Administrative Law Course Syllabus

PAD 4603 (1) and (2)
243 Bellamy Building
Spring 2012, 8:00-9:15; 9:30-10:45, Tues, Thurs.

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Office: 655 Bellamy
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Office Hours: Before and after classes or by appointment

Course Objectives:
1. To provide a legal background for the study of administrative law
2. To understand the interrelationship between administrative law and
   the social sciences
3. To learn the system nature of administrative law systems—e.g., how
   changes in one area affect those in others
4. To understand how to read and analyze a court case
5. To understand how to read and interpret statutes
6. To understand the relationship of the past to the present and the
   future of administrative law systems
7. To analyze some of the important controversies on which
   administrative law must focus

Required Text:
Katsh, Taking Sides: Clashing Views on Legal Issues, 14th ed. (New York:

This is the only required text and will be used during the second
portion of the course. Students who have no background in law may want to
978-0-13-615553-9, published by Pearson/Prentice Hall, for assistance. In
addition, students will be assigned appellate opinions that are not included
in the text. Those cases may be downloaded from the Internet or accessed in
the law library. The case names and citations are on the syllabus for each
assignment.

Academic Honor Policy:
The Florida State University Academic Honor Policy outlines the
University’s expectations for the integrity of students’ academic work, the
procedures for resolving alleged violations of those expectations, and the
rights and responsibilities of students and faculty members throughout the
process. Students are responsible for reading the Academic Honor Policy and
for living up to their pledge to “... be honest and truthful and ... [to]
strive for personal and institutional integrity at Florida State University.”
(Florida State University Academic Honor Policy, found at
http://dof.fsu.edu/honorpolicy.htm.)

Americans with Disabilities Act (ADA)
Students with disabilities needing academic accommodation should:(1)
register with and provide documentation to the Student Disability Resource
Center; and (2) bring a letter to the instructor indicating the need for
accommodation and what type. This should be done during the first week of
class. Note this is required is you need to use a computer in class.

Phones, computers et al.
No technological devices may be used in the classroom with the exception
of laptop computers used solely for the purpose of the course and after
permission is granted by the instructor. That will be done only with proper
medical authorization. There will be no exceptions.
**Attendance Policy:** There is an attendance/participation element to the grade as noted later. The instructor will call the roll at the beginning of each class. Any student who is not present at that time will not be given credit for attendance at that class unless the student has an approved absence, which must be requested in writing and accompanied by proper authorization. No late arrivals will be counted as present.

**Exams:** Two objective exams consisting of 60 questions each will be given. They must be taken as scheduled unless prior permission is granted by the professor (such permission is rarely given and only under extraordinary circumstances) or the student has an extreme emergency. All medical reasons for missing exams must be in writing by a medical doctor and state that the student is so ill that it would be unreasonable for him/her to take an exam. Any student who has permission to take a make-up exam and cannot do so during the semester at the scheduled time for makeups will be given an Incomplete for the course. To remove that Incomplete, the exam must be taken during the regularly scheduled time for that exam during the following semester. That exam may differ in content and form. The exams may cover any material presented during the classes whether by instructor or during student presentations. The test scores will not be curved.

**Student Presentations:** Early in the semester each student will be assigned a topic for further study. During the latter part of the course students will present their findings on this topic to the class for discussion and debate. The topics are noted later in this syllabus. Due to the class size, two or more students may be assigned to a topic. Each student will be expected to research the assigned topic, including a minimum of 8 primary scholarly sources beyond the legal case assigned. Scholarly sources such as legal cases, law review articles, scholarly journal articles, or treatises (not text books) are appropriate. If two or more students are assigned to one topic/presentation, each of those students must have a minimum of 8 sources that do not duplicate those of the other student(s) and each student must present a separate bibliography. The Internet does not qualify unless it is a reprint of a primary source. Students who wish to attain an A on the research component will be expected to go significantly beyond the minimum number of 8 primary sources. A printed list of the sources used, along with complete citations and a summary and analysis of each source must be presented in hard copy to the instructor at the beginning of the student’s class presentation. Failure to do so will result in a reduced grade. Any student who uses Power Point should understand that this technique is to be used for an outline only. Grades will be reduced if students read excessively. The point is to lead a discussion on a researched topic. A student who for any reason misses his or her presentation may make up that work only with the prior permission of the instructor and by submitting a twelve page, typed, double-spaced paper, with 1 inch margins and font size 10, on the student's assigned topic no later than Tuesday, April 17, 2012, at the beginning of the regularly scheduled class period in which the student is enrolled. The paper is subject to the same content/research requirements as the presentation. A student who is writing a paper must consult with the instructor concerning the appropriate form for that paper. Any student who has an emergency on the day of the scheduled presentation and cannot present, must comply with the emergency rule stated for exams.

**Grades:**

The grading scale will be approximately as follows:
- A = 90-100 (A- for 90-94)
- B = 80-89 (B+ for 87-89, B for 84-86, B- for 80-83)
- C = 70-79 (C+ for 77-79, C for 74-76, C- for 70-73)
D = 60-69  (D+ for 67-69, D for 64-66, D- for 60-63  
F = below 60  zero for any assignment not completed

Grades will be based on the following:
First exam  120 points
Second exam  120 points
Class presentation  100 points
Research for class presentation  150 points
Class attendance/participation  150 points

Class assignments by class date:

Jan. 5  Introduction to the course: Statutory construction
Jan. 10  Functions of Law in Society and Introduction to types of law:
         Bob Jones University v. United States, 461 U.S. 574 (1983)
Jan. 12  The function of courts and the role of administrative law: Focus
         on the hands-off policy toward administrative agencies
         Ruffin v. Commonwealth, 62 Va. 790 (Va. 1872)
Jan. 17  Constitutional Law: the foundation of Administrative Law; Judicial
         review of administrative and court decisions
         Marbury v. Madison, 5 U.S. 137 (1803)
Jan. 19  Limitations of Law: Judicial restraint; Standing; Mootness and
         Ripeness; Political Questions; Jurisdiction; Venue; Statutes of
         Limitation; Conflict of laws; right to privacy
Jan. 24  The requirement of due process in administrative decisions
         Morrissey v. Brewer, 408 U.S. 471 (1972)  (not required)
Jan. 26  Administrative law and criminal law compared
Jan. 31  Administrative law and tort law compared
         Palsgraf v. Long Island Railroad, 248 N.Y. 339 (1928)
Feb. 2   Administrative law and delegation theory
         Greenholtz v. Inmates of Nebraska Penal and Correctional
         Complex, 442 U.S. 1 (1979)
Feb. 7   Administrative law and adjudication: Right to a hearing
Feb. 9   Test over all material covered thus far

Presentation dates and topics: All assignments are from the required text and
are listed by number and case name.

Mar. 6, 8 Spring break; no classes
Mar. 13, 15 Assignment on your own; no classes  
Apr. 12  Test over all presentations and cases covered since first test
Apr. 19  Conclusion to the course; make ups