

PADM 223 – Law & Public Administ

The Exams – The exams will consist exclusively of essay questions. The second midterm and the final e

SCHEDULE OF TOPICS AND READINGS

Part 1 – Administrative Agencies & the Constitution

- January 26 Introduction to the Course
 A. The Syllabus
 B. You & Me
 Basic Concepts
 A. Legislative vs. Executive vs. Judicial Power
 B. Law vs. Facts
 C. Substantive vs. Procedural Due Process
 D. Statutory Interpretation vs. Constitutional Interpretation
- February 2 Basic Concepts (continued)
 A. Federalism
 B. Conducting Legal Research

- March 2 Administrative Agencies & the Equal Protection Clause
- A. The “State Action” Doctrine
 - B. The “Strict Scrutiny Test
 - C. Disparate Treatment vs. Disparate Impact
 - D. Affirmative Action

READING: Hall, pp. 93-110

Part 2 – Administrative Agencies & the Public

- March 9 Federal Statutes Regulating Administrative Agencies
- A. The Administrative Procedure Act (APA) of 1946
 - 1. Formal vs. Informal Proceedings
 - 2. Choosing Between Rulemaking and Adjudicating
 - B. Enabling Acts

READING: Hall, Chapter 3

- March 16 Agency Rulemaking
- A. Formal vs. Informal Rulemaking
 - B. Hybrid rulemaking & the *Vermont Yankee* decision
 - C. Exemptions from the Rulemaking P

Part 3 – Administrative Agencies in Court

April 20 Other Major Federal Laws Affecting Administrative Agencies
 A. Anti-Discrimination Laws
 B. The National Environmental Policy Act of 1970
The Concept of Sovereign Immunity

April 27 The Availability & Timing of Judicial Review
 A. Sources of Judicial Review
 B. Unreviewable Actions
 C. Standing & Other Threshold Issues
 D. Scope & Standards of Review

READING: Hall, Chapter 9