

SYLLABUS

Purpose of the Course: The purpose of this course is to teach the current law and practice in the field of banking law. Specifically emphasized will be the history and development of the unique US “dual banking” system comprised of overlapping Federal and state jurisdiction, along with comparisons to the unitary financial regulation more common in non-US jurisdictions. A sampling of subjects covered include: (i) the role of banking regulators, such as the Federal Reserve, Office of the Comptroller of the Currency and state banking regulators; (ii) panics, retail and wholesale “runs” on banks and the role of the Federal Deposit Insurance Corporation; (iii) the regulation of bank holding companies; (iv) the regulation of non-US banks operating in the US; (v) the regulatory impact of the Dodd-Frank Act; and (vi) retail (*i.e.* consumer) banking.

Learning Objectives: By the end of the course, you should be:

- Conversant with banking law’s historic development and how it shaped today’s bank regulatory regime.
- Familiar with and able to navigate the various overlapping legal and regulatory regimes applying to banks and bank holding companies.
- Knowledgeable of the root causes of bank panics and wholesale runs (including particularly the wholesale runs which occurred during the 2008 financial crisis) and the regulatory framework which has evolved to address this systemic risk.
- Able to critically compare the bank regulatory system in the US comprised of multiple state and federal regulators with the “single financial regulator” system operating in many other jurisdictions.

Course Materials

Carnell Macey Miller, The Law of Financial Institutions, 5th Edition, 2013 (Wolters Kluwer Law & Business) is required for this course.

Additional course materials will be made available via TWEN, provision of a citation or in-class handouts.

Classes

This class will meet on Wednesday from 6:15 pm – 9 pm.

Attendance and Preparation

Students are expected to attend classes regularly and to prepare for classes conscientiously. If you miss class frequently or are unprepared several times, your grade may be lowered. Alternatively, you may be administratively withdrawn from the course. Sometimes you can’t avoid missing a class. If you know in advance that you will be missing a class for a compelling reason, or if you have missed a class due to illness or emergency, please send me an e-mail, briefly explaining the situation.

Banking Law

Fall 2015

Cassandra Jones Havard

chavard@ubalt.edu

Tardiness

Students are expected to be on time to class. However, it is better to come to class late than not at all. You may walk in late if you have a good reason, as long as you don't abuse this privilege.

"TWEN" (The West Education Network)

A course page for this class is set-up on TWEN. TWEN gives me a quick way to reach all of you with any announcements, Syllabus changes, handout materials, interesting links, etc. It also gives me a way to extend class discussion beyond the classroom hours.

You **must register on TWEN** for this class **before** our first session. In order to be prepared for the first class. See: <http://lawschool.westlaw.com/twen>.

Final Grade for the Course: This is a workshop course. There are 5 workshop assignments. Additionally, the final grade will be comprised of classroom participation (including newspaper article presentations) a final white paper and oral presentation. The weight of each is listed below:

Workshop Assignments	30
White Paper Draft	10
White Paper – Final	25
White Paper – Peer Review	5
Oral Presentation	10
Class participation	20

Computer Policy

Computers are to be used during class for taking notes and no other purpose. They are not to be used to "surf the net" or send e-mail or instant messages. Violations of this rule may lead to you being prohibited from using a laptop during class.

Communications

The best way to communicate with me is by e-mail at the above address. I will get back to you within 24 hours. If you need to speak with me in person, we can set up an appointment either before or after class or at some other mutually convenient time.

Assignments

Assignment for Classes 1 - 3:

Discussion Questions on *It's A Wonderful Life*, (available on TWEN).