



SPRING 2026 COURSE SYLLABUS

Course Number: 624-001

Course Title: State Attorneys General Seminar

Credit Hours: 2

Grading Mode: Letter graded

Meeting Time(s): Tuesday 4:00p-6:00p

Meeting Mode: On campus

Exam Time(s): N/A

Exam Mode: Final paper

Prerequisite(s): N/A

Corequisite(s): N/A

Instructor(s):

Lynne Ross

Divonne Smoyer

Contact Information and Office Hours:

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dsmoyer@gmu.edu

Office hours by appointment. Please email both of us.

Reading(s) & Supplement(s):

[REQUIRED] State Attorneys General Powers and Responsibilities, Emily Myers, editor, 4th edition, (2018). National Association of Attorneys General (NAAG). This book has useful information on state Attorneys General (AG) legal developments and issues through 2018. Please use the 4th edition available for purchase in the Scalia Law Bookstore.

[REQUIRED] the website of the National Association of Attorneys General www.naag.org and read about state AG litigation and NAAG policy developments including sign-on letters.

Also monitor developments weekly of the 2 AGs you will be assigned in the first class to follow.

[REQUIRED] State newspapers are also helpful background but please understand the legal authority, legislative or policy implications.

Supplementary Sources

1. [AG Alliance Partnership](#)
2. [N AAG Multistate Litigation and Database](#)
3. [District of Columbia AG website](#)
4. [Virginia Attorney General Office website](#)
5. [Maryland Attorney General Office website](#)
6. [GMU Law and Economics Center's AG Program](#)
7. [Institute for Legal Reform – State AGs](#)
8. [The Federalist Society](#)
9. [U.S. Department of Justice \(DOJ\)](#)
10. [Federal Trade Commission \(FTC\)](#)
11. [Consumer Financial Protection Bureau \(CFPB\)](#)

Course Overview:

The Office of State Attorney General (AGO) has evolved greatly over time and has gained importance and visibility in recent decades. This is true within the states/territories in which they function, but more so in relation to other legal and policy actors nationally and even internationally. Virtually every public policy issue today has a legal component that falls within the purview of the state Attorneys General (AGs). This seminar addresses the unique role of the Attorney General (AG) in our legal system; AG powers and duties; the complexities of the role as the state's chief legal officer, including the political dynamics that have made AGs into the political and legal force they are today; the oft-competing perspectives of AG work within the broader context of law and policy; the role of AGs in shaping national issues; and interaction with other state/ local officials.

Law 624 will focus on core areas of the Attorney General Office (AGO,) including the function of defending the states, handling appellate work both in the state and in the U.S Supreme Court as well as affirmative litigation relating to antitrust, consumer protection, and civil rights, among other areas. Students will also study AG office organization, roles of key staff positions, office culture, and conflicts in representation (who is the client?) and emerging legal trends. Students will be assigned two Attorneys General to follow throughout the semester, and students are expected to review weekly and stay up to date on state developments that reflect the work of their AGs.

Throughout the semester, lectures, reading assignments (to be assigned by

weekly email- not all listed in this syllabus), and class discussions will focus on many current state AG issues, highlighting AG legal authority, powers and duties, and emerging legal issues.

Course Learning Outcomes:

Students will be able to apply information learned in this course and skills to real-world situations in public or private practice connected to the roles of state AGs.

- Students will develop an understanding of the status of the AGs in state government, including relationships with their Governors, the legislature, and the state and federal judicial system: and perspectives on the inevitable conflicts that arise regarding agency representation.
- Students will gain an understanding of the AG state-federal relationship and how federalism issues emerge and get resolved in an ever-changing environment.
- Students will learn about the role of the prosecutor in the justice system (state and local) and the pros and cons of decisions based on prosecutorial discretion.
- Students will meet and interact with AGs and staff (in person or on zoom) to enhance student understanding of the power of AGs and their impact, both individually and together through collective action.
- In thinking about career options after graduation, we encourage students to consider public service in an AGO at some point.

Following Two Attorneys General

Students will be assigned two AGs to follow in the first class. To prepare for future classes, students should research their AGs, including term in office, political affiliation, scope of office, responsibilities, their authority if designated in their State Constitution, and oath of office.

Throughout the semester, it is expected that students will research and learn about the powers and duties of their AGs and monitor significant initiatives and developments, focused on the weekly class assignment and theme for the class that week. Please be prepared to keep track of what your AGs are doing, individually and collectively.

Grading Policies:

Grades in the course will be completed, reflecting GMUSL academic policy based on the following elements, as explained in more detail below. All grades will be based on timely submission of each assignment—failure to submit each

assignment in a timely manner will result in a reduction in grade, as will papers with typos and grammatical issues.

