

WGSD Curriculum
Business Department

Course: Business Law

Grade Level: 9-12

LG 1 Foundations

High Priority Standards

National Standards for Business Education:

I. Basics of the Law

Achievement Standard:

Analyze the relationship between ethics and the law and describe sources of the law, the structure of the court system, different classifications of procedural law, and different classifications of substantive law.

Learning Goal	Proficiency Scale
<p>Students will understand the origins and structure of national legal systems.</p>	<p>Level 4: Student demonstrates an in-depth inference or advanced application or innovates with the learning goal.</p> <p>Level 3: Student demonstrates mastery with the learning goal as evidenced by:</p> <ul style="list-style-type: none"> • Examining the constitutional basis for law and why we have laws. • Explaining the effects that judiciary interpretation has on constitutional law. • Examining how enforceable rules of conduct in a society reflect the culture and circumstances of the time. <p>Level 2: Student demonstrates he/she is nearing proficiency by:</p> <ul style="list-style-type: none"> • Recognizing and recalling specific vocabulary, such as: laws, Code, common law, jurisdiction, constitutional law, statute, case law, civil law, criminal law, procedural law, substantive law, business law, tort, ethics, consequence-based reasoning, civil disobedience, Bill of Rights, due process, amendment, litigate, mediator, arbitrator, original-appellate-general and supreme jurisdiction, circuit court, court of appeals, trial court, U.S. Supreme court, small claims court, municipal court, probate court. • Performing processes such as:

WGSD Curriculum
Business Department

- Identifying procedures established by the federal government such as making amendments to the Constitution.
- Identifying the use of the Constitution and the Bill of Rights as sources of law.
- Describing how the absence of law might affect society.
- Identifying types of courts at each level of government and the courts differing jurisdictions.

Level 1: Student demonstrates a limited understanding or skill with the learning goal.

Learning Targets

Students know how to:

- Distinguish unethical from illegal behavior.
- Explain different ways ethical decisions are made.
- Brainstorm ways businesses can be socially responsible.
- Research specific cases by stating the facts, finding the legal questions, applying the laws, and resolving the issues.
- Justify the constitutionality of various statutes and regulations.
- Construct an argument for the impact of the internet on questions of court jurisdiction.
- Compare and contrast ethics, morals, and law.
- Explain why we have laws.
- Describe the relationship between historical law and today's law.
- Compare and contrast differences in ethical and legal systems from state to state and nation to nation.
- Explain sources of law, such as institutional, case, statutory, administrative.
- Explain the use of the Constitution and the Bill of Rights as sources of law.
- Compare the American legal system with systems in other countries.
- Explain how courts make law and explaining the role of precedent in the legal
- Examine the reasons that certain cases reach the U.S. Supreme Court.
- Examine the reasons that certain cases reach international courts.

WGSD Curriculum
Business Department

- Solve difficult ethical and legal problems.
- Examine ethical problems resulting from contemporary business technology.
- Examine globalization and explain the effects that globalization can have on ethics and law.
- Examine the effect of technology on litigation and related business practices.
- Explain the advantages and disadvantages of arbitration, mediation, and conciliation.
- Define litigation, alternate dispute resolution (ADR), and administrative hearing.
- List the most common sources of the law.
- Identify how government administrative agencies create regulations
- Describe the rights and responsibilities of citizens.
- Explain the differences between local, state, and federal governments.
- Describe the powers and limitations of the federal government as stated in the U.S. Constitution.
- Describe the powers and limitations of state government as found in the U.S. Constitution.
- Identify the basic freedoms guaranteed by the bill of rights.
- Describe several key constitutional amendments beyond the bill of rights.
- Define the concept of stare decisis and explaining the role of precedent in the state and federal legal systems.

WGSD Curriculum
Business Department

Course: Business Law

Grade Level: 9-12

LG 2 Criminal Law

High Priority Standards

National Standards for Business Education:

I. Basics of the Law

Achievement Standard: Analyze the relationship between ethics and the law and describe sources of the law, the structure of the court system, different classifications of procedural law, and different classifications of substantive law.

