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Lions, Tigers, and Sovereign Citizens, Oh My! UCC and Banking Litigation Trends and a 2026 Forecast

SPEAKERS

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In this episode of *The Consumer Finance Podcast*, Chris Willis is joined by Troutman Pepper Locke Partners Heryka Knoespel and Mary Zinsner for a year-in-review and look-ahead tour through the sometimes wild world of UCC and banking litigation. From check cashers and sovereign citizens to elder financial exploitation, the panel unpacks the major trends banks faced in 2025, including a steady stream of retail deposit disputes and increasingly inventive plaintiff theories to recover funds — often running headlong into the UCC's traditional allocation of risk.

Against this backdrop, they discuss where courts have drawn (and redrawn) the yellow brick road, largely reaffirming core UCC principles and delivering significant wins for financial institutions. Looking ahead to 2026, the panel explores how rapidly evolving scams — many powered by AI — will continue to test banks' defenses, why plaintiffs' attorneys may find that the UCC “gets them... and their little dogs, too,” and how institutions can rely on the predictability of the UCC's allocation of risk and safe harbors to recognize and respond to emerging litigation patterns.

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