Grading will be based on a curve in accordance with school policy. An A paper will be well-written and researched; respond to all questions presented in the assignment; have no typos or grammatical errors; and have excellent rationales and analysis well-documented by primarily legal sources. Grades will be lowered for reasons including but not limited to typos, run-on sentences, no punctuation, grammatical errors, no legal analysis, or no effective research to support your positions, and missing key legal citations discussed by speakers or professors to support your perspective. The law school's academic regulation allows using class participation to increase or reduce a final course grade to the next higher or lower half grade.

It is very important to attend class and to participate in the discussions. Attendance will be kept, in accordance with law school regulations. Class participation will be taken into consideration in determining final grades, especially where it is a close call - for example, from B to B+ or from A- to B+.

Final Paper %: 50

Additional Content %: 50

Two (2) short papers (Memorandum 1 & 2) worth 25% each.

Papers will be graded on a curve, so everyone cannot receive an A. We expect your research to go beyond just what is in the Powers & Responsibilities book and include some current/recent cases in the time frame of 2000-2026. Please take notes from speakers as these will be useful. It is expected that you will refer to these speakers as well as the AG you follow in your final paper. The final paper should tie in at least 5 speakers to support your positions taken and analysis.

Instructions for the 3 writing assignments

Please put your name on the front of the paper. Assignments must be in Times New Roman, 12 pt. font, double-spaced, and one-sided. Page limits are inclusive of all citations, which should be footnotes (10-point type please) in accordance with Blue Book format. Failure to follow instructions as to format; or to respond to all issues presented; or a lack of legal citations to substantive legal authorities (writing assignments CANNOT be based solely on newspaper or other articles or opinions) will result in a lowered grade by at least one level or more (A to B). More details to be explained in class. Papers are due on the dates assigned. Please email writing assignments to both professors and bring 2 printed copies to class...one-sided please.

Writing Assignment 1

Due February 3, 2026, at 4 pm. Topic will be announced in class.

Writing Assignment 2

Due March 24, 2026, at 4pm. Topic will be announced in class.

Final Paper

Due April 21, 2026, at 4pm Last Class. Topic will be announced in class.

Outlines are optional but encouraged. If you want your Profs to provide guidance, please submit to both of us by March 31.

Please put your name at the right-hand corner of first page and indicate if you are a graduating 3L.

Classroom Policies:

Attendance: Per AR 3-1.4, “maintenance of matriculation requires regular class preparation, participation and attendance, registration in the course of study required for the student’s program (full-time or part-time), successive registration for each fall and spring term of each academic year until study is completed, and compliance with all other relevant requirements.”

Attendance will be taken at the beginning of every class and tracked throughout the semester. Reminder: a student who is not present for at least 75 percent of any class session is considered absent for that session. Your instructors would appreciate a heads-up via email if you are going to be absent for a class. Please email both professors, although most likely only one of us will respond.

Absences: Per AR 4-1.1, “if a student is absent for any reason for more than 20 percent of the sessions of a course, the student is not eligible for credit in that course. A student who is not present for at least 75 percent of a session of the course is absent from that session.”

Participation & Preparation:

Student Information (to be provided in advance of first class)

Prof. Ross will send students a questionnaire requesting information about individual interests before the semester begins, with a response due back to both professors by Friday, Jan. 9, 2026. We want to get to know our students in advance, so if you have any specific interests/goals, we can address in class and plan accordingly.

Prof Ross will send weekly emails with information/assignments about the upcoming class. Note that the weekly topics in this syllabus may need to be changed to accommodate outside speakers, so be sure to review the weekly emails to be sent by Thursday after our class. Also, read the syllabus for important information about papers, due dates, format and grades.

We will circulate an updated class notes list, hopefully with confirmed speakers, early in the semester.

Use of Technology & AI:

Moderate Use Policy: Generative AI tools may be used in this course for the following purposes, and with the following guidelines. Students may use AI in this course to brainstorm, outline, and study, but may not use AI as the primary source for research, for text of written assignments, during any quiz or exam, nor during Socratic dialogue. Students must use AI tools responsibly, verify facts presented by AI, disclose when AI tools are used to create course work product, properly cite any AI tools utilized, and should be prepared to produce the transcript of prompts and responses upon request. Misuse will be treated as a violation of academic standards.

Course Schedule & Assignments

Session #1: January 20

Overview of the Course / Powers and Duties (Part I) and Rules of the Road – AG 101

Professors will review the syllabus, and discuss administrative aspects of attendance, class participation, grading, writing assignments and course materials and our expectations of students and learning outcomes. In this first class, Professors will introduce you to the Attorney General Office (AGO) and Attorneys General (AGs) and their staff, the culture, the relevant acronyms, legal framework, and individual and collective actions of AGs in their states and beyond. An overview of the Attorney General Office (AGO) and Attorneys General (AGs) and their staff, will be discussed, citing their powers and duties broadly. Topics will include a brief historical background, methods of selection, qualifications to run for office, and the varied backgrounds of AGs in office today.