Learning Goal	Proficiency Scale
<p>Students will understand the basis of criminal law.</p>	<p>Level 4: Student demonstrates an in-depth inference or advanced application or innovates with the learning goal.</p> <p>Level 3: Student demonstrates mastery with the learning goal as evidenced by:</p> <ul style="list-style-type: none"> • Analyzing how civil law varies from criminal law, including offenses against society and offenses against an individual. <p>Level 2: Student demonstrates he/she is nearing proficiency by:</p> <ul style="list-style-type: none"> • Recognizing and recalling specific vocabulary, such as: crime, criminal intent, felony, misdemeanor, infraction, white-collar/blue-collar crime, larceny, robbery, burglary, forgery, bribery, cybercrime, extortion, conspiracy, arson, Miranda Rights, procedural defenses, substantive defenses, self-defense, criminal insanity, immunity, contempt, punishment, plea bargaining, evidence, testimony, witness, verdict, beyond reasonable doubt, jury, bailiff, plaintiff, defendant. • Performing processes such as: <ul style="list-style-type: none"> ○ Identifying the types of crimes described as ‘criminal’.

WGSD Curriculum
Business Department

- Identifying the role of the plaintiff in each type of law.
- Distinguishing a misdemeanor from a felony.
- Identifying and explaining the steps in criminal trials.
- Describing the appellate process in criminal cases.
- Defining different types of business crimes.
- Describing the penalties available in criminal law.
- Differentiating between survival statutes and wrongful death statutes.
- Differentiating between juvenile and adult justice systems.
- Explaining the differences among the categories of crimes, such as felonies, misdemeanors, and petty offenses.

Level 1: Student demonstrates a limited understanding or skill with the learning goal.

Learning Targets

Students know how to:

- Research the consequences of violating criminal law in different countries, and the consequences of violating international law.
- Provide examples of the concept of “white collar crime”.
- Examine alternate defenses to criminal acts (e.g., insanity defense and self-defense).
- Identify the types of federal and state statues designed to combat computer crime.
- Critiquing the statutory and Supreme Court death penalty decisions and the criteria used to decide them.
- Comparing and contrasting the impact and consequences of selected criminal violations on businesses.
- Comparing and contrasting the steps in a civil law suit with the steps in a criminal prosecution.

WGSD Curriculum
Business Department

Course: Business Law

Grade Level: 9-12

LG 3 Civil and Tort Law

High Priority Standards	
<p>National Standards for Business Education:</p> <p>I. Basics of the Law</p> <p>Achievement Standard: Analyze the relationship between ethics and the law and describe sources of the law, the structure of the court system, different classifications of procedural law, and different classifications of substantive law.</p>	
Learning Goal	Proficiency Scale
<p>Students will understand the basis of civil and tort law.</p>	<p>Level 4: Student demonstrates an in-depth inference or advanced application or innovates with the learning goal.</p> <p>Level 3: Student demonstrates mastery with the learning goal as evidenced by:</p> <ul style="list-style-type: none"> • Explaining the consequences of violating civil law in different countries. • Explaining the concepts of the reasonable person test and proximate cause. • Explaining the concept of strict liability and describe circumstances under which it is imposed. • Applying “negligence per se” as appropriate. <p>Level 2: Student demonstrates he/she is nearing proficiency by:</p> <ul style="list-style-type: none"> • Recognizing and recalling specific vocabulary, such as: duty, breach, injury, causation, intentional torts, assault, battery, false imprisonment, defamation, invasion of privacy, trespass to land, conversion, fraud, negligence, strict liability, punitive/compensatory damages,

WGSD Curriculum
Business Department

	<p>contingency pay, judgment, and “negligence per se.”</p> <ul style="list-style-type: none">• Performing processes such as:<ul style="list-style-type: none">○ Listing and explaining the steps in civil trials.○ Describing the appellate process in civil cases.○ Distinguishing between a tort and a crime.○ Differentiating between, and give examples of, negligence and intentional torts.○ Describing the remedies available in tort law.○ Identifying the concepts of vicarious liability. <p>Level 1: Student demonstrates a limited understanding or skill with the learning goal.</p>
<p style="text-align: center;">Learning Targets</p> <p>Students know how to:</p> <ul style="list-style-type: none">• Define tort law.• Identify common torts (e.g., assault, battery, defamation, negligence, product liability).• Explain penalties associated with torts.• Identify improper use of business technology and property (e.g., computers, personal digital assistants, cell phones, telephones).	

