

FALL 2023 SECURED FINANCING SYLLABUS - Mr. Dole

1. **Course Materials:** (1) L. LoPucki, E. Warren & R. Lawless, Secured Transactions: A Systems Approach (9th ed. Wolters Kluwer 2020) (the Casebook or CB) ISBN 9781543804508; (2) West, Selected Commercial Statutes (2022) **Unabridged Edition**, which includes the Bankruptcy Code) (the Statutory Supplement or SS) ISBN 978-1-68467-684-2 (3) the Supplemental Problems Index; and (4) materials supplied by the Instructor.
2. **The Course Objectives:** The objectives of this course are to teach the substantive law of Secured Financing in a comprehensive manner, to consider ethical and professional issues related to Secured Financing, and to integrate Secured Financing with the analytical and practical skills necessary to the practice of law.
3. **The Course approach:** The CB presents explanatory text and cases followed by Problem Sets involving issues treated in the explanatory material. In addition to material on Article 9 secured transactions, the CB adds material on real estate secured transactions, and the treatment of secured transactions in bankruptcy. The course will cover the CB supplementary material on bankruptcy but will not cover the CB supplementary material on real estate secured transactions.
4. A Handout will be provided for each CB Problem Set that discusses the CB explanatory material and contains Hypotheticals, Questions, and selected assignments of CB Problems for class discussion. Class discussion will focus upon the Hypotheticals, Questions, and assigned CB Problems in the Handouts. **Exception: CB Problem Set #4 and the related CB materials are omitted.** Possible Answers for the Hypotheticals, Questions, and assigned CB Problems discussed in class will be distributed after the class discussion.

5. **Assignment for the first class session:** Discussion of (1) the Class Syllabus, (2) the Supplemental Problem Index; (3) the Handout for the CB Introduction on CB xxxi – xxxvii; (4) the Handout for Problem Set One, which deals with the material on CB pp.3-19; and (4) the Handout for Problem Set Two, which deals with the material on CB pp.22-36.
6. **Assignment for the second class session:** (1) any concluding discussion of the Handout for Problem Set Two; and (2) discussion of the Handout for Problem Set Three, which deals with material on CB pp. 40-54 to the extent that time permits.
7. **Future Assignments:** Absent a special announcement, the standing assignment is to prepare two Problem Sets ahead of the last Problem Set discussed in class. **Exception: CB Problem Set #4 and the related CB materials are omitted.**
8. **Materials for the first class session:** Prior to the first class session, students should obtain a copy of and read as assigned: (1) the Syllabus; (2) the Supplemental Problems Index; (3) the Handout for the CB Introduction; (4) the Handout for Problem Set #1; and (5) the Handout for Problem Set #2.

These materials can be obtained by E-Mailing my Administrative Assistant, Charlette Jefferson, from a U of H E-Mail Account and requesting that Charlette e-mail the materials to your U of H E-Mail Account. Non-U of H E-Mail Accounts cannot be used. Charlette's E-Mail address is cmjeffer@central.uh.edu

9. **Attendance Policy:** Under the Law Center 80% attendance rule, each student has four unexcused cuts. Additional cuts will be excused for good cause. Attendance will be taken by Zoom and by calling on students.

10. **Credit Policy:** A student's grade can be raised one notch for extremely good class performance or lowered one notch for extremely poor class performance.
11. **Examination Policy:** The examination will be all essay. There will be no more than three essay questions.

A student can take into the examination room: the CB, the SS, all materials distributed by the Instructor, personal class notes, and both personal outlines and outlines prepared by a study group. **Study groups are recommended.** Students may not take commercial outlines or photocopies of commercial outlines into the examination room. However, students are free to incorporate anything that they wish into their personal and study group outlines.

12. **The Law of the Course:** The Official Text of the UCC, as amended by the 2010 Official Amendments to Article 9, is the Law of the Course. The 2010 Official Amendments to Article 9 are incorporated in the SS text of Revised Article 9. Revised Articles 1 and 9 and the 2010 Official Amendments to Article 9 have been enacted in Texas. From time-to-time other statutes, including Texas nonuniform amendments, also may be designated as the Law of the Course. The examination will be on the Law of the Course.
13. **Students with Disabilities:** Students who may need additional help pursuant to the Americans with Disabilities Act Guidelines should advise me as soon as possible.
14. **Keeping in Touch:** My office is Room 403A. My office phone number is (713) 743-2139. My E-Mail address is ddole@central.uh.edu My Admin. Assistant, Charlette Jefferson's phone number is (713) 743-2120 and her E-Mail address is cmjeffer@central.uh.edu.

UNIVERSITY OF HOUSTON SYLLABUS LANGUAGE: 2023

Mental Health and Wellness Resources

The University of Houston has a number of resources to support students' mental health and overall wellness, including CoogsCARE and the UH Go App. UH Counseling and Psychological Services (CAPS) offers 24/7 mental health support for all students, addressing various concerns like stress, college adjustment and sadness. CAPS provides individual and couples counseling, group therapy, workshops and connections to other support services on and off-campus. For assistance visit uh.edu/caps, call 713-743-5454, or visit a Let's Talk location in-person or virtually. Let's Talk are daily, informal confidential consultations with CAPS therapists where no appointment or paperwork is needed.

The Student Health Center offers a Psychiatry Clinic for enrolled UH students. Call 713-743-5149 during clinic hours, Monday through Friday 8 a.m. - 4:30 p.m. to schedule an appointment.

The A.D. Bruce Religion Center offers spiritual support and a variety of programs centered on well-being.

Need Support Now? - If you or someone you know is struggling or in crisis, help is available. Call CAPS crisis support 24/7 at 713-743-5454, or the National Suicide and Crisis Lifeline: call or text 988, or chat 988lifeline.org.

