

SPRING 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 (2021) **Unabridged Edition**, which includes the Bankruptcy Code) (the Statutory Supplement or SS) ISBN 978-1647088712; (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 Problems 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 (5) the Handout for Problem Set Two, which deals with the material on CB pp.22-37.
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. *If a student has not been provided with the two Problem Sets ahead of the last Problem Set discussed in class, he or she should call this to the attention of the Instructor and his assistant.* **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 can not 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. **Counseling:** Counseling and Psychological Services (CAPS) can help students who are having difficulties managing stress, adjusting to the demands of a professional program, or feeling sad and hopeless. You can reach CAPS (www.uh.edu/caps) by calling 713-743-5454 during and after business hours for routine appointments or if you or someone you know is in crisis. No appointment is necessary for the “Let's Talk” program, a drop-in consultation service at convenient locations and hours around campus. http://www.uh.edu/caps/outreach/lets_talk.html
15. **Keeping in Touch:** My office is Room 340A. My office telephone number is (713) 743-2139. My E-Mail address is ddole@central.uh.edu My Administrative Assistant Charlette Jefferson's telephone number is (713) 743-2120. Charlette's E-Mail address is cmjeffer@central.uh.edu

UNIVERSITY OF HOUSTON REQUIRED AND RECOMMENDED SYLLABUS LANGUAGE

COVID-19 Information

If you are experiencing any COVID-19 symptoms that are not clearly related to a pre-existing medical condition, do not come to class. Please see Student Protocols for what to do if you experience symptoms and Potential Exposure to Coronavirus for what to do if you have potentially been exposed to COVID-19.

Students are encouraged to visit the University's COVID-19 website for important information including diagnosis and symptom protocols, on-campus testing, and vaccine information. Please check the website throughout the semester for updates.

Vaccinations

Data suggests that vaccination remains the best intervention for reliable protection against COVID-19. Students are asked to familiarize themselves with pertinent vaccine information and to consult with their health care provider. The University strongly encourages all students, faculty and staff to be vaccinated.

Reasonable Academic Adjustments/Auxiliary Aids

The University of Houston complies with Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990, pertaining to the provision of reasonable academic adjustments/ auxiliary aids for disabled students. In accordance with Section 504 and ADA guidelines, UH strives to provide reasonable academic adjustments/ auxiliary aids to students who request and require them. If you believe that you have a disability requiring an academic adjustments/ auxiliary aid, please contact the Justin Dart Jr. Student Accessibility Center (formerly the Justin Dart, Jr. Center for Students with DisABILITIES).

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.

Syllabus Changes

Due to the changing nature of the COVID-19 pandemic, please note that the instructor may need to make modifications to the course syllabus and may do so at any time. Notice of such changes will be announced as quickly as possible through email.

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. Please visit this website for a comprehensive set of resources, tools, and tips including: obtaining access to the internet,

Access UH, and Blackboard; requesting a laptop through the Laptop Loaner Program; 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. To access this email, login to your Microsoft 365 account with your Cougarnet credentials.

Webcams

Access to a webcam is required for students participating remotely in this course. Webcams must be turned on unless the student sends an email to me ahead of class with a reason for needing to turn off their webcam. This requirement is in place to ensure a similar quality of engagement as an in-person attendance.

Anti-discrimination and Sexual Misconduct Policies

UHLC and the University are committed to maintaining and strengthening an educational, working, and living environment in which students, faculty, staff, and visitors are free from discrimination and sexual misconduct. If you have experienced an incident of discrimination or sexual misconduct, a confidential reporting process is available to you. For more information, please refer to the University system's Anti-Discrimination Policy webpage, Anti-Discrimination Policy. Sexual Misconduct Policy webpage, and Sexual Misconduct Policy.

Under the University 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/>.

Security Escorts and Cougar Ride

UHPD continually works with the University community to make the campus a safe place to learn, work, and live. Our 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/>.

Helpful Information

For various types of support, visit Coogs Care <https://uh.edu/dsa/coogscare/> and the Student Health Center: <https://www.uh.edu/healthcenter/>