

COURSE SYLLABUS

Faculty: **Professor David Weiser**

Course: **Banking Law**

Semester: **Autumn 2013**

Meeting Schedule: **Tuesday 4:45-7:45**
(except Oct 8; class instead is Thurs Oct 10, 4:45-7:45)

Room: **240-A**

Welcome to Banking Law! Our focus will be primarily on the United States banking system, but increasing globalization and atomization of financial transactions means that we will cover some international aspects as well as certain types of non-bank financial institutions. We will quickly set a base of business concepts that are core to banking, continue by building the foundation of historical legislation, judicial decision, regulation and commercial practices at the center of U.S. banking law, and move to the current cutting edge where financial institutions today compete to offer new products and services within a rapidly changing legal and market framework.

You are accountable to read assignments before the scheduled class and to come prepared to participate actively with relevant questions and insights. Your classroom participation and your Research Project constitute the basis for your grade, and they will be evaluated upon the quality and clarity of your legal analyses as well as the persuasiveness and effective leadership you demonstrate in putting forth your thoughts.

Financial legal jobs in this field include: private law practice assisting clients with an array of legal compliance and business law issues; federal and state government regulatory counsel; in-house financial institution counsel; legislative drafting and lobbying practice; and civil and criminal litigation involving financial claims and crimes. We will seek to have practitioners from several of these areas visit our class to provide their perspectives.

	<u>Primary Text</u>	<u>Primary Text</u>
Author:	Broome & Markham	Broome & Markham
Title and edition of text:	Regulation of Bank Financial Service Activities (4 th Ed.)	Selected Statutes & Regulations
Publisher/year:	Thompson - 2011	Thompson - 2011
ISBN:	978-0-314-26608-8	978-0-314-26852-5

Learning Outcomes for the Course:

- Clear grasp of the regulatory structure of the financial institutions industry;
- Knowledge of important legal developments in financial institutions law;
- Ability to analyze key issues in federal and state legislation, agency regulation, court decision, and business practice relating to financial institutions.

Course Expectations:**HUSL Policies on attendance, lateness and preparation**

The program of instruction at the School of Law is based on an active and informed exchange between instructor and student and between student and student. Regular, prepared class attendance helps develop skills essential to the competent practice of law. A student who violates the attendance policy, including the instructor's specification of class expectation described below, may lose his or her right to receive course credit or may receive other penalties described below and in Academic Rule 108. Persistent or frequent lateness or unpreparedness may also be the basis for reduction of the grade awarded in a course. See Academic Rule 108 for further details.

Attendance Policies in this Course

Anyone with more than six unexcused absences may lose the right to receive course credit.

Punctuality/Preparation Policies in this Course

You are expected to come to class prepared to discuss the readings assigned. Your attendance is your representation that you have read the assignment and are prepared to discuss the material. Please contact me in advance if an unusual situation prevents you from being prepared and I will authorize ONE "pass" from full participation during the term. Your presence, participation, and performance will be part of your final grade in the class.

You are expected to arrive on time. Any student who arrives late may be asked to leave the class and will be given an absence for the day. If you know in advance that you need to arrive a few minutes late or leave a few minutes early, please e-mail me to let me know why and respectfully enter the classroom.

Please treat class attendance as if this were a business meeting or court appearance. Be professional.

Policy on Laptop Use in Class:

You may use laptop computers in this class. Since you will soon be lawyers, please treat laptop usage professionally, as if you were in a business meeting. Please be respectful of the instructor and other students in the class. Any student using the laptop during class for personal e-mail, Facebook, games, surfing websites unrelated to the banking law class, or otherwise disturbing other class members through inappropriate use will be asked to leave the class immediately and will be given an absence for the day.

COMPONENTS OF COURSE GRADE:

1. Each student must complete one Research Project – topics will be chosen during Week Four of the semester, with 20-page individual papers due at the beginning of the first class after spring break. Students who choose to submit a 25-page paper for this course requirement will also satisfy the Business Law Certificate requirement. Student presentations will be scheduled during the last four weeks of class. Your individual paper will count for 65% of your grade.
2. Each student will deliver a powerpoint presentation to the class based on the individual paper. The presentations will be judged on professional presence, content, conclusions, ability to answer questions, persuasiveness, and visual aids. This presentation will count for 10% of your grade.
3. Attendance will count for 10% of your grade. Anyone with more than six unexcused absences may be excluded from the course.
4. Class preparedness and active participation in classroom discussion will count for 15% of your grade. You are expected to come to class prepared to discuss the readings assigned. Your attendance is your representation that you have read the assignment and are prepared to discuss the material. Please contact me in advance if an unusual situation prevents you from being prepared and I will authorize one “pass” from full participation during the term. In advance of Week 3, each student will be assigned to lead one week's class discussion of a directly-relevant reading outside of the main textbook -- absent compelling circumstances, you cannot be excused from attending the week's class for which you are assigned to lead this discussion.

Initial reading assignments:

1. First Class: Chapter One, Broome & Markham: History of Banking Regulation in America (read before class).

Week 1	Tuesday, August 27	First, very quickly skim Chapter Three pp 132 -162; Then read Chapter One – pp 1-38
Week 2	Tuesday, September 3	Chapter One – read pp 38-71
Week 3	Tuesday, Sept. 10	Chapter Two – read pp 72-114
Week 4	Tuesday, Sept. 17	Chapter Two -- read pp 114-131
Week 5	Tuesday, Sept. 24	Chapter Three – read pp 132-169
Week 6	Tuesday, October 1	Chapter Three – read pp 169-183
Week 7	Thursday, October 10	Chapter Four – read pp 184-231
Week 8	Tuesday, October 15	Chapter Four – read pp 231-268
MID-TERM BREAK WEEK – October 16 – October 20 <u>PAPERS DUE: OCTOBER 22</u>		
Week 9	Tuesday, October 22	A schedule of Readings and Dates for student presentations for the rest of the semester will be provided during week 8, the week before Mid-Term Break.
Week 10	Tuesday, October 29	
Week 11	Tuesday, November 5	
Week 12	Tuesday, Nov. 12	
Week 13	Tuesday, Nov. 19	Barring any schedule developments, last class for the semester is Tuesday, November 19
Final Exams: December 5 –December 18		

Rev. Aug. 7, 2013