

Consumer Law
The John Marshall Law School
Professor David E. Sorkin
Summer 2007

SYLLABUS

Overview

This course examines concerns particular to consumer transactions in formation, substance, and remedies. Topics include advertising; consumer sales practices and contracts; consumer credit practices; fraud; warranties; and product standards and safety. Regulatory, statutory, and common-law obligations and remedies (both state and federal) will be addressed, with an emphasis on federal consumer protection statutes.

The course meets on Monday and Wednesday evenings at 6:00 pm from June 4 through July 18. Class will not meet on June 16, June 18, or July 4. Class sessions are scheduled to end at 8:50 pm, but some sessions may be extended by up to an additional hour to make up for the cancelled classes, and one or two additional make-up sessions may be scheduled. The examination will be given on Monday, July 23.

The website for the course is located at www.consumerlawclass.com.

Instructor

David E. Sorkin, Associate Professor of Law
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Textbooks

- Douglas J. Whaley, *Problems and Materials on Consumer Law* (Aspen 4th ed. 2006) (ISBN-13: 978-0-7355-5809-0, list price \$109)
- Douglas G. Baird et al., *Commercial and Debtor-Creditor Law: Selected Statutes* (Foundation Press 2006 ed.) (ISBN-13: 978-1-59941-104-0, list price \$40)

Note: If you already have a similar statutory supplement, you may use it for this course as long as it is relatively current and includes the relevant consumer law statutes and regulations. The “abridged” version of *West’s Selected Commercial Statutes* and Warren and Walt’s *Commercial Law: Selected Statutes* both omit many of the required materials and thus will not work for this course.

Course Requirements and Grading

1. Attendance and Class Participation

Regular attendance, preparation, and active participation are expected. Students who miss more than three class meetings will not be eligible to receive credit for the course. Class attendance and participation will account for 20% of the course grade.

2. Reports

Each student will be assigned to submit brief reports to supplement the assigned readings on one or more selected topics. The content and length of these reports will vary depending upon the topic. You may choose to present an overview of the topic, or you may prefer to focus on a particular aspect of the topic that is of interest to you. In either case, you should check whether there are significant Illinois state statutes or regulations that are not adequately covered in the assigned readings, and if so, you should summarize them in the report. You may also choose to report on recent legal developments related to your topic, such as new federal legislation, U.S. Supreme Court or other major court decisions, etc.

The reports may be submitted via e-mail or in hard copy. A sample report will be posted on the course website. You should be prepared to discuss the contents of your report in class; a formal presentation to the class is not expected unless you are absent when the topic is covered in class.

Unless otherwise announced, the reports should be submitted on or before the date on which the topic is covered in class. Late reports will receive at most partial credit, and in no event will any reports be accepted after the last class meeting.

The reports will account for 20% of the course grade.

3. Examination

The final examination will account for the remaining 60% of the course grade. The examination will be closed-book; any necessary statutes or other information will be included in the examination booklet. Make-up examinations will be given only for good cause, and barring extraordinary circumstances must be taken before rather than after the scheduled examination date. If you wish to request a make-up examination or have any other concerns that may affect the anonymity of your examination, please contact the Registrar rather than speaking with me directly.

Schedule of Topics and Reading Assignments

Additional required reading assignments may be announced in class. In addition to the pages listed below, you will also need to consult relevant statutes and regulations. Materials that are not in the casebook or statutory supplement will normally be available at www.consumerlawclass.com.

Monday, June 4	Fraud: Casebook pages 1-32 Deceptive Practices: Casebook pages 33-57
Wednesday, June 6	Deceptive Practices, continued: Casebook pages 57-103
Monday, June 11	Deceptive Practices, continued: Casebook pages 103-176
Wednesday, June 13	Product Liability: Casebook pages 177-194 State Warranty Law: Casebook pages 194-202 Warranties and the Sale of Homes: Casebook pages 202-212 Magnuson-Moss Warranty Act: Casebook pages 213-222 Consumer Product Safety Act: Casebook pages 222-259
Monday, June 25	Payment and Consumers: Casebook pages 261-334
Wednesday, June 27	Credit Reporting: Casebook pages 335-372 Equal Credit Opportunity Act: Casebook pages 372-406
Monday, July 2	Truth in Lending—Disclosure: Casebook pages 407-515
Monday, July 9	Truth in Lending—Remedies: Casebook pages 517-583 Supplemental materials to be assigned (arbitration)
Wednesday, July 11	Consumer Leasing: Casebook pages 585-592 Retail Installment Sales and Loans: Casebook pages 593-604
Monday, July 16	Debt Collection: Casebook pages 605-661
Wednesday, July 18	Consumers in Cyberspace: Casebook pages 663-681 Supplemental materials to be assigned (cyberspace)
Monday, July 23	Examination