WGSD Curriculum
Business Department

Course: Business Law

Grade Level: 9-12

LG 4 Contract Law

High Priority Standards

National Standards for Business Education:

II. Contract Law, Law of Sales, and Consumer Law

Achievement Standard: Analyze the relationships between contract law, law of sales, and consumer law.

Learning Goal	Proficiency Scale
Students will understand the fundamentals of contract law.	Level 4: Student demonstrates an in-depth inference or advanced application or innovates with the learning goal. Level 3: Student demonstrates mastery with the learning goal as evidenced by: <ul style="list-style-type: none">○ Analyzing the effects of a contract on a minor.○ Explaining the need for a contract and the effects of a breach of contract.○ Describing the purpose of the Statute of Frauds.○ Explaining how the Uniform Commercial Code applies to the sale of goods and interstate commerce. Explain the impact of the Uniform Commercial Code on interstate commerce. Level 2: Student demonstrates he/she is nearing proficiency by: <ul style="list-style-type: none">• Recognizing and recalling specific vocabulary, such as: contract, offer, genuine assent, legality, consideration, capacity, offeree/offeror, test of reasonable person, right of revocation, duress, undue influence, forbearance, mental capacity, intoxication, unconscionability, statute of

WGSD Curriculum
Business Department

	<p>frauds, breach of contract, remedy, restitution, consequential money damages, liquidated money damages, nominal damages, decree for specific performance, sale, price, goods, vendor/vendee, bill of sale, merchant, casual seller, caveat emptor, sale or return, sale on approval, auction, risk of loss, consumer protection, Food and Drug Administration, false and misleading advertising, lottery, confidence game, Consumer Product Safety Commission. Warranty, puffing, marriage, prenuptial agreement, annulment, divorce, dissolution, custody, child support, alimony</p> <ul style="list-style-type: none">• Performing processes such as:<ul style="list-style-type: none">○ Identifying environmental issues, property rights, contracts, consumer rights, labor-management relations, and competition in the marketplace.○ Identifying types and purposes of taxation.○ Explaining how offer and acceptance can create contractual rights and duties.○ Defining counteroffer and describe the effects of a counteroffer in various contractual situations.○ Explaining the six essential elements of a contract. <p>Level 1: Student demonstrates a limited understanding or skill with the learning goal.</p>
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WGSD Curriculum
Business Department

Learning Targets

Students know how to:

- Investigate problems created when contracts are negotiated and entered into over the Internet.
- Interpret selected contract clauses such as mandatory arbitration agreements and choice of forum clauses.
- Analyze the impact of international law on contracts.
- Decide when title and risk of loss pass in a sale of goods.
- Distinguish between rejection of nonconforming goods and revocation of acceptance.
- Decide how express warranties, implied warranties, and the warranty of title arise, and describe how each of the warranties may be excluded or modified.
- Generate possible reasons why the U.S. Congress enacted the Magnuson-Moss Warranty Act, and inferring the Act's principal features.
- Investigate the remedies of the seller when the buyer breaches the sales contract and for the buyer when the seller breaches the sales contract.
- Research the circumstances in which the parties may limit the damage recovery of the opposing party.
- Decide when the statute of limitations usually begins and ends in a sales transaction.
- Determine when a contract for the sale of goods must be evidenced in writing.
- Determine performance obligations of the seller and buyer in a typical sales transaction and define the terms FOB., F.A.S., C.I.F., CE, and C.& F and state the legal consequences of using them.
- Judge the impact of the laws of different countries on sales transactions.
- Investigate the impact of international law on sales transactions.
- Detect the principal differences between the Uniform Commercial Code and the UN Convention on Contracts for the International Sale of Goods.
- Describe the creation of government-provided goods and services.
- Debate the effects of a sale-on-consignment and a sale-on-approval.
- Critique the role of U.S. and state attorney generals in enforcement of consumer protection statutes.
- Discuss the impact of different state laws concerning consumer protection for businesses using the internet or involved in e-commerce.
- Determine whether or not an agreement is definite enough to be enforced as a contract.
- Understand the ways that assent can be undermined (e.g., fraud, nondisclosure, misrepresentation, mistake, duress, and undue influence).

