

<b>Course</b>	<b>PADM 5830 - Administrative Law and Processes</b>
<b>Term</b>	Fall 2, Oct 19 – Dec 18, 2009
<b>Instructor</b>	Name: Warrick, Stan Phone: 501-425-3988 Email: <a href="mailto:stanleywarrick00@webster.edu">stanleywarrick00@webster.edu</a>
<b>Catalog Description</b>	The student examines the system of administrative law and in some instances uses specific case studies to indicate the development of this system. The influence of administrative law on the conduct of public operations is examined.
<b>Prerequisites</b>	Students majoring in Public Administration should have completed the requisite course—PADM 5000.
<b>Course Level Learning Outcomes</b>	At completion of this course the students will understand: <ol style="list-style-type: none"> <li>1. current legal issues affecting administrative law;</li> <li>2. laws and regulations affecting administrative law;</li> <li>3. recognize and evaluate legal problems in the area of administrative law;</li> <li>4. the influence of administrative law on the conduct of public operations;</li> <li>5. the place of administrative action in our governmental and legal system;</li> <li>6. the scope of judicial review in administrative law;</li> <li>7. rule making by administrative agencies; and</li> <li>8. how governmental administrative agencies function, control and effect businesses.</li> </ol>
<b>Materials</b>	<i>Administrative Law: Bureaucracy in a Democracy.</i> Daniel Hall, Publisher: Prentice Hall, 4th Ed. ISBN 0-13-500518-3. Copyright: 2009.  You can access the Virtual Bookstore at <a href="http://www.mbsdirect.net/webster">http://www.mbsdirect.net/webster</a> or call MBS Direct at 800-325-3252 and give your school name, site or program, and course number.

<p><b>Grading</b></p>	<p><b>Grading Scale</b> 93-100 A 90-92 A- 87-89 B+ 83-86 B 80-82 B- 70-79 C 0-69 F</p> <p><b>Course Requirements</b> The GRADUATE catalog provides these guidelines and grading options:</p> <p>A/A– Superior graduate work  B+/B/B– Satisfactory graduate work  C Work that is barely adequate as graduate-level performance  CR Work that is performed as satisfactory graduate work (B– or better). A grade of "CR" is reserved for courses designated by a department, involving internships, a thesis, practicums, or specified courses.  F Work that is unsatisfactory  I Incomplete work  ZF An incomplete which was not completed within one year of the end of the course. ZF is treated the same as an F or NC for all cases involving G.P.A., academic warning, probation, and dismissal.  IP In progress  NR Not reported  W Withdrawn from the course</p>
<p><b>Activities</b></p>	<p>Small group reviews and presentations of Administrative Law issues in current events.</p>
<p><b>Policy Statements: University Policies</b></p>	<p>University policies are provided in the current course catalog and course schedules. They are also available on the university website. This class is governed by the university's published policies. The following policies are of particular interest:</p> <p>A student may submit their term paper to the On-Line Writing Center in St. Louis by email and have a coach make suggestions/corrections. It is up to the student to allow sufficient time (generally 7-10 days) for this process to be utilized and still turn in the term paper on the assigned date. Go to <a href="http://www.webster.edu/acadaffairs/asp/wc/online.html">http://www.webster.edu/acadaffairs/asp/wc/online.html</a></p> <p><b>Academic Honesty</b> The university is committed to high standards of academic honesty. Students will be held responsible for violations of these standards. Please refer to the university's academic honesty policies for a definition of academic dishonesty and potential disciplinary actions associated with it.</p>

	<p><b>Drops and Withdrawals</b> Please beware that, should you choose to drop or withdraw from this course, the date on which you notify the university of your decision will determine the amount of tuition refund you receive. Please refer to the university policies on drops and withdrawals (published elsewhere) to find out what the deadlines are for dropping a course with a full refund and for withdrawing from a course with a partial refund.</p> <p><b>Special Services</b> If you have registered as a student with a documented disability and are entitled to classroom or testing accommodations, please inform the instructor at the beginning of the course of the accommodations you will require in this class so that these can be provided.</p> <p><b>Disturbances</b> Since every student is entitled to full participation in class without interruption, all students are expected to be in class and prepared to begin on time. All pagers, wireless phones, or other electronic devices must be turned off, or switched to vibrate, when you enter the classroom.</p> <p>Disruption of class, whether by latecomers, noisy devices, or inconsiderate behavior is not acceptable. Students are expected to treat the instructor and other students with dignity and respect, especially in cases where a diversity of opinion arises. Students who engage in disruptive behavior are subject to disciplinary action, including removal from the course.</p> <p><b>Student Assignments Retained</b> From time to time, student assignments or projects will be retained by The Department for the purpose of academic assessment. In every case, should the assignment or project be shared outside the academic Department, the student's name and all identifying information about that student will be redacted from the assignment or project.</p> <p><b>Contact Hours for this Course</b> It is essential that all classes meet for the full instructional time as scheduled. A class cannot be shortened in length. If a class session is cancelled for any reason, it must be rescheduled.</p>
<p><b>Course Policies</b></p>	<p>This course will meet on Thursdays from 5:30 to 10:00 p.m.</p>

