



## **BANKS AND BANKING LAW**

Banks are regulated by both Federal and State statutory and administrative law. While a national bank is primarily regulated by federal agencies, a state-chartered bank is mainly regulated by the state's Department of Banking. A state-chartered bank also may be subject to other forms of federal regulation. Since banks and banking activities are often subject to more than one regulatory body, research on banks and banking law can be complicated. This guide will provide you with a brief overview of how to research banking law at the University of Connecticut Law School Library. Please start with the library's online catalog to locate a specific item, or ask a reference librarian for help with in-depth research.

- I. Primary Sources**
  - A. Federal Legislation and Regulations**
  - B. State Legislation and Regulations**
  - C. Case Law**
- II. Secondary Sources**
  - A. Treatises, Casebooks and Texts**
  - B. Newsletters and Journals**
  - C. Encyclopedias and Dictionaries**
- III. Internet Resources**
- IV. LexisNexis and Westlaw**

### **I. Primary Sources**

#### **A. Federal Legislation and Regulations**

Statutes:

12 U.S.C. --Banks and Banking (KF 62 2001 3<sup>rd</sup> Floor)

National Bank Act of 1864--12 U.S.C. § 1 et seq.

Federal Reserve Act of 1913--12 U.S.C. § 221 et seq.

Banking Act of 1933 (Glass-Steagall)--12 U.S.C. § 24

Laws Regulating Federal Savings and Loan Associations--12 U.S.C. § 1461-1470

The Expedited Funds Availability Act--12 U.S.C. § 4001-4010

Garn-St. Germain Depository Institutions Act--12 U.S.C. § 371a

Federal Deposit Insurance Corporation-- 12 U.S.C. § 1811-1832  
Gramm-Leach-Bliley Act of 1999 (GLBA)--15 U.S.C. § 6801-6809

Internet access to United States Code at <http://www.gpoaccess.gov/uscode/index.html>

Regulations:

12 C.F.R. –Banks and Banking (KF70 .A3 3<sup>rd</sup> Floor)

Internet access to Code of Federal Regulations at <http://www.gpoaccess.gov/cfr/index.html>

Federal Register (KF70 A2 3<sup>rd</sup> Floor)

Internet access to Federal Register at <http://www.gpoaccess.gov/fr/index.html>

Federal Regulating Agencies and Committees:

U.S. Treasury Department

<http://www.ustreas.gov/>

Federal Deposit Insurance Corporation

<http://www.fdic.gov/>

Federal Reserve Board

<http://www.federalreserve.gov/>

Federal Financial Institutions Examination Council

<http://www.ffeic.gov/>

National Credit Union Administration

<http://www.ncua.gov/>

Office of the Comptroller of the Currency

<http://www.occ.treas.gov/>

Office of Management and Budget

<http://www.whitehouse.gov/omb/>

Office of Thrift Supervision

<http://www.ots.treas.gov/>

Senate Committee on Banking, Housing, and Urban Affairs

<http://banking.senate.gov/>

House Committee on Banking and Financial Services

<http://financialservices.house.gov/>

## **B. State Legislation and Regulations**

Statutes:

36 or 36a CGS (General Statutes of Connecticut KFC 3630 1958 .A22 2003 3<sup>rd</sup> floor)

The library also has all the other 49 states' statutes on the 1<sup>st</sup> and 2<sup>nd</sup> floors.

Internet access to the General Statutes of Connecticut at

[http://www.cga.ct.gov/lco/Statute\\_Web\\_Site\\_LCO.htm](http://www.cga.ct.gov/lco/Statute_Web_Site_LCO.htm)

Internet access to all 50 states' statutes at <http://www.statelocalgov.net/50states-legislature.cfm>

The Uniform Commercial Code plays a significant role in state banking law. Particularly worth noting are:

Article 3      Negotiable Instruments

Article 4      Bank Deposits

Article 4A     Funds Transfer

Article 5      Letters of Credit

Article 8      Investment Securities

Article 9      Secured Transactions

William D. Hawkland, Uniform Commercial Code Series, KF 879.527 H38, 5<sup>th</sup> floor

Regulations:

Regulations of Connecticut States Agencies, Title 36a and 36b

Connecticut Department of Banking  
State Banking Department links

<http://www.state.ct.us/dob/>  
[http://library.hsh.com/?row\\_id=67](http://library.hsh.com/?row_id=67)

## C. Case Law

Lexis: Banking file--Cases; Westlaw: Finance and Banking file--Federal Cases.  
CCH's Federal Banking Law Reporter, KF972.5 .C6 1945, 5<sup>th</sup> floor.

