

# BUCKLEY

## **Retail Banking Practice**

Buckley understands the particular commercial challenges and government scrutiny retail banks face on a daily basis. Our firm knows how to assist retail banks in analyzing and managing operational and reputational risk, as well as in developing new ideas and innovative ways of doing business that sustain and expand market share.

Our team includes several former, senior in-house counsel from various financial institutions, each of whom has extensive experience supporting retail banking products and services, and detailed knowledge of bank operations, systems, procedures, and economics. These specific, individual experiences — supported by the firm's extensive abilities in examination procedures, priorities, and evolving regulatory expectations — enable our team to deliver prudent, practical, and actionable advice to retail banks.

We regularly advise on the creation of new and cutting-edge products and services, as well as the development of agreements, disclosures, forms, and marketing materials for all aspects of retail banking. Our experience includes providing advice on deposit accounts, automated clearing house (ACH) and wire services, remote deposit capture, lock box agreements, online and mobile banking, bill pay, positive pay services, and remittance transfer/money services businesses. We also advise on debit, stored value, credit, and prepaid card-related issues.

Our firm advises on core retail banking operations, including check and debit card processing, return items challenges, compliance with subpoenas and garnishments affecting deposit accounts, electronic fund transfer and credit card error resolution, abandoned and escheated property, and safe deposit box issues. We advise on the Bank Secrecy Act (BSA), anti-money laundering (AML), USA Patriot Act, Dodd–Frank Wall Street Reform and Consumer Protection Act, Office of Foreign Assets Control (OFAC) compliance, Truth in Savings Act (TISA), Electronic Fund Transfer Act (EFTA), Electronic Signatures in Global and National Commerce Act (ESIGN), Expedited Funds Availability Act (EFAA), interest on trust account (IOTA) and interest on lawyers' trust account (IOLTA) matters, Check Clearing for the 21st Century Act (Check 21), 529 accounts, and all of the associated federal regulations (including Regulations D, E, CC and DD).

We provide regulatory compliance evaluations and examination support, including responses to regulatory examinations and inquiries, as well as representation for any regulatory enforcement issues or litigation that may arise. We also supervise and direct internal investigations and look-back reviews where potential compliance issues have arisen. We work collaboratively with clients on national deposit-taking strategies, such as the use of financial advisors who are associated with affiliated broker-dealers. In addition, we handle all of the transactional aspects of a bank's lifecycle, including mergers and acquisitions, capital raising, and securities registration.

## News & Blogs

- Florida expands motor vehicle retail installment initial payment rule
- Daniel P. Stipano quoted in Law360 article, “Libor transition plans could take hit from COVID-19 turmoil”
- Amanda R. Lawrence quoted in American Banker article, “State privacy bills try to cut banks a break, but not completely”
- Jeffrey P. Naimon quoted in American Banker article, “Election 2020: Is nightmare scenario closer to reality for banks?”
- District Court orders ATM and overdraft fee case to arbitration
- Texas Bans Credit Card Surcharges
- OCC’s March Fintech Guidance Documents Draw Range of Comments, Reactions from Stakeholders
- California Joins 49 States and the District of Columbia in Settlement with Global Money Services Business
- CFPB Releases "Remittance Rule" Assessment; Seeks Public Comment
- CFPB Fines Prepaid Debit Card Company and Payment Processor \$13 Million for Preventable Service Breakdown, Claims Consumers Denied Access to Their Own Money

## Partners



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## Counsel



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