

# Consumer Protection

Eric M. Fink  
[efink@elon.edu](mailto:efink@elon.edu)  
336-279-9334  
Office Hours: [calendly.com/emfink](https://calendly.com/emfink)

Elon Law School  
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Tuesdays & Thursdays, 8:30 - 10:30 am  
Room Bio6

## 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.

## Materials

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

The course website, [emfink.net/ConsumerProtection](http://emfink.net/ConsumerProtection), has subject outlines, visual aids, practice problems, and links to statutes and other resources.

## Policies

### *Grading*

Your final grade for the course will be based on written problem assignments (60%) and in-class performance (40%). There will be no final exam for this course.

The in-class performance component depends on your preparation before class (completing all assigned reading and reviewing problems), regular and prompt class attendance, and constructive engagement during class. Elon Law School’s standards and ABA guidance for awarding course credit assume at least two hours of out-of-class student work for each hour of classroom instruction.

### *Attendance*

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.*

Excessive absences (more than 2 classes) may result in a reduction of your grade.

### *Disability Accommodations*

For disability accommodation requests, contact the [Elon Law Registrar's Office](#).

### *Honor Code*

The Law School [honor code](#) applies to all activities related to your law school study, including conduct during class and examinations.

## **Outline & Assignments**

### **1 Overview of Consumer Law**

- Casebook, Chapters 1, 2, & 3

### **2 Communicating With Consumers**

#### **2.1 Solicitations**

- Casebook, Chapter 4

#### **2.2 Advertising**

- Casebook, Chapter 5

*Problems 4.1 & 5.1, due January 15*

### **3 Consumer Information**

#### **3.1 Consumer Privacy & Identity Theft**

- Casebook, Chapter 6

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

### **3.2 Credit Reporting & Discrimination**

- 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)

*Problems 6.1, 7.1, & 8.1, due January 22*

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

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

- Casebook, Chapter 9

### **4.2 Warranties**

- Casebook, Chapter 10

### **4.3 Problems**

- 9.1 & 10.1

## **5 Consumer Finance**

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

- Casebook, Chapters 11 & 12

### **5.2 Credit Cards**

- Casebook, Chapter 15

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

- 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**

- Casebook, Chapter 19

*Problems 12.1, 15.1, & 19.1, due February 19*

## **6 Perilous Purchases**

### **6.1 Automobile Transactions**

- Casebook, Chapter 16

### **6.2 Online Transactions**

- Casebook, Chapter 20

## **7 Enforcement & Remedies**

### **7.1 Creditor Remedies**

- Casebook, Chapter 21

### **7.2 Debtor Rights**

- Casebook, Chapter 22

### **7.3 Debt Collection Abuses**

- Casebook, Chapter 23

### **7.4 Public Enforcement**

- Casebook, Chapter 24

### **7.5 Private Enforcement**

- Casebook, Chapter 25

### **7.6 Alternative Dispute Resolution**

- Casebook, Chapter 26

*Problems 21.1, 23.1, & 26.1, due March 11*

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

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

- Casebook, Chapter 27