Title IX/Sexual Misconduct

Per the UHS Sexual Misconduct Policy, your instructor is a "responsible employee" for reporting purposes under Title IX regulations and state law and must report incidents of sexual misconduct (sexual harassment, non-consensual sexual contact, sexual assault, sexual exploitation, sexual intimidation, intimate partner violence, or stalking) about which they become aware to the Title IX office. Please know there are places on campus where you can make a report in confidence. You can find more information about resources on the Title IX website at <https://uh.edu/equal-opportunity/title-ix-sexual-misconduct/resources/>.

Reasonable Academic Adjustments/Auxiliary Aids

The University of Houston is committed to providing an academic environment and educational programs that are accessible for its students. Any student with a disability who is experiencing barriers to learning, assessment or participation is encouraged to contact the Justin Dart, Jr. Student Accessibility Center (Dart Center) to learn more about academic accommodations and support that may be available to them. Students seeking academic accommodations will need to register with the Dart Center as soon as possible to ensure timely implementation of approved accommodations. Please contact the Dart Center by visiting the website:

<https://uh.edu/accessibility/> calling (713) 743-5400, or emailing jdcenter@Central.UH.EDU.

Recording of Class

Students may not record all or part of class, livestream all or part of class, or make/distribute screen captures, without advanced written consent of the instructor. If you have or think you may have a disability such that you need to record class-related activities, please contact the Justin Dart, Jr. Student Accessibility Center. If you have an accommodation to record class-related activities, those recordings may not be shared with any other student, whether in this course or not, or with any other person or on any other platform. Classes may be recorded by the instructor. Students may use instructor's recordings for their own studying and notetaking. Instructor's recordings are not authorized to be shared with anyone without the prior written approval of the instructor. Failure to comply with requirements regarding recordings will result in a disciplinary referral to the Dean of Students Office and may result in disciplinary action.

UH Recommended Syllabus Elements

Resources for Online Learning

The University of Houston is committed to student success and provides information to optimize the online learning experience through our Power-On website (<https://uh.edu/power-on/learning/>). Please visit this website for a comprehensive set of resources, tools, and tips, including: obtaining access to the internet, AccessUH, Blackboard, and Canvas; using your smartphone as a webcam; and downloading Microsoft Office 365 at no cost. For questions or assistance contact UHOnline@uh.edu.

UH Email

Please check and use your CougarNet email for communications related to this course. Faculty use the CougarNet email to respond to course-related inquiries such as grade queries or progress reports for reasons of FERPA. To access your CougarNet email, login to your Microsoft 365 account with your CougarNet credentials. Visit University Information Technology (UIT) for instructions on how to connect your CougarNet e-mail on a mobile device.

Webcams

Should this course be offered with a remote component (it is *not* currently), access to a webcam is required for students participating remotely in this course. Webcams must be turned on absent consent of instructor for extenuating circumstances (e.g., illness).

Security Escorts and Cougar Ride

UHPD continually works with the University community to make the campus a safe place to learn, work, and live. The security escort service is designed for the community members who

have safety concerns and would like to have a Security Officer walk with them, for their safety, as they make their way across campus. Based on availability either a UHPD Security Officer or Police Officer will escort students, faculty, and staff to locations beginning and ending on campus. If you feel that you need a Security Officer to walk with you for your safety, please call 713-743-3333. Arrangements may be made for special needs.

Parking and Transportation Services also offers a late-night, on-demand shuttle service called “Cougar Ride” that provides rides to and from all on-campus shuttle stops, as well as the MD Anderson Library, Cougar Village/Moody Towers and the UH Technology Bridge. Rides can be requested through the UH Go app. Days and hours of operation can be found at <https://uh.edu/af-university-services/parking/cougar-ride/>.

Syllabus Changes

Please note that the instructor may need to make modifications to the course syllabus. Notice of such changes will be announced as quickly as possible via e-mail.

Law Center Required Language

Honor Code

The UHLC Honor Code applies to all aspects of this course. You are responsible for knowing all Honor Code provisions and for complying with the Honor Code. Please inquire if you have any questions regarding how the Honor Code’s provisions apply to specific activities or situations related to this course. Your continuing enrollment in this course is deemed to be a pledge by you under the Honor Code to comply with the Honor Code in relation to this course and to comply with the instructions in the course syllabus.

AI Generated Text

The software technology known as artificial intelligence has recently expanded its capability to generate text (AI Generated Text). Examples of the technology include what are known as “generative” large language models (LLMs), and a specific implementation what is well known in the general public is ChatGPT. These systems can generate text in response to prompts and/or input of other text/documents/code/images. The output, the AI Generated Text, appears to have human-mimicking “intelligence” and is thus potentially usable as a substitute for written work product one might generate themselves. AI Generated Text can include computer code or programs as well as human language content.

Your continuing enrollment in this course is deemed to be a pledge by you under the Honor Code to not prompt, generate, obtain, read, or use any AI Generated Text in relation to any activity or assessment in this course. This applies to AI Generated Text from yourself or others. This pledge includes that your assessment work product in the course is without any contribution from AI Generated Text. This specifically extends to the plagiarism policy and unauthorized aid/materials parts of the Honor Code: AI Generated Text will be treated as from another/other in applying the plagiarism policy to this course. The term “assessment” means any work product generated for this course that is submitted to the instructor or presented in a class session, regardless of whether it is graded content or not. Assessments include mid-terms and final exams. AI Generated Text may not be used in the development or drafting of any assessments created by you in a non-proctored environment, such as a “take-home” final examination unless specified as an exception below. The parts of the Honor Code that refer to unauthorized materials or aid are specifically prohibited from any use of AI Generated Text in this course unless specified as an exception below.