Administrative Law Seminar
PPS-541/ POLS-541

Dr. Warren
Spring, 2013

STATEMENT ABOUT THE COURSE

Administrative law is one of the fastest growing areas in the public administration discipline, as well as in the field of law. The chief reason for this is simple. More experts in administrative law are needed to help various public and private organizations cope successfully with the mounting problems caused by the rapid growth of governmental regulations over the past few decades. Administrative law is not an easy subject, mostly because it is a relatively new, unstable legal area undergoing rapid change, although the pace has slowed in recent years. Basically, administrative law deals with the legal relationships between regulatory agencies and those they attempt to regulate. Judicial review of agency actions is a particular focus of administrative law since the courts often must decide whether governmental agencies have acted properly when flexing their regulatory muscle. The chief focus of administrative law is procedural due process, not constitutional due process. Consequently, we will study how well agencies do in applying procedural due process when conducting agency work (e.g., when promulgating rules, conducting hearings, and executing administrative searches). Administrative law always faces new challenges. In 2013 the Obama administration continues to face acute domestic and foreign policy problems, as the United States tries to fight a sluggish economy at home and terrorism abroad.

Seminar Outline (Dates)                         Topics
January 17                                  Introduction to Seminar
January 24                                  Warren, Chapters 1 and 2
January 31                                  Warren, Chapter 3
February 7                                  Warren, Chapter 4
February 14                                 Warren, Chapter 5
February 21                                 Warren, Chapter 6
February 28                                 Warren, Chapter 7
March 7                                    Catch-up and discussion of papers
March 11-15                                 Spring break, no class
March 21                                    Warren, Chapter 8
March 28                                    Warren, Chapter 9, Catch up, oral reports
April 4                                     Warren, Chapter 10,
April 11                                    Warren, Chapter 10, oral reports
April 18                                    Warren, Chapter 11, oral reports
April 25                                    Warren, Chapter 11, oral reports
May 2                                       Last class, seminar papers due

Required Readings

Hand-outs (cases, articles, etc.)
Assigned cases from Lexis-Nexis
Grading Policy

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<th>Component</th>
<th>Points</th>
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<tr>
<td>Participation</td>
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<tr>
<td>Oral Report</td>
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<tr>
<td>Seminar Paper</td>
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<td>Final</td>
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<tr>
<td>Total Points</td>
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My Contact Information

Office phone number: 314-977-3036 (also try 3035 for departmental secretary)
Home phone number: 314-963-0451 (call when very important)
E-mail: warrenkf@slu.edu
Office: McGannon Hall, Room 135
Office Hours: T/TH 12:00 – 12:45; 2:00 – 2:30; and by appointment

Attendance Policy

Note: Attendance is very important in seminars because participation in discussions is crucial. Of course, participation is a key element in determining your grade. That is, 100 points or 25% of your grade is based on participation. Remember, you cannot participate if you are not in class. Any more than three absences will result in an F for the seminar (three absences represent about 20% of the course) unless there are mitigating circumstances that justify the absences. You would need to discuss these circumstances with me to be excused without penalty. I do take attendance in a seminar very seriously since the format is not a strict lecture format, as in undergraduate school, and therefore much of what is learned is learned through seminar discussions.

COURSE EVALUATION

During the last week of the semester, students will be reminded to complete an in-class course evaluation. I have elected to not use on-line evaluations simply because too many students end up not completing them.

Americans with Disabilities Act

All provisions are honored by this instructor.
Students with disabilities need to make arrangements with the Disabilities Coordinator, 977-8885, DuBourg, Room 36. The Americans with Disabilities Act will be honored completely.

https://mail.slu.edu/cgi-bin/webmail.cgi?cmd=item-32&utoken=warrenkf40svd.slu.edu3...
8/24/2007

Academic Integrity and Honesty

Students are expected to be honest in their academic work. The University reserves the right to penalize any student whose academic conduct at any time is, in its judgment, detrimental to the University. Such Conduct shall include
cases of plagiarism, collusion, cheating, giving or receiving or offering or soliciting information in examinations, or the use of previously prepared material in examinations or quizzes. Violations should be reported to your course instructor, who will investigate and adjudicate them according to the Policy on Academic Honesty of the College of Arts and Sciences. If the charges are found to be true, the student may be liable for academic or disciplinary probation, suspension, or expulsion by the University.

The statement below is adopted primarily from the Academic Integrity statement on page 58 of the 2005-2007 Undergraduate Catalog.

VIII. Academic Integrity and Honesty

The University is a community of learning, whose effectiveness requires an environment of mutual trust and integrity. Academic integrity is violated by any dishonesty such as soliciting, receiving, or providing any unauthorized assistance in the completion of work submitted toward academic credit. While not all forms of academic dishonesty can be listed here, examples include copying from another student, copying from a book or class notes during a closed book exam, submitting materials authored by or revised by another person as the student’s own work, copying a passage or text directly from a published source without appropriately citing or recognizing that source, taking a test or doing an assignment or other academic work for another student, securing or supplying in advance a copy of an examination without the knowledge or consent of the instructor, and colluding with another student or students to engage in academic dishonesty.

Any clear violation of academic integrity will be met with appropriate sanctions. Possible sanctions for violation of academic integrity may include, but are not limited to, assignment of a failing grade in a course, disciplinary probation, suspension, and dismissal from the University. Students should review the College of Arts and Sciences policy on Academic Honesty, which can be accessed on-line at http://www.slu.edu/colleges/AS/ under “Quicklinks for Students” or in hard copy form in the Arts and Sciences Policy Binder in each departmental or College office.

Course Objectives

Basically, I have a twofold objective in teaching this course. Firstly, I want students to learn a lot about the academic and practical field of administrative law. Secondly, I want students to develop a critical understanding of administrative law. That means I want students to learn to think in a conceptually scholarly way about various developments in administrative law. More specifically, I want students to be able to think critically about case law and the legal principles and doctrines that guide administrative law and judicial decisions.

Modes of Assessment and Skills/Knowledge Being Assessed

Students will be assessed on their ability to learn and retain course materials, as well as on their ability to think critically about the subject matter, through seminar discussion, a final, and a comprehensive seminar paper. As the semester progresses, students should improve in their ability to think critically as they learn more about the subject matter and practice their ability to critique the materials (e.g., rules promulgated by administrative agencies, judicial decisions, the application of legal principles and doctrines) in seminar discussions. The participation grade will be based significantly on a student’s ability to respond to in-class questions about the readings, as well as their ability to contribute meaningfully to class discussions. Student seminar papers
will be graded on the basis of a student’s ability to present and critique a challenging administrative law subject.

In-Class Activities

I will use what is called a pro-seminar approach to the subject matter. A pro-seminar approach means that I will cover much of the material through introductory lectures to help students focus on the weekly material to be discussed. These pro-seminar lectures will not be presented in a rigid fashion, but open to questions from the class at any time. Spontaneous questions are in fact encouraged because such questions help in forcing immediate discussion and enlightenment on the topics being presented. Much of the class will involve questions asked of students concerning the material covered in the readings for the week, so it is expected that students come prepared for class, ready to discuss the assigned readings. We will spend considerable time discussing and critiquing court decisions, administrative law principles, doctrines, and all sorts of developments related to administrative law. In class discussions I will stress taping a student’s intellectual/critical thinking skills. The purpose of the discussions will be to cover and discuss critically the administrative law materials assigned for the particular seminar class.