

Western State College of Law
Consumer Finance Law
Law 422
Fall 2023 Syllabus

Wednesdays 4:15 p.m. – 6:15 p.m.
Professor John Ohashi

This course provides an overview of the common law, statutes, and regulations that regulate how vendors conduct business with consumers, with an emphasis on consumer finance issues. This course examines: (1) the effectiveness of current common law and statutes in protecting the interest of consumers; (2) the policy positions underlying the law by looking at historical and constituent perspectives and if the laws meet their intended goals; and (3) some practical tools for dealing with client consumer law and finance issues.

The class incorporates the Western State College of Law Programmatic Learning Outcomes (PLOs), which are attached to this syllabus.

Required Textbook

Pridgen, Sovern, and Peterson's *Consumer Law, Cases and Materials* (5th Edition)

Pridgen, Sovern, and Peterson's *Selected Consumer Statutes* (Current Edition)

Class Preparation

Students are expected to complete reading assignments before class. Students can expect, on average, about 4 hours of class preparation for each week's class. The preparation can take the form of reading assignments, review and preparation of selected problems for class presentation, and study time for exams.

Email

Emails from students to me regarding the class are treated as though the student asked a question or made a comment during class. Any email sent to me regarding the class, including, but not limited to general questions regarding reading assignments and exams are not confidential and your email and my response may be shared with the class. If your email is personal, then you must state so in the email, and I will not share your email or my response with the class. My email address is: johashi@wsulaw.edu

Office Hours

I am available to meet with students by Zoom or telephone on most school days. Please contact me by email to make an appointment.

Grading

Grades are based on a cumulative total of:

- (1) In-class participation points (20%) - Participation points are earned by providing an analysis and problem solving for the case questions/review problems, or providing thoughtful responses to questions posed by the professor.
- (2) Quizzes (30%) - The quizzes will consist of a prompt(s) and written response to be completed in-class; and
- (3) Final exam (50%), The final exam will consist of an in-person exam that will be cumulative of all topics discussed during the semester.

The student's final grade will be based on a percentage basis. For example: 70 = 2.0; 75 = 2.5; 80 = 3.0; 83 = 3.3; 90 = 4.0.

Class Schedule (Subject to change at the Professor's discretion)

The Week 1 reading assignment to be read **before the first class** is Chapter 1(A); pages 15-54. *Regulation of Voluntary Disclosure – The Common Law Approach – Fraudulent Misrepresentations, Omissions and Other Devices.*

Reading assignments for each subsequent week's class will be announced during the preceding week.

DISABILITY SERVICES STATEMENT:

Western State College of Law provides accommodations to qualified students with disabilities. The **Disabilities** Services Office assists qualified students with disabilities in acquiring reasonable and appropriate accommodations and in supporting equal access to services, programs, and activities at Western State College of Law.

To seek reasonable accommodations, a student must contact Senior Assistant Dean Donna Espinoza, Student Services Director and Disabilities Services Coordinator, whose office is in the Students Services suite #111. Dean Espinoza's phone number and email address are: (714) 459-1117; despinoza@wsulaw.edu. When seeking accommodations, a student should notify Dean Espinoza of her or his specific limitations and, if known, her or his specific requested accommodations. Students who seek accommodations will be asked to supply medical documentation of the need for accommodation. Classroom accommodations are not retroactive, but are effective only upon the student sharing approved accommodations with the instructor or professor. Therefore, students are encouraged to request accommodations as early as feasible with Dean Espinoza to allow for time to gather necessary documentation. If you have a concern or complaint in this regard, please notify Dean Espinoza; or please notify Dean Marisa Cianciarulo at mcianciarulo@wsulaw.edu or (714) 459-1168. Complaints will be handled in accordance with the College of Law's "Policy against Discrimination and Harassment."

Western State College of Law– Programmatic Learning Outcomes (PLOs)

Western State College of Law’s curriculum is designed so that every student achieves a level of competency prior to graduation in each of the eight Programmatic Learning Outcomes listed below:

(1) **Doctrinal Knowledge**

Students will demonstrate knowledge of substantive and procedural law in the core curriculum subjects, including Contracts, Criminal Law, Criminal Procedure, Torts, Real Property, Business Association, Evidence, Civil Procedures, Constitutional Law, Estates, Community Property, Remedies, and Professional Responsibility.

(2) **Practice Skills**

Students will demonstrate the development of other law practice skills. Each student’s chosen outcomes within this category will be varied based on the student’s particular interests, coursework and work experiences. They may include, but are not limited to, the following topics: oral presentation and advocacy; interviewing; counseling; client service and business development; negotiations, mediation, arbitration, or other alternate dispute resolution methods; advanced legal research and writing (excluding purely academic papers and the first four units earned in introductory first-year legal research and writing class); applied legal writing such as drafting contracts, pleadings, other legal instruments; law practice management or the use of technology in law practice; cultural competency; collaboration or project management; financial analysis, such as accounting, budgeting project management, and valuation; cost benefit analysis in administrative agencies; use of technology, data analyses, or predictive coding; business strategy and behavior; pre-trial preparation, fact investigation, such as discovery, e-discovery, motion practice, assessing evidence, or utilizing experts; trial practice; professional civility and applied ethics; a law clinic that includes a classroom component; or a legal externship that includes a classroom component.

(3) **Legal Analysis**

Students will demonstrate the ability to identify the factual and legal issues implicated by a fact pattern and to appropriately use cases (including identifying the salient features of an appropriate precedent case, identifying legally significant similarities or differences between the precedent case and a fact pattern and explaining why those are legally significant) and rules (including the ability to connect legally significant facts in a fact pattern to the rule) to predict how a court would decide the issue. Students will also demonstrate the ability to identify and evaluate the public policies of a precedent case or rule, and be able to evaluate how public policy can impact the application of a rule to the legal issue.

(4) **Legal Research**

Students will demonstrate the ability to locate relevant legal authority using a variety of book and electronic resources, and to properly cite to such legal authority.

(5) Communication

Students will demonstrate the ability to communicate both orally and in writing in a manner appropriate to a particular task to effectively convey the author or speaker's ideas. This includes audience sensitivity in written and oral communication (the ability to adopt a tone, style and level of detail appropriate to the needs, knowledge and expertise of the audience); and written communication basic proficiency (the ability to use the conventions of grammar, spelling, punctuation, diction and usage appropriate to the task and sufficient to convey effectively the author's ideas).

(6) Advocacy of Legal Argument

Students will demonstrate the ability, in both oral and written formats, to evaluate the legal, economic and social strengths and weaknesses of a case and use case and statutory authority as well as public policy to persuade others. Making policy-based arguments includes the ability to identify and evaluate the public policies of a precedent case or rule and their implications, and be able to assert such appropriate arguments to support a particular application or distinction of a precedent case to a legal controversy or a particular resolution of the application of a rule to the legal controversy.

(7) Client Sensitivity and Cultural Competency

Students will demonstrate an awareness of clients' needs and goals, including a sensitivity to clients' background and circumstances (including, but not limited to, socio-economic, gender, race, ethnicity, educational, disability and/or religious background(s)), the ability to make decisions that reflect an appropriate focus on those needs and goals, and awareness that cultural issues may affect the relevance of facts and application of the law.

(8) Legal Ethics

Students will demonstrate the ability to identify ethical issues in law practice contexts and make appropriate decisions to resolve such issues.