Assignment

Read Chapter 1, Origin and Development of the Office; and Chapter 2, Qualifications, Selection and Term,

State Attorneys General Powers & Responsibilities edited by Emily Myers, NAAG, fourth edition.

Session #2: January 27

Overview of the Course / Powers and Duties (Part II)

The AG 101 overview continues with the basics, including structure of the office, staff roles and functions, substantive areas of AGOs, e.g. consumer protection, antitrust, environmental protection, civil rights, and criminal enforcement, among others. An overview of civil and criminal authority and differences and similarities among AGOs will be provided.

Paper Topic 1 will be discussed.

Assignment (Additional assignments may be made and circulated in weekly emails?)

Read up on your AGs and be prepared to present them (about 5 minutes allotted for both)

Class discussion of whether AGs should be elected or appointed?

Read Chapter 3, Common Law Powers, State Attorneys General Powers & Responsibilities

Review 2 key powers and duties rulings below and be able to explain why these cases are important and what relevance do they bring to bear today.

Shevin v Exxon Corp 526 F.2d 266 (5th Cir. 1976) cert. denied, Standard Oil Co. v Florida,

Feeney v Commonwealth, 366 N.E.2d 1262 (Mass.1977)

Session #3: February 3 First paper due 4pm

Part 1 Conflicts in Representation – Who is the Client?

The AG has a unique role in state government, defending both the state and its

departments/agencies and representing the public interest – filing litigation to protect the citizens using powers of consumer protection, civil rights, antitrust etc. These different roles can sometimes conflict and the AG is uniquely positioned and can handle both functions – unlike private practitioners. These powers & duties for AGs can raise important issues while being very challenging.

Assignment

Read Chapter 4, Status in State Government, State Attorneys General Powers & Responsibilities, and Chapter 6, Conduct of Litigation

Part 2 Introduction to Political Aspects of AG Life -NAAG, Other National Organizations and Politics

Attorneys General (AGs) have been highly visible on many partisan issues, including elections. This class will focus both on partisan political activity and how (or not) it impacts the role, profile, and cooperation of state AGs; and discuss the AG national membership organizations such as the Attorney General Alliance (AGA) and the National Association of Attorneys General (NAAG). The political organizations are the Republican Attorneys General Association (RAGA) and the Democratic Attorneys General Association (DAGA).

Assignment

Review the websites of the organizations listed above.

Discussion – what are your reflections on the multi-roles of AGs at this point in the class?

Session #4: February 10

Introduction to Consumer Protection

Part 1 Throughout her career in private practice, Prof. Smoyer has monitored consumer protection developments and AG offices and has represented private sector clients who have encountered issues with AG offices. Prof Ross will interview Prof Smoyer about trends in consumer protection and the general process of how she negotiates client concerns.

Part 2 Fundamentals: Consumer Protection- Privacy /Multistate Investigations 101

AGs are key advocates for consumer protection, and their enforcement authority derive from consumer protection statutes that give them enormous power. Often AGs are at odds with the business community, both large and small. Prof. Smoyer will continue the discussion on consumer protection, with emphasis on multistate action. How does this process get initiated and when, where, and how does it end? Discussion will include case selection, and criteria; structure and oversight of a multistate; differences in legal strategy and state laws, use of outside counsel, role of plaintiffs' lawyers, privacy and AG action in this space. (Speakers to be announced)

Assignment

Read Chapter 13 Consumer Protection, State Attorneys General Powers & Responsibilities

Session #5: February 17

Role of the State Solicitor General

An increasingly important role in the determination of the state's legal policy has been the creation of the position of Solicitor General (SG) in AG offices. Most AGOs now have such a dedicated position, the Solicitor General, who oversees and manages the appellate work of the office. In other offices, the person responsible for this function may be called the Appellate Chief. The SG also plays a significant role on national issues and in turn, on national politics to the extent high-profile cases are moving through the courts towards the Supreme Court and having policy impacts, such as the Affordable Care Act, emergency Administration appeals, (aka the Shadow Docket) voter rights, and immigration, among many other areas. The Solicitor General represents the state in matters before the U.S. Supreme Court and in

other appellate courts. SGs, who coordinate closely on many matters, are also affected by partisan politics particularly on national issues/cases. (Speaker(s) to be announced.

Assignment

Read Chapter 23, The Supreme Court of the United States, State Attorneys General Powers & Responsibilities

Session #6: February 24

Role of the Chief Deputy Attorney General – Part 1

With few exceptions, the Chief Deputy Attorney General or First Assistant Attorney

General is the second-in-command, overseeing the day-to-day legal operations of the AG office, and often acting as the AG in his or her absence. No one day is routine and walking into the office, a Chief Deputy often faces many new challenges throughout the day. This session will focus on real-life situations where legal/other decisions must be resolved quickly, efficiently, and often, delicately.