WGSD Curriculum
Business Department

- Define different types of consideration and listing the exceptions to the requirements of consideration.
- Identify categories of people who lack contractual capacity.
- Describe the concept of unconscionability and compare it to illegality.
- List the essential information that should be included in writing under the statute of frauds.
- Describe the various rules applied to the interpretation of contracts.
- Explain the various rules applied to contracts involving third parties.
- List the ways a contract can be discharged.
- Describe breach of contract and the remedies available when a contract is breached.
- Discuss the impact of the laws of different countries on contractual transactions.
- Identify the source of law that applies to contracts for (a) goods, (b) services, and real property.
- Explain when to apply the law of sales and leases of goods under the Uniform Commercial Code (UCC).
- Outline special rules that apply to sales contracts that do not apply to other contracts.
- Clarify when sales contracts must be in writing and state the exceptions.
- Determine whether a particular writing meets the requirements of the UCC for the sale of goods.
- Compare an auction with reserve with an auction without reserve.
- Discuss the issue of taxation and e-commerce.
- Define consumer protection legislation (e.g., Federal Trade Commission Act, Consumer Product Safety Act, and Consumer Leasing Act)
- Determine the terms “unfair business practice” and “false and misleading advertising”.
- Describe the consequences of violating consumer statutes and define the term “civil penalty”.
- Explain the purpose of the Consumer Product Safety Act.
- Compare classes of contracts, such as bilateral and unilateral, express and implied, and oral and written.

WGSD Curriculum
Business Department

Course: Business law
Grade Level: 9-12
LG 5 Employment Law

High Priority Standards	
<p>NBEA Standards Business Law III. Agency and Employment Achievement Standard: Analyze the role and importance of agency law, and employment law as they relate to the conduct of business in the national and international marketplaces.</p>	
Learning Goal	Proficiency Scale
<p style="text-align: center;">Students will understand the fundamentals of employment law.</p>	<p>Level 4: Student demonstrates an in-depth inference or advanced application or innovates with the learning goal.</p> <p>Level 3: Student demonstrates mastery with the learning goal as evidenced by:</p> <ul style="list-style-type: none"> • Describing the rights and responsibilities of employees and employers. • Evaluating the ethical basis for laws governing the workplace. • Comparing the impact of the laws of different countries on employment. <p>Level 2: Student demonstrates he/she is nearing proficiency by:</p> <ul style="list-style-type: none"> • Recognizing and recalling specific vocabulary, such as: employer/employee, duty of obedience, duty of loyalty and honesty, duty of reasonable skill, duty of reasonable performance, Fair Labor Standards Act, minimum wage, overtime, workers compensation, wrongful discharge, unemployment compensation, unions, collective bargaining, deadlocked, mediation, lock-out, strike, picketing,

WGSD Curriculum
Business Department

	<p>featherbedding, boycott, protected classes, employment discrimination, disparate treatment, bona fide occupational qualifications, business necessity, seniority, quid pro quo, hostile environment, affirmative action, disability, assumption of the risk, negligence, Occupational Safety and Health Administration (OSHA), casual workers,</p> <ul style="list-style-type: none"> • Performing processes such as: <ul style="list-style-type: none"> ○ Identifying federal, state, and local laws and agencies dealing with employment. ○ Identifying the legal grounds for employee termination. ○ Identifying legislation that regulates employment conditions, worker benefits and employee rights. ○ Identifying legislation that regulates union activities. <p>Level 1: Student demonstrates a limited understanding or skill with the learning goal.</p>
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Learning Targets

Students know how to:

- Research the impact of international law on employment.
- Explain the relationship of Title VII of the Civil Rights Act to employment.
- Explain the difference between disparate treatment and disparate impact in discrimination cases.
- Summarize the 1972, 1978, and 1991 amendments to the Civil Rights Act of 1964.
- Determine what questions can and cannot be asked during an employment interview.
- Describe the employer’s responsibilities to verify an employee’s status in the U.S.
- Demonstrate an understanding of the basis on which employees or applicants may be asked to take tests (e.g., aptitude, psychological, polygraph, and drug tests).
- Explain the following legislation and Acts that impact workers in the United States: Fair Labor Standards Act, Immigration Reform and Control Act, Employment Retirement Income Security Act (ERISA), Occupational Safety and Health Act, Unemployment Insurance, Pension Protection, Workers’ Compensation, Social Security legislation, National Labor

WGSD Curriculum
Business Department

Relations Act, Taft-Hartley Act Landrum-Griffin Act, the Worker Adjustment And Retraining Notification Act (WARN), Americans with Disabilities Act, Age Discrimination in Employment Act, Family and Medical Leave Act, the Uniformed Services Employment and Reemployment Rights Act, Older Workers Benefit Protection Act.

