

# Consumer Law

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Elon Law School  
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Tuesdays & Thursdays, 8:30 - 10:30 am  
Room B106

## Description

This course surveys federal and state laws regulating consumer purchases and finance. After completing the course, you should have a general understanding of consumer law (including sources of law, scope of coverage, enforcement mechanisms, and available remedies). The problem-solving approach is intended to develop practical skills for advising and representing clients in consumer transactions and disputes.

## Course Material

Katherine Porter, *Modern Consumer Law* (Aspen 2016) (“Casebook”)

Additional resources are available on the course website: [emfink.net/ConsumerLaw](https://emfink.net/ConsumerLaw)

## Requirements & Grading

Class sessions will be devoted primarily to problem-solving exercises based on the assigned reading. This format depends on every student’s thorough preparation before class and active participation during class. Final grades will be based on in-class performance (40%) and written problem assignments (60%). Excessive absences (3 or more), lack of preparation, or inattention during class may result in a grade reduction. The Law School honor code applies to all activities related to your law school study, including class meetings and exams.

Elon Law School has adopted the following attendance policy for all courses:

*The Law School administers a policy that a student maintain regular and punctual class attendance in all courses in which the student is registered, including externships, clinical courses, or simulation courses. Faculty members will give students written notice of their attendance policies before or during the first week of class. These policies may include, but are not limited to: treating late arrivals, early departures, and/or lack of preparation as absences; imposing grade or point reductions for absences, including assigning a failing grade or involuntarily withdrawing a student from the class; and any other policies that a professor deems appropriate to create a rigorous and professional classroom environment.*

*In case of illness or emergency, students may contact the Office of Student and Professional Life, which will then notify the student’s instructors. A student may notify the faculty member directly of a planned*

absence and should refer to individual faculty members regarding any policy that may apply. In the case of prolonged illness or incapacity, the student should contact the Office of Student and Professional Life.

## Outline & Reading Assignments

### 1 Overview of Consumer Law

January 4

- Casebook, Chapters 1, 2, & 3

### 2 Communicating With Consumers

#### 2.1 Solicitations

January 9

- Casebook, Chapter 4

#### 2.2 Advertising

January 11

#### 2.3 Problems

Due January 15

- 4.1 & 5.1
- Casebook, Chapter 5

### 3 Consumer Information

#### 3.1 Consumer Privacy & Identity Theft

January 16

- Casebook, Chapter 6
- Kelly Gates, [The Securitization of Financial Identity](#), 20 *Journal of Communication Inquiry* 1 (2010)

#### 3.2 Credit Reporting & Discrimination

January 18

- Casebook, Chapters 7 & 8
- Josh Lauer, [The Good Consumer: Credit Reporting & the Invention of Financial Identity in the United States, 1840-1940](#), 11 *Enterprise & Society* 686 (2010)

#### 3.3 Problems

Due January 22

- 6.1, 7.1, & 8.1

## **4 Getting What You Pay For**

### **4.1 Unfair or Deceptive Acts or Practices**

*January 23*

- Casebook, Chapter 9

### **4.2 Warranties**

*January 25*

- Casebook, Chapter 10

### **4.3 Problems**

*Due January 29*

- 9.1 & 10.1

## **5 Consumer Finance**

### **5.1 Usury & Credit Cost Disclosures**

*January 30*

- Casebook, Chapters 11 & 12

### **5.2 Credit Cards**

*February 1*

- Casebook, Chapter 15

### **5.3 Payday & Student Loans**

*February 6*

- Casebook, Chapters 17 & 18
- CFPB, [Payday Loans & Deposit Advance Products](#) (2013)
- Louise Seamster & Raphaël Charron-Chénier, [Predatory Inclusion & Education Debt: Rethinking the Racial Wealth Gap](#), 4 *Social Currents* 199 (2017)

### **5.4 Banking Transactions**

*February 8*

- Casebook, Chapter 19

### **5.5 Problems**

*Due February 19*

- 12.1, 15.1, & 19.1

## **6 Perilous Purchases**

### **6.1 Automobile Transactions**

*February 13*

- Casebook, Chapter 16

### **6.2 Online Transactions**

*February 15*

- Casebook, Chapter 20

## **7 Enforcement & Remedies**

### **7.1 Creditor Remedies**

*February 20*

- Casebook, Chapter 21

### **7.2 Debtor Rights**

*February 22*

- Casebook, Chapter 22

### **7.3 Debt Collection Abuses**

*February 27*

- Casebook, Chapter 23

### **7.4 Public Enforcement**

*March 1*

- Casebook, Chapter 24

### **7.5 Private Enforcement**

*March 6*

- Casebook, Chapter 25

### **7.6 Alternative Dispute Resolution**

*March 8*

- Casebook, Chapter 26

### **7.7 Problems**

*Due March 11*

- 21.I, 23.I, & 26.I

## **8 W(h)ither Consumer Law?**

### **8.1 The Future of Consumer Law**

*March 13*

- Casebook, Chapter 27