

Anatomy of a Federal Consumer Law

Preamble

- ❖ States congressional intent and aspirations
- ❖ May provide clues to intent
- ❖ May bolster reasons for bring claim
- ❖ Provides moral authority for claim

Definitional Section

- ❖ States persons to be protected
- ❖ Persons to be regulated
- ❖ Conduct to be regulated
- ❖ Requirements of those regulated

Prohibitions

- ❖ Lays out what is prohibited
- ❖ What constitutes a violation
- ❖ Look here to see if facts before you will yield a claim

Penalty and Rights of Action

- ❖ Outlines what you get if you bring claim
- ❖ Statute of limitations for claim
- ❖ Damages for claims
- ❖ Persons with standing to bring claims
- ❖ Where claims may be brought

Enforcement

- ❖ Persons who may enforce
- ❖ States federal agencies who may enforce law
- ❖ States what parts may be enforced and by whom
- ❖ May allow state attorney general to enforce
- ❖ May allow opt-out provisions for stronger state laws

Question and Answer
