosecuted for making the illegal purchase

Problems in Society

- ◆ Sobriety Checkpoint – a temporary roadblock set up by police to stop cars at random to check for drunk drivers
- ◆ Drugs – the sale of drugs is always considered a more serious offense than the mere possession or use of those drugs

Problems in Society

- ◆ Domestic Violence – any reckless form of physical or mental abuse between family or household members
 - ◆ The local children's services agency is responsible for taking and investigating reports of child abuse.
 - ◆ Battered wives can seek protection from abusive husbands. A protective order is an order from the court to stop certain actions and cease contact.

Problems in Society

- ◆ Vandalism – the willful or malicious causing of damage to property
- ◆ Shoplifting – the act of stealing goods from a store
 - ◆ Shoplifting losses and the cost of extra security increase retail prices an average of two to three percent
- ◆ Prima facie evidence – the concealment on one's person of an article offered for sale. The evidence is enough to legally establish a fact or a case unless disproved. The defendant who concealed the merchandise would have to prove that he or she did not intend to steal.

Problems in Society

- ◆ Motor Vehicle Violations
 - ◆ Being issued a license to drive a motor vehicle is considered a privilege, not a right
 - ◆ In both drag racing and joyriding, all those who participate, not just the drivers, can be held liable

Problems in Society

- ◆ Delinquent Child – a minor, under a certain age (usually 16, 17, or 18), who has committed an act that would be a crime if done by an adult
- ◆ Unruly Child – a minor who has done something that would not be a crime if it were done by an adult
 - ◆ Ex. Truancy, using tobacco, running away, violating curfew, using profanity, and disobeying parents or teachers

Problems in Society

- ◆ parens patriae – the state is the parent
 - ◆ the government is responsible for children
 - ◆ the state has the duty to see that they receive proper care to correct their tendency to commit misdeeds
- ◆ The goal of the juvenile court system is rehabilitation - to restore the offender to a useful life rather than to impose harsh penalties

Problems in Society

- ◆ Many states try a minor over a certain age (usually 14) as an adult in the criminal court instead of as a minor in juvenile court. This waiver or transfer occurs when the minor has been in serious trouble previously or has committed a violent offense that has caused serious bodily harm.