

Professor Mank **Administrative Law (Spring 2009)** Mondays and Thursdays, 10:40 - 12:05, Room 100A

The required book for this course is Alfred C. Aman, Jr., *Administrative Law and Process* 2nd ed. 2006 (ISBN 0-8205-5992-X). Weekly assignments will be given in class. Your grade in this course will be based on an examination. It will be a limited open book examination in which you may use a personally handwritten (in pen ink, no typewritten or computer materials), one page (both sides of paper) (8 1/2 inch by 11 inch) "help" sheet that is your own work; I will give details before the end of the semester. The examination will be based on my handouts, lectures and the materials in the book. You may not rely on outside sources to "overrule" the materials presented in class. I reserve the right to take class attendance, preparation or performance into account in assigning a final grade. I may increase your grade for good class participation, up to one full letter grade, or reduce it to a failing grade for lack of class attendance, preparation or performance. I reserve the right to fail any student who has any unexcused absences. You may not record or tape my class without my permission. My office is in Room 425 and my office hours are Monday 4:30-5:00 and Thursdays, 4:30-5:00. I can make an appointment for other times. I will be out of town on Thursday, April 16th to moderate a conference on standing law.

First Assignment: For Monday, January 12th, please read pages 1-17, 49-65.

Topics and Assigned Pages:

- I. Individual and State 1-17
- II. Due Process 49-106, *Castle Rock* Supplement, 106-177
- III. The Administrative Procedure Act 217-240, *Dominion Energy* Supplement, 240-317
- IV. Rulemaking 319-433
- V. Informal Agency Action 435-466
- VI. Legislative Control 515-619
- VII. Executive Control 621-680
- VIII. Judicial Control 719-802; *Gonzales* Supplement; 802-824
- IX. Availability & Timing of Judicial Review 825-882, *Massachusetts v. EPA* Supplement, 882-904
- X. Open Government 919-964, 970-981, 990-1002

* Note: The information contained in this syllabus is subject to change, and you are responsible for all revisions announced in class. The course outline is tentative and topics will be covered as time permits.