<p><b>Week 1:</b></p>	<p>Chapter 1: Introduction to Administrative Law: What is Administrative Law, Sources of Administrative Law, and Administrative agencies and how they impact our lives.</p> <p>Chapter 2: Bureaucracy and Democracy: Democracy and accountability, Controlling the Bureaucracy</p> <p>Briefing a Case: IRAC (<b>I</b>ssue, <b>R</b>ule of Law, <b>A</b>pplication of rules to facts, <b>C</b>onclusion)</p> <p>Read Chapters 1 and 2. Be prepared to discuss readings and answer and discuss question and problems at the end of each chapter.</p>
<p><b>Week 2:</b></p>	<p>Chapter 3: Agency Discretion</p> <p>Brief <u>General Motors v Federal Energy Regulatory Commission</u>, <u>Chevron v Natural Resources</u>, and <u>Gonzalez v Reno</u> using the IRAC method and attach to Week 2 assignment area in Blackboard prior to class.</p> <p>Chapter 4: Due Process, Notice, Hearing, and Equal Protection.</p> <p>Read Chapters 3 and 4. Be prepared to discuss readings and answer and discuss question and problems at the end of each chapter.</p>
<p><b>Week 3:</b></p>	<p>Chapter 5: Delegating Legislative Authority, Nondelegation Doctrine, Delegating Judicial Authority, Delegating to Private Agencies, Delegation and Criminal Law.</p> <p>Brief <u>Foley v. Osborne Court</u> using IRAC and attach to Week 3 assignment area in Blackboard prior to class.</p> <p>Chapter 6: Rulemaking vs. Adjudication, Rulemaking Procedure.</p> <p>Brief <u>FDA v Brown and Williamson</u> using IRAC and attach to Week 3 assignment area in Blackboard prior to class.</p> <p>Read Chapters 5 and 6. Be prepared to discuss readings and answer and discuss question and problems at the end of each chapter. REMINDER: Exam scheduled for Week 4.</p>

<p><b>Week 4:</b></p>	<p>Chapter 7: Agency Investigations and Information Collection</p> <p>Brief <u>Veronia School District v Action</u> using IRAC and attach to Week 4 assignment area in Blackboard prior to class.</p> <p>Read Chapter 7. Be prepared to discuss readings and answer and discuss question and problems at the end of the chapter.</p> <p>MID-TERM EXAM Chapters 1-7</p>
<p><b>Week 5:</b></p>	<p>Chapter 8: Adjudications: Notice, Parties, Discovery, Prehearing Conferences, The Hearing.</p> <p>Brief <u>Richardson v Perales</u> using IRAC and attach to Week 5 assignment area in Blackboard prior to class.</p> <p>Chapter 9: Review Authority: Agency Discretion, Standing, Timing of Review, Standards of Review, Common Law Doctrines.</p> <p>Brief <u>Heckler v Chaney</u> using IRAC and attach to Week 5 assignment area in Blackboard prior to class.</p> <p>Read Chapters 8 and 9. Be prepared to discuss readings and answer and discuss question and problems at the end of each chapter.</p>
<p><b>Week 6:</b></p>	<p>Chapter 10: Freedom of Information Act, Privacy Act, Government in the Sunshine Act, Federal Advisory Act, Trade Secrets Act, Privatization and Right to Know.</p> <p>Brief <u>National Archives &amp; Records Administration</u> and <u>Ray v Turner</u> using IRAC and attach to Week 6 assignment area in Blackboard prior to class.</p> <p>Read chapter 10. Be prepared to discuss readings and answer and discuss question and problems at the end of the chapter.</p>
<p><b>Week 7:</b></p>	<p>Chapter 11: Liability, Federal Tort Claims Act and Exceptions, Section 1983 Actions, Constitutional Claims, Common Law Torts and Immunity, Tucker Act.</p> <p>Brief <u>Bowers v City of Chattanooga</u> and <u>County of Sacramento v Lewis</u> using IRAC and attach to Week 7 assignment area in Blackboard prior to class.</p> <p>Read Chapter 11. Be prepared to discuss readings and answer and discuss question and problems at the end of the chapter.</p>



<b>Week 8:</b>	Chapter 12: Researching Administrative Law Issues  Appendix A: Constitution of the United States of America  Read Chapter 12. Be prepared to discuss readings and answer and discuss question and problems at the end of the chapter.
<b>Week 9:</b>	<b>FINAL EXAM!</b> <b>Final Exam covers chapters 8-12</b>
<b>Additional Information</b>	Weight of Assignments/Tests Attendance – 10%  Homework assignment submission (IRAC of cases) – 30% Mid-term test – 30%  Final Exam - 30%  Course announcements and study guides will be posted on Connections.
<b>Approved by</b>	Michael Hostetler, Faculty Coordinator, June 8, 2009