- File a grievance.
- Judge the impact of no-competition and confidentiality clauses in employment agreements.
- Critique the role and responsibilities of the employer in providing employee benefits such as health care and retirement plans.
- Investigate the impact of immigration regulations to the operation of businesses.

WGSD Curriculum
Business Department

Course: Business Law
Grade Level: 9-12
LG 6 Business Organization

High Priority Standards	
<p>NBEA Standards Business Law IV. Business Organizations Achievement Standard: Describe the major types of business organizations, including sole proprietorships, partnerships, corporations, and limited liability companies, operating within the socioeconomic arena of the national and international marketplace.</p>	
Learning Goal	Proficiency Scale
<p>Students will understand the forms of business organizations.</p>	<p>Level 4: Student demonstrates an in-depth inference or advanced application or innovates with the learning goal.</p> <p>Level 3: Student demonstrates mastery with the learning goal as evidenced by:</p> <ul style="list-style-type: none"> • Analyzing the legal requirements and the advantages of different types of businesses such as sole proprietorship, partnership, and corporations. • Comparing and describing the laws that would impact forming and operating a business. • Analyzing the impact of the laws of different countries on partnerships, limited liability companies, and corporations. <p>Level 2: Student demonstrates he/she is nearing proficiency by:</p> <ul style="list-style-type: none"> • Recognizing and recalling specific vocabulary, such as: sole proprietorship, partnership, corporation, liability, limited liability,

WGSD Curriculum
Business Department

dissolution, joint venture, limited partnership, nonprofit, stock, dividend, board of directors, merger, consolidation, S corporation, limited liability corporation, Interstate Commerce Commission (ICC), Federal Trade Commission (FTC), Securities and Exchange Commission (SEC), Federal Communications Commission (FCC), National Labor Relations Board (NLRB), Equal Employment Opportunity Commission (EEOC), Consumer Product Safety Commission (CPSC), Food and Drug Administration (FDA), Occupational Safety and Health Administration (OSHA), Environmental Protection Agency (EPA), Nuclear Regulatory Commission (NRC).

- Performing processes such as:
 - Distinguishing between a limited partnership and a general partnership.
 - Differentiating between other partnership-type business organizations (e.g., joint ventures, limited partnership associations, and registered partnerships having limited liability).
 - Differentiating between types of corporations (e.g., profit nonprofit, professional, domestic, foreign, and alien corporations).
 - Describing the steps involved in forming a corporation.
 - Identifying shareholder rights and preemptive rights.
 - Identifying federal, state, territory, and province statutes that regulate corporations.
 - Explaining the steps in forming a limited liability company.

Level 1: Student demonstrates a limited understanding or skill with the learning goal.

WGSD Curriculum
Business Department

Learning Targets

Students know how to:

- Develop an argument for the phrase “blue-sky laws” and provide some examples.
- Critique the relevance of federal and state securities regulations to general and limited partnerships.
- Critique the role and responsibility of directors and officers regarding the sale of shares of stock and other securities.
- Debate the role of the S.E.C. and identify potential consequences of violating S.E.C. regulations.
- Research the characteristics of a franchise and analyze where it fits in the economic and legal framework.
- Describe legislation that affects partnerships (e.g., Uniform Partnership Act and Revised Uniform Partnership Act).
- Explain the property rights involved in partnerships under the Uniform Partnership Act (UPA) and the Revised Uniform Partnership Act (RUPA) (e.g., tenancy in partnership and sharing of profits).
- Contrast the process of ending a partnership under the UPA and/or the RUPA.
- Explain the difference between the disassociation and the dissolution of a partnership.
- Describe how the Revised Uniform Limited Partnership Act affects limited partnerships.
- Explain the rights and duties of limited partners and general partners in a limited partnership.
- Discuss the distribution of assets after the dissolution of a limited partnership.
- Recognize the circumstances under which the courts may disregard the corporate entity and “pierce the corporate veil”.
- Restate the functions of the board of directors and officers of a corporation with regard to control of corporate affairs.
- Differentiate between common and preferred stock.
- Summarize the advantages and disadvantages of doing business as a limited liability company.
- Describe the nature of management responsibilities in a limited liability company.
- Explain the effects of the tax code on limited liability companies
- Describe the ways corporate existence may be terminated.
- Define a limited liability company.
- Explain the nature of the shareholders’ liability.
- Describe when promoters, directors, and officers are liable to the corporation, shareholders, and third persons.
- Describe how shareholders can increase their voting control within a corporation.
- Differentiate between direct and derivative shareholder lawsuits.
- Differentiate between types of corporate expansion (e.g., mergers, consolidations, and conglomerates).

