

TEXAS CONSUMER LAW

Spring 2016 - Rick McElvaney

Tuesdays and Thursdays

Day Class: 4:00 p.m. - 5:30 p.m.

Night Class: 7:30 p.m. - 9:00 p.m.

Course Description

In Texas, injured consumers can seek relief under a variety of statutory and common law sources. The primary focus of this course is the main Texas consumer protection statute: the Texas Deceptive Trade Practices Act (DTPA). We will study who may sue under the DTPA; whom may be sued; what conduct the statute prohibits; what defenses defendants can raise; and what remedies the statute provides. In addition to the DTPA, we will discuss Texas warranty law, Texas and federal debt collection law, Texas tie-in statutes, and overview several related federal consumer laws.

This course will reach beyond substantive Texas consumer law. Many of the cases we will discuss involve courts interpreting the DTPA, so this course provides an opportunity to study how courts interpret statutes. Also, we will discuss some policy issues that arise in formulating optimal consumer protection law.

The objectives of the course are for you to learn the rules and doctrines of Texas Consumer Law; for you to understand the ethical and professional issues that arise in connection with Texas Consumer Law; and for you to be able integrate the information you learn in this class with other practical and analytical skills necessary to the practice of law. Consumer Law is a part of the Texas Bar Exam.

Course Material (Required)

Richard M. Alderman, *Texas Consumer Law: Cases & Materials* (2015-2016 ed.).

ISBN: 978-1-60503-098-2

This textbook has a CD in the back that contains the Texas Deceptive Trade Practices Act. You should print a copy of the Act out for use in class.

Other materials will be posted under "Texas Consumer Law" on "Blackboard", which may be accessed on the "UHLC webpage" under the "Students" link.

Online Statutes

You can access Texas statutes online at: <http://www.statutes.legis.state.tx.us/>

Attendance

Regular course attendance is required! The Law Center requires students to attend at least 80% of the scheduled classes. You need to attend 22 of the 27 classes to meet the 80% requirement. Students who do not attend 80% of the classes can be automatically

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