

**UNIVERSITY OF BALTIMORE SCHOOL OF LAW
SUMMER 2015**

Course: Commercial Law 742/512

Instructor: Lisa D. Sparks
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Days/Time: Mondays & Wednesdays, 6:15-10 pm

Course Description:

This course will introduce students to the creation, transfer and enforcement of negotiable instruments (e.g., checks and promissory notes) and the creation, priority and enforcement of security interests in personal property. This course will therefore cover Articles 3, 4, 6 & 9 of the Uniform Commercial Code, as well as relevant Common Law and certain provisions of the United States Bankruptcy Code.

Course Materials:

1. Lopucki, et al., *Commercial Transactions: A Systems Approach* (5th ed.)
2. Michie's *Annotated Code of Maryland: Commercial Law Art.* (Volumes I & II)
3. *Price v. Neal*, 3 Burr. 1354 (King's Bench, 1762)
4. Problems and Maryland cases as distributed and assigned

You are expected to bring your textbook and any problems to class for discussion and have access to the current code during class. You may utilize an electronic version of the Maryland UCC as long as it has annotations.

If you choose to purchase your text book and/or optional secondary materials (the Examples & Explanations series is decent for this subject) from the publisher directly, UB's student rep has provided the following discount codes: Enter promo code "1BALTIMORE" during checkout to receive 25% off all study aids and enter promo code "1BALTIMORE2" to receive 15% off all casebooks. The Examples and Explanation series offers two good study aids for this subject.

Course Objectives and Outcomes: To give the student a basic working knowledge of transactional law governing customary non-cash payment media and the law's approach to unsecured and secured credit.

Grades: Grading will be based primarily upon one closed-book, 3-hour, multiple choice final examination with class participation factored in. The exam is tentatively scheduled for July 8, 2015.

Assignments/Participation: Students will be expected to have read the assigned materials, especially the code sections, and be prepared to discuss the problems therein and in-class hypotheticals.

Attendance: Class attendance is a primary obligation of each student whose right to continued enrollment in the course and to take the examination is conditioned upon a record of satisfactory

attendance. [Attendance Policy <http://law.ubalt.edu/template.cfm?page=267>]. A student who exceeds the maximum allowable absences may be compelled to withdraw from the course, or may be barred from sitting for the final exam. A student who is compelled to withdraw or is barred from sitting for the final exam may receive an "F" in the course. Attendance will be taken at the beginning of each class. A student who is present but unprepared for class, who is more than 5 minutes late, or who leaves early may be treated as absent. If you must be late to class, enter as quickly and quietly as possible to minimize disruption. If you are expecting to be late or absent, please do **not** call, email, fax, or text me. Obtain notes from a classmate and catch up before the next class. Attendance and participation are the primary indicators of success in this course. **Please keep track of your own absences. I will not entertain inquiries about how many you've used or have left.**

Computers : Students may use laptop computers for class-related purposes only. We will take a break in the middle of each class which will provide you an opportunity to check your email, call home, return text messages, get a snack, get an update on any scores of importance to you, and stretch. You are therefore expected to pay attention and participate throughout the class and avoid distracting your classmates.

Food and Beverage: Snacks and drinks are permitted during class provided that you avoid loud and messy items. Please clean up after yourself and save anything inappropriate for a break.

Class Cancellation: If the instructor must cancel a class, notices will be sent to students via email and posted on the classroom door. If there is inclement weather or a University-wide closing, students should visit the University of Baltimore web page or call the University's Snow Closing Line at (410) 837-4201. If the University is not closed, students should presume that classes are running on the normal schedule. To avoid makeup classes, an alternative assignment may be provided if the instructor must miss part or all of a class. You are expected to diligently complete that assignment in accordance with the directions given to earn credit for attending that class period.

Academic Integrity: Students are obligated to refrain from acts that they know or, under the circumstances, have reason to know will impair the academic integrity of the University and/or the School of Law. Violations of academic integrity include, but are not limited to: cheating; plagiarism; misuse of library materials; use of another's book or study materials without consent; unapproved multiple submissions; material misrepresentation of one's academic history or standing; misrepresentation of any academic matter; intentionally giving another student false or inaccurate information about class requirements; inappropriate discussion of exams; and misrepresenting or falsifying class attendance reports. [Reference to School of Law Honor Code <http://law.ubalt.edu/template.cfm?page=477>]

Disability Policy

If you are a student with a documented disability who requires an academic accommodation, please contact Leslie Metzger, Director for Student Support in the Office of Academic Affairs at 410-516-5623 or via email at lmetzger@ubalt.edu.

TOPICS & ASSIGNMENTS

Class	Topic(s)	Text Assignments	Code Sections (not exclusive)
Negotiable Instruments and Payment Systems			
1	Introduction; Article 1 Definitions; Principles of Negotiability	38	1-102, 1-103, 1-201, 1-208, 3-103
2	Elements of Negotiability; Holdership	38	3-103, 3-104, 3-106, 3-106, 3-108, 3-109, 3-110, 3-110, 3-112, 3-113, 3-201, 3-301, 3-302, 3-310
3	Indorsements; Negotiations; Presentment	39	3-204, 3-205, 3-310, 3-401, 3-408, 3-409, 3-412, 3-413, 3-414, 3-415
4	Dishonor & Liabilities	23-25	3-310, 3-401, 3-408, 3-409, 3-412, 3-413, 3-414, 3-415, 4-104, 4-205
5	Holder in Due Course & Shelter	40	3-203, 3-302, 3-303, 3-305, 3-306, 3-308
6	[Im]Properly Payable; the rule in <i>Price v. Neal</i>	21-22	3-403, 4-401, 4-402, 4-403, 4-404
7	Warranties; Negligence	26	3-404, 3-405, 3-406, 4-207, 4-208, 4-209, 4-215, 4-406, 4-407
8	Subrogation; Suretyship; Electronic Transactions; Credit	27-32 (optional)	4-407
Secured Transactions			
9	Bulk Sales Act; Basics of Bankruptcy; Security Interests; Attachment	42-43; 47; 49	Article 6, 9-102, 9-108, 9-109, 9-203, 9-204
10	Security Agreements; Golden Rules	50; 55	9-108, 9-201, 9-204, 9-317, 9-322
11	Perfection; Priorities	56; 59; 65-67	9-103, 9-317, 9-322, 9-324
12	Disposition of Collateral	51; 61; 68	9-308, 9-310, 9-315, 9-320, 9-321, 9-330, 9-333, 9-601, 9-604, 9-607, 9-608, 9-609, 9-625
13	Filing; Default; Repossession	44; 46; 53; 57-58	9-501, 9-502, 9-503, 9-504, 9-507, 9-509, 9-513, 9-515, 9-516, 9-517, 9-525
14	Review		

The topics and code sections listed above are subject to shifting based on how quickly the class is able to master certain concepts. You may find it more beneficial to read the textbook assignments after class rather than before, but should review the code sections and problem sets in advance of each class.