

Jason Bichsel



member

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education

The Ohio State University Moritz College of Law
(J.D., 2008)

- Associate Editor, *Ohio State Journal on Dispute Resolution*

Ohio University E. W. Scripps School of
Journalism (B.S., Journalism, 2005)

admissions

Florida

Ohio

U.S. District Court for the Northern District of
Ohio

U.S. District Court for the Southern District of
Ohio

U.S. District Court for the Middle District of
Florida

U.S. District Court for the Southern District of
Florida

U.S. Court of Appeals for the Sixth Circuit

honors

- *Ohio Super Lawyers "Rising Stars"*, 2015-
2016, 2022

affiliations

My job is to assist clients – captive auto finance companies and other financial services companies – in finding the straightest line between their current situation and their business goal. Formulating alternative finance models requires innovative thinking. Rather than preventing the worst-case scenario, I strive to help them develop, and then implement, a best-case scenario – the one that gets the client where they want to go, with an acceptable level of risk.

Jason Bichsel is a Member in McGlinchey’s Consumer Financial Services Compliance practice group. Jason advises banks, finance companies, online lenders, and private companies servicing the automotive industry on regulatory compliance and general business issues. In particular, Jason has a wealth of experience related to auto finance and leasing products, including questions connected with federal and state collections regulations, compliance with the Fair Credit Reporting Act (FCRA), the Equal Credit Opportunity Act (ECOA/Regulation B) and Servicemembers Civil Relief Act (SCRA), marketing and consumer communication (under Regulation Z and Regulation M), bankruptcy compliance, allegations of unfair, deceptive, and abusive trade practices (UDAAP), and more. He also advises clients on issues ranging from credit furnishing to data privacy.

Professional:

- Legal Aid Society of Columbus

Prior to joining McGlinchey, Jason served for five years as corporate counsel in the BMW Group Legal Department, supporting BMW Financial Services, a wholly-owned financing subsidiary of BMW of North America. In this role, he specialized in mobility and subscription services – innovative programs in which consumers replace vehicle ownership with “vehicle usership” – new business models designed to increase consumer flexibility and choice. This approach involves the introduction of new alternative leasing and financing products, an area in which Jason has developed a deep, firsthand knowledge. Through his previous role, Jason also understands how state dealer franchise laws and financial services licensing impact the business decisions of captive finance companies.

He is particularly experienced in working with clients to manage complex multistate compliance issues, often of first impression, that arise when market demand results in the development of programs that exceed the scope of the governing regulatory frameworks. Jason excels at integrating his professional experience with innovative legal thinking to help guide and shape new products such that the necessary state licenses are both granted and defensible.

In this role, he is both a pragmatic practitioner and a high-level strategist. The client’s goal is to get from “A” to “B.” Jason’s role is to devise an approach that harmonizes existing laws with innovation, and ensures the client ultimately arrives at “B,” although the journey may require transiting additional stops along the way. Because Jason has extensive experience working with the regulatory agencies and the regulators themselves who supervise auto financing, he can often anticipate which issues will be significant, and devise approaches to resolving them which are both effective and cost-efficient. In addition, Jason’s experience as a consumer finance litigator allows him to understand when judges and juries may take a different view from regulators.

As a practitioner, Jason is exceptionally pragmatic. His priority is to understand the client’s definition of success, and work to achieve it. He’s the antithesis of the reflexively risk-averse attorney. Instead, as he puts it, instead of saying “No” he says “No, but”. He ensures that the client fully understands both

the legal risks and the potential opportunities in each situation, and empowers the clients to make informed business decisions accordingly.

presentations

"Understanding the Nuances of Powersports Compliance," 2021 Powersports Finance Summit, October 26, 2021

"TCPA and Remaining Questions After the Facebook Decision," 2021 Virtual Consumer Finance Legal Conference, October 15, 2021

"Digital Sales and Financing in the Auto Market," 2021 Virtual Consumer Finance Legal Conference, October 13, 2021

"The Roles of and Interaction Between Corporate Legal, Compliance Departments, and Outside Counsel During a Crisis," 2021 Virtual Consumer Finance Legal Conference, October 13, 2021

"Compliance Considerations and Changing Mobility Trends," Auto Finance News Webinar, July 1, 2021