## II. Secondary Resources

### A. Treatises, Casebooks and Texts (5<sup>th</sup> floor)

A. Douglas and Sylvia Parker, Federal Banking Laws, KF969 1990  
Alfred M. Pollard, Banking Law in the United States, KF974 .B38 1988  
Jonathan R. Macey, Geoffrey P. Miller and Richard Scott Carnell, Banking Law and Regulation, KF973 .M33 2001  
Laurel Binder-Arain, Federal Banking Laws, KF969 1994  
Michael P. Malloy, Banking Law and Regulation, KF974 .M38 1994  
Pat McCoy, Banking Law Manual. KF974 .M23 2000  
Pat McCoy, Financial Modernization After Gramm-Leach-Bliley, KF974.A1 F55 2002  
William Anthony Lovett, Banking and Financial Institutions Law in a Nutshell, KF975.L68 2001  
Federal Banking Law Reporter, CCH, KF972.5 .C6 1945  
Michie on Banks and Banking, KF974 .M52

### B. Newsletters and Journals

Index to Legal Periodicals and Legal Resource Index should be used when searching for journal articles. LexisNexis, Westlaw and other business and finance indexes and databases also should be checked when conducting research on the topic of banking law. Databases such as ABI/Inform, EconLit, and Dow Jones Interactive are very helpful. These indexes and databases are available under the Research Databases link on our library web page.

Examples:

American Banker, <http://www.americanbanker.com>  
Annual Review of Banking Law, KF195.B3 A55, 5<sup>th</sup> floor or e-access at <http://heinonline.org>  
Federal Reserve Bulletin, HG2401 .A5, 4<sup>th</sup> floor or e-access at <http://heinonline.org>  
North Carolina Banking Institute, K14 .O688 or e-access at <http://heinonline.org>  
Quarterly Journal [microform], 4<sup>th</sup> floor. or e-access at <http://www.occ.treas.gov/qj/qj.htm>  
The Banking Law Journal, 1<sup>st</sup> floor or e-access at <http://heinonline.org>

### C. Encyclopedias and Dictionaries:

Jerry M. Rosenberg, Dictionary of Banking, Ref. HG151 .R66 1993, 3<sup>rd</sup> floor  
John Downes and Jordan Elliot Goodman, Dictionary of Finance and Investment Terms, Ref. HG151 .D69 1998, 3<sup>rd</sup> floor.  
William Thomson, Thomson's Dictionary of Banking: a Concise Encyclopedia of Banking Law and Practice, Ref. HG1601 .T4 1952, 3<sup>rd</sup> floor

American Jurisprudence 2d. Vol. 10-11, “Banks and Financial Institutions,” Ref. K154 .A42, 3<sup>rd</sup> floor.  
Corpus Juris Secundum Vol. 9, “Banks and Banking,” Ref. K154.C56, 3<sup>rd</sup> floor.

### III. Internet Resources

Global Banking Law Database	<a href="http://www.gbld.org">http://www.gbld.org</a>
American Bankers Association	<a href="http://www.aba.com/default.htm">http://www.aba.com/default.htm</a>
America’s Community Bankers	<a href="http://www.acbankers.org/">http://www.acbankers.org/</a>
Credit Union National Association	<a href="http://www.cuna.org/index.html">http://www.cuna.org/index.html</a>
Independent Community Bankers of America	<a href="http://www.icba.org/index_main.html">http://www.icba.org/index_main.html</a>
Mortgage Bankers Association of America	<a href="http://www.mbaa.org/">http://www.mbaa.org/</a>

Federal Reserve Banks	
Federal Reserve Bank of Boston	<a href="http://www.bos.frb.org/">http://www.bos.frb.org/</a>
Federal Reserve Bank of New York	<a href="http://www.newyorkfed.org/">http://www.newyorkfed.org/</a>
Federal Reserve Bank of Philadelphia	<a href="http://www.phil.frb.org/">http://www.phil.frb.org/</a>
Federal Reserve Bank of Cleveland	<a href="http://www.clevelandfed.org/">http://www.clevelandfed.org/</a>
Federal Reserve Bank of Richmond	<a href="http://www.rich.frb.org/">http://www.rich.frb.org/</a>
Federal Reserve Bank of Atlanta	<a href="http://www.frbatlanta.org/">http://www.frbatlanta.org/</a>
Federal Reserve Bank of Chicago	<a href="http://www.chicagofed.org/">http://www.chicagofed.org/</a>
Federal Reserve Bank of St. Louis	<a href="http://www.stlouisfed.org/">http://www.stlouisfed.org/</a>
Federal Reserve Bank of Minneapolis	<a href="http://www.minneapolisfed.org/">http://www.minneapolisfed.org/</a>
Federal Reserve Bank of Kansas City	<a href="http://www.kc.frb.org/">http://www.kc.frb.org/</a>
Federal Reserve Bank of Dallas	<a href="http://www.dallasfed.org/">http://www.dallasfed.org/</a>
Federal Reserve Bank of San Francisco	<a href="http://www.frbsf.org/">http://www.frbsf.org/</a>

Banking Law Research Guides:

Boston University Law School Library,

<http://www.bu.edu/lawlibrary/research/classes/banklawrsch.htm>

Cornell Law School Library, <http://www.law.cornell.edu/topics/banking.html>

### IV. LexisNexis and Westlaw

Both LexisNexis and Westlaw have an extensive coverage on the topic of Banking. Cases, statutes, legislative materials, administrative materials, regulations, treatises, legal and general banking news, and law review articles can be found using either LexisNexis—Banking Library or Westlaw—Finance and Banking Library. Please ask a reference librarian if you need any help.

Y. Hong, University of Connecticut Law Library, updated 8/07