



**MAURER SCHOOL OF LAW**

INDIANA UNIVERSITY

Bloomington

Improving the Consumer Experience:  
Progress and Opportunities  
Sarah Jane Hughes

University Scholar & Fellow in Commercial Law  
Maurer School of Law, Indiana University  
Bloomington, Indiana  
812-855-6318

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### Discussion Questions

1. How and when does the law evolve as new and emerging payments products come to market?
2. Do consumers adopt payments methods that they do not understand?
3. What forms of provider and public agency education campaigns help end users decide to adopt new payment methods?
4. Should payments be final faster?
5. What safety measures -- anti-fraud and otherwise -- should end users expect?



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### Discussion Questions

1. How and when does the law evolve as new and emerging payments products come to market?
  - Do providers assume that existing laws apply and design products accordingly?
  - Do they presume that existing laws do not apply?
  - Do they disclose the legal regime, if any, they think applies in a clear and conspicuous manner?
  - Do they rely solely on contracts to set forth the rights of users in the event of disputes, unauthorized use, counterfeit and forged payments "instruments" or tokens?
  - Can end users review those contract terms in advance?



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### Discussion Questions

2. Do consumers adopt payments methods that they do not understand? Does a lack of clarity about the rules and contracts that govern a new payment product slow down adoptions?
3. What forms of provider and public agency education campaigns help end users decide to adopt new payment methods?



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### Discussion Questions

#### 4. Should payments be final faster?

- Is this particularly desirable in mobile payments?
- Does faster finality complicate providers' compliance with OFAC and FinCEN regulations?
- Does it interfere with desirable anti-fraud measures that legacy payment products providers have in place?
- What is the right trade-off between faster finality and these important AML, economic sanctions, and anti-fraud programs?
- Is the Immediate Funds Transfer model now being implemented abroad one we can tailor to the US payments environment?
- What are the risks of doing that? What are the benefits?



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### Discussion Questions

5. What safety measures -- anti-fraud and otherwise -- should end users expect? What protections for redemption of stored value should be required of new payments providers?