

Course: 116-001
Sally Katzen

as of December 1, 2007

ADMINISTRATIVE LAW

Syllabus

This syllabus lists the materials I expect to cover each week during the semester. The text will be Gellhorn and Byse's Administrative Law (revised 10th ed.), edited by Strauss, Rakoff & Farina (together with the 2007 Supplement). There may, of course, be modifications that need to be made as the semester proceeds.

Week 1 (Jan. 7 & 9):

Introduction – pp. 1-26

Delegation Doctrine – pp. 35-37, 66-77 (inc. x ref to 58-61 -- skim), Supp., 3-5, 38-55

Week 2 (Jan. 14 & 16):

Delegation Doctrine (cont.)

Delegation of Adjudication – pp. 118-33

Control by Appointment – pp. 138-51, 153-56, 158-70

Week 3 (Jan. 23):

Control by Appointment – pp. 176-91, Supp., 7-10

Control by Veto, Directive & Budget – pp.191-203, Supp., 10

Week 4 (Jan. 28 & 30):

Control by Veto, Directive & Budget (cont.) – pp. 208-14, 222-32, 233-37, Supp., 10-11

Adjudication & Rulemaking – pp. 238-45, 252-61, 264-68, 275-76

Adjudication – Initial Hearings – pp.322-32

Week 5 (Feb. 4 & 6):

Adjudication – Initial Hearings (cont.) Supp 16-20

Adjudication - Issue of Roles – pp. 393-400, 407-12, 423-33, 444-49, 450-53

Informal Adjudication – pp.470-74

Week 6 (Feb. 11 & 13):

Rulemaking – Statutory Forms – pp. 483-91

Rulemaking-- Procedures – pp. 493-507, 519-32, Supp. 30-31, 540-46, 550-52, Supp. 32-33

Rulemaking – Choosing a Mode – pp. 556-64

Week 7 (Feb. 18 & 20):

Rulemaking – Choosing a Mode (cont.) – pp. 566-71, 574-76, 578-83

Rulemaking - Getting Started – pp. 596-601, 609-16, Supp. 40-44, 638-42 (inc. App. 1370-82), 650-53, Supp. 44-46, 658-59

Week 8 (Feb. 25 & 27):

Rulemaking - Decision Process – pp. 663-69, 673-76, 684-92

Publication - Alternatives to Notice/Comment – pp. 705-11, 719-26, 729-32, Supp. 46-51

Open Government – pp. 733-35, 739-45, 748-53, 762

Week 9 (Mar. 3 & 5):

Procedural Due Process – pp. 767-74, 776-80, 783-90

What Triggers Due Process? - pp. 800-11

What Process is Due? – pp. 837-48, 872-79, 884-95

Spring Break

Week 10 (Mar. 17 & 19):

Scope of Judicial Review – pp. 907-19

Judicial Review of Facts – pp. 940-48, 965-70

Week 11 (Mar. 24 & 26):

Judicial Review Beyond Facts – pp. 979-83, 985-87, 989-1000, 1002-12, 1026-37, 1045-51

Week 12 (Mar. 31 & Apr. 3):

Judicial Review Beyond Facts (cont.) – pp. 1052-59, 1068-81, 1091-97, Supp. 92-131

Access to Court – pp. 1100-17

Week 13 (Apr. 7 & 9):

Standing – pp. 1117-37, Supp. 132-34, 1139-71

Week 14 (Apr. 14 & 16):

Reviewability – Supp. 136-46, pp. 1182-96, 1209-24

Week 15 (Apr. 21):

Timing of Judicial Intervention - pp. 1229-57, Supp. 153-58.