WGSD Curriculum
Business Department

Course: Business Law

Grade Level: 9-12

LG 7 Property Law

High Priority Standards	
<p>NBEA Standards Business Law V. Property Law Achievement Standard: Explain the legal rules that apply to personal property, [and] real property and intellectual property.</p>	
Learning Goal	Proficiency Scale
<p>Students will understand the rights and responsibilities of consumers under property law.</p>	<p>Level 4: Student demonstrates an in-depth inference or advanced application or innovates with the learning goal.</p> <p>Level 3: Student demonstrates mastery with the learning goal as evidenced by:</p> <ul style="list-style-type: none"> • Analyzing the impact of international law on personal property transactions and intellectual property. • Comparing the federal agencies that provide consumer protection information. • Evaluating the impact of relevant laws on insurance requirements. • Describing the civil and criminal consequences for infringing on the intellectual property rights of another. • Describing how each type of intellectual property is created and legally protected. • Describing the legal aspects of a real estate transaction. • Analyzing the laws specifically related to negotiable instruments, such as drafts, checks, promissory notes, certificates of deposit.

WGSD Curriculum
Business Department

	<p>Level 2: Student demonstrates he/she is nearing proficiency by:</p> <ul style="list-style-type: none">• Recognizing and recalling specific vocabulary, such as: property, real property, intellectual property, copyright, trademark, patent, trade secret, joint tenancy, right of survivorship, community property, lease, rent, landlord, eviction, subletting, insurance, beneficiary, premium, risk, insurable interest, property/casualty insurance, coinsurance, liability, life insurance, health insurance, social insurance, decedent, intestate/testate, estate, will, codicil, holographic will, nuncupative will, amendment, escheats, trust/trustee• Performing processes such as:<ul style="list-style-type: none">○ Recognizing the different methods by which property is acquired.○ Identifying methods of transferring real property other than by sale.○ Identifying the purpose of copyright and patent laws concerning tangible and intangible property.○ Identifying federal and state laws that provide consumer protection.○ Identifying the reasons bankruptcy laws were created.○ Identifying the forms of co-ownership of real property.○ Distinguishing between real property and personal property.○ Listing and define the different types of intellectual property, such as trademark, tradename, trade dress, copyright, patent, trade secret.○ Identifying how intellectual property rights terminate or can be lost. <p>Level 1: Student demonstrates a limited understanding or skill with the learning goal.</p>
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WGSD Curriculum
Business Department

Learning Targets

Students know how to:

- Interpret the protections given in copyright and trademark matters by the Patent Cooperation Treaty and the Paris Convention for the Protection of Industrial Property.
- Distinguish between utility patents, design patents, and plant patents.
- Discuss the principal features of the Federal Patent Statute.
- Explain copyright law, including the procedure for obtaining a copyright, copyright infringement, and the fair use doctrine.
- Distinguish among liens, licenses, and easements and explaining the differences.
- Listing the major estates in real property and describing the major features of each.
- Differentiate between a lease and a deed.
- Interpret rights and obligations of landlords and tenants on termination of a lease including lawful and unlawful eviction procedures.
- Compare condominium, cooperative, and timeshare ownership of real property.
- Qualifying the impact of zoning regulations on the use of property for business purposes.
- Discuss government power of eminent domain and property ownership rights.
- Describe the method of transferring title (deeding) to real property.
- Label the kinds of rental relationships that landlords and tenants may create.
- Compare the four kinds of deeds in common use and point out when each would be used