PAYMENT SYSTEMS
Spring Semester 2009
Mr. Travers

Course Materials: Ronald Mann, Payment Systems and Other Financial Transactions

Syllabus

1/12 Introduction and Assignment 1
1/14 Assignment 2
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4/13 Assignment 20
4/15 Assignment 21
4/20 Assignment 26
4/22 Review

Course Information
This course surveys the law governing the various mechanisms employed to pay for goods and services. These includes payment by check, electronic transfer, credit card, debit card, and the like. All such mechanisms contemplate a relatively prompt receipt by the seller of cash or a cash equivalent, but all also involve some (perhaps slight) extension of credit.

Course Organization and Class Preparation: As is apparent from a quick look at the casebook, Professor Mann has designed the book for use in a course that meets 26 times for 75 minutes each time. We have 27 class meetings so we should be able to cover the entire book in this course. I have designated the last class meeting as a review session, but it can also be used in case of slippage or as a make-up session should some emergency cancellation occur.

Each “assignment” in the book consists of text, sometimes with illustrative cases, and concludes with a problem set. In preparing for class you should read the text of each assignment and work through the problem set. The problems are designed to present you with situations that a lawyer practicing in the area is likely to confront. They reflect with Professor Mann calls the “systems” approach. In wrestling with the problems try to go beyond “what the law says” to consider as well the practical problems that such a lawyer could confront. There is, accordingly, less emphasis upon problems that do nothing but pose tricky but unrealistic issues of statutory interpretation. This is not to say, however, that there are nothing but simple problems.

The syllabus above follows Professor Mann in allocating one class meeting to each assignment. To the extent possible we will spend class time discussing the problems in the problem set for that day. It will not be possible, however, to adhere strictly to this Procrustean regimen. Not all of the assignments are created equal. Some assignments are much easier for you to grasp than others. While I do not intend routinely to repeat what is in the text, there will be occasions on which some class lecturing will be required. It is also true that the problems are not all of the same level of difficulty; some will require more class time for us to do justice to them. This means that there will be occasions on which we will not complete an assignment in the allotted class hour. Some assignments will take a bit less than the allotted hour so over the semester we should be able to average an assignment for each meeting. I will try to give you some guidance as we proceed about which assignments are likely to take more preparation time and which less, but you will not go far wrong if you come to class prepared to discuss the problems in the problem set for that day.

Class participation: The best way to gain a working understanding of a statute is through the use of problems that require close reading and interpretation of the statute. I will expect each student to be prepared to contribute to the class discussion each day. With a low enrollment (say, 12-15) and around six problems in a set, if I “went down the rows” each student would end up being called on every other day. This seems a silly thing to do. I will try to use volunteers to the extent possible, but I reserve the right to call on those who do not elect to volunteer in order to make certain that everyone contributes.
Writing Assignment: The Law School requires that each upper-level course (except those with high enrollments) offer either an optional or a required written exercise. As I understand it, the purpose of this paper is to sharpen your skills at written legal analysis and not to drill you in research methods. Accordingly, I will either provide you with the materials you will need for your analysis or provide you with cites to a few sources. Students who elect to turn in a paper may raise, but cannot lower, the grade they would otherwise receive in the course.

Examination: The examination in this course will be a traditional law school examination. Past experience indicates, however, that the diversity of topics covered may make it desirable to include more questions than is customary, each requiring a shorter answer than is customary.

Library Resources: A number of texts designed for student use have been placed on library reserve. But I would encourage you to use these only for particularly intractable problems that class discussion has not clarified or for review.