

Administrative Law
Professor Reynolds
Fall 2007

SYLLABUS

Objectives of the Course

This course is designed to teach you the basics of Administrative Law, from a primarily practice-oriented perspective. That is, you will learn how to encourage agencies to do what you want, and how to hurt them when they don't. We will pay particular attention to administrative policymaking, and how to influence it, as well as to issues of administrative enforcement, freedom of information issues, and judicial review of administrative action. Although our approach will emphasize practical issues, because I expect the next several years to mark substantial changes in the role and power of administrative agencies we will also look at some criticisms of the post-New Deal administrative law regime, and at some proposals for reform.

From Environmental Law, to Labor Law, to Telecommunications, to Disability, lawyers today have to deal with administrative agencies on a regular basis. This course will explain how they work, and how to deal with them.

Text and Materials

The text in this course is Cass, Diver & Beerman, *Administrative Law: Cases and materials* (5th edition, 2006). Additional materials will be made available from time to time as needed.

Course Requirements

There will be a final examination, anonymously graded, which will account for 75% of the course grade. In addition, there will be a real-world assignment during the semester in which you will draft comments on actual proposed federal regulations; your comments will actually be filed with the agency in question, and will become part of the rulemaking docket. [A couple of course sessions will deal with this assignment; they do not appear on the syllabus because their scheduling depends on the vagaries of the federal rulemaking docket.] This assignment will NOT be graded anonymously. You may receive planning and drafting credit (but **NOT** an additional hour of course credit) for this assignment. The quality and frequency of your class participation will also affect your course grade, for better or worse. If you are unprepared, please let me know in advance; a note on the lectern is fine.

Schedule of Assignments

Introduction: Administrative Agencies and Bureaucracy

1. 3-10

Judicial Review of Administrative Decisions

2. 109-124

3. 124-148

4. 148-174

5. 174-203

Availability of Judicial Review

6. 205-232

7. 232-253

8. 253-278

9. 278-304

10. 304-330

Administrative Policymaking

11. 333-354

12. 355-377

13. 377-409

14. 409-455

15. 468-501

Agency Adjudication

16. 503-533

17. 533-566

18. 567-608

Administrative Enforcement

19. 617-647

20. 647-666

Business and Occupational Licensing

21. 745-770

22. 770-801

23. 801-828

Suing Agencies and Officials

24. 703-728

25. 728-743

Freedom of Information

26. [TBA]