Part 2

Discussion of your AGs and developments

Assignment

Read Chapter 5, Opinions, State Attorneys General Powers & Responsibilities

Session #7: March 3

Meet the Attorney General

The powers of AGs have expanded as state legislatures prescribe new responsibilities and functions for state government. The focus is on the broad

role of AGs in addressing not only the day-to-day functions but also the inevitable emergencies that occur. Discussion will include perspectives on AG priorities, their office, goals, key cases and more.

SPRING VACATION MARCH 9-March 15

No March 10 CLASS

Session #8 March 17

Meet the Attorney General

The criminal law jurisdiction of AGs varies from state to state with only a few offices

having full original criminal jurisdiction where the AG functions as the main local/state prosecutor. In many states the AGO has concurrent and/or supplemental jurisdiction and primarily prosecutes murders and other such high-profile cases. This session will explore the U.S. DOJ - state-federal roles and coordination where appropriate, and role of local prosecutors vs. AGs.

Assignment

Read Chapter 17, Criminal Justice, State Attorneys General Powers & Responsibilities
Read Chapter 21, Anti-Corruption, State Attorneys General Powers & Responsibilities

Optional Reading:

Read Chapter 18, Medicaid Fraud, State Attorneys General Powers & Responsibilities

Session #9: March 24 Second Paper Due 4pm

Meet the Attorney General – AGs As State Chief Legal Officers and On Federalism Issues

As the chief legal officers of their states, AGs confront a range of issues that are sometimes divisive among colleagues around the country. These issues range from conflicts with a neighboring state, to pro and con defense of the current Administration. This session will explore these roles and relationship to the state and national government. (Speaker to be announced)

Session #10: March 31

Private Sector Perspective on State AGs (speakers to be announced)

Given the power and authority of AGs both at the state and federal levels, and their significant powers -- particularly in consumer protection -- the private sector has deployed partnership and engagement strategies with the AGs. Often, this is welcomed by the AG and his or her staff who may benefit from the legislative, policy and/or legal expertise of those in the private sector. This panel moderated by Prof Smoyer consists of legal and government affairs professionals on their approaches.

Session #11: April 7

Meet the Attorney General - AGs as Change Agents

AGs can bring great changes to their states through their policy advocacy (including legislative) as well as through litigation and power of the bully pulpit. This session will explore how AGs use their authority to implement change in their states and within their offices.

Session #12: April 14

Meet the Attorney General

The role of AG is complex. The AGO confronts an array of matters daily and no two days are the same. With the roles of defending the state and advocating for its citizens, conflicts can develop and must be managed. The unanticipated crisis must be addressed. Attention must be paid to provide legal advice to the Governor and state agencies. And further, the AG works with colleagues on multistate matters of national interest as well as with regional and local officials. Discussion will focus on the AG's perspective in addressing these matters.

Session #13: April 22 (Final Class) Paper Due 4pm

Wrap-Up

The class will conclude the course with a review of AG roles and responsibilities. What's your own perspective? Are AGs doing their jobs? Should they be re-elected? Should their authority be enhanced or curtailed? Has state authority expanded or contracted in recent years? And for you, which job do you believe you would like to have in an AG Office and why?

NOTE: Time provided for student evaluation of both professors.

Assignment
Your AG updates wrap-up

Student Resources

[Antonin Scalia Law School Academic Regulations](#)

[GMU Common Course Policies Addendum](#)

[Mason Square Services](#)

[Mason Square Police](#)

Van Metre Hall, Room 110

Emergency - Dial 911

Escort Services - 703-993-8070

Dispatch – 703-993-2810

[Student Support and Advocacy Center \(SSAC\)](#)

Mason Square Sexual Assault Services:

Van Metre Hall, Room 222D

703-993-8186

Notice of Mandatory Reporting of Sexual Assault, Sexual Harassment, Interpersonal Violence, and Stalking:

As a faculty member, I am designated as a “Non-Confidential Employee,” and must report all disclosures of sexual assault, sexual harassment, interpersonal violence, and stalking to Mason’s Title IX Coordinator per University Policy 1202. If a student wishes to speak with someone confidentially, please contact one of Mason’s confidential resources, such as Student Support and Advocacy Center (SSAC) at 703-380-1434 or Counseling and Psychological Services (CAPS) at 703-993-2380. Students may also seek assistance or support measures from Mason’s Title IX Coordinator by calling 703-993-8730, or emailing titleix@gmu.edu.

[Mason Square Clinic](#)

Van Metre Hall, Room B102

703-991-2831

[Counseling and Psychological Services](#)

[Student Health Services](#)

[Student Disability Services](#)

[Student Conduct](#)

[University Life](#)