

## LAW A 509: ADMINISTRATIVE LAW

Winter 2020

Tuesdays and Thursdays, 1:30 to 3:20 PM

Room 117

Prof. Ryan Calo | [rcalo@uw.edu](mailto:rcalo@uw.edu) | (206) 543-1580

### Course Objectives

To provide you with a working understanding of the structure and responsibilities of federal agencies as well as the various forces that constrain and channel agency power.

### Reading Materials

The required text for this class is the Eighth Edition of Gary Lawson, *Federal Administrative Law*. I have requested that the University Bookstore stock copies, but you might find it cheaper online (e.g., at <http://www.amazon.com/gp/student/signup/info>). Occasionally I will post required supplemental readings to the course website under the Files tab in Canvas or distribute material in class.

### Office Hours

I will hold office hours after class in Room 340 or by appointment. Grading is 80% anonymous (more below) and I hope to get to know each of you in class. But there are lots of good reasons to come to office hours, from clearing up confusion about the material, to discussing how best to achieve the goals that brought you to law school in the first place.

### Course Expectations

There are two elements to your final grade. Your final exam will account for 80%. I will elaborate on the structure of the exam closer to the exam date, and not before. The remaining 20% of your grade is class participation, which I measure by quality not quantity. I expect students to attend class and to be prepared. I understand there may be times when you cannot attend a class or need to pass on participating. If this is the case, please let me know in advance. I will never penalize you for offering a “wrong” answer in class, but a consistent lack of attendance or preparation will harm your grade, whereas an obvious engagement with the material will improve it.

My pronouns are he/him/his. If you have preferred pronouns, please email them to me or let me know before class. If something in class is making you uncomfortable, please let me know. Another person you can talk to is the Dean of Students in the Dean’s suite. To request accommodations due to a disability, please contact Disability Resources for Students at (206) 543-8924 or (206) 543-8925 (TTY). We’ll then set up a time to review their recommendations.

## COURSE SCHEDULE

### INTRODUCTION

Tuesday, Jan. 7	What is an Agency? Separation of Powers	Textbook: 1-9 & Textbook: 76-100
Thursday, Jan. 9	Non-Delegation I	Textbook: 100-126, 156-166
Tuesday, Jan. 14	Non-Delegation II	Textbook: 167-191
Thursday, Jan. 16	Appointment	Textbook: 191-223
Tuesday, Jan. 21	Removal	Textbook 241-276

### RULEMAKING

Thursday, Jan. 23	The APA Rulemaking v. Adjudication I	Textbook: 321-328, 1213-1225 <sup>1</sup> & Textbook: 51-56, 64-76
Tuesday, Jan. 28	Formal Rulemaking Informal Rulemaking	Textbook: 328-352 & Textbook: 368-405
Thursday, Jan. 30	Exemptions	Textbook: 434-484

### ADJUDICATION

Tuesday, Feb. 4	Formal Adjudication Informal Adjudication	Textbook: 352-368 & Textbook: 484-496
Thursday, Feb. 6	<u>No Class</u>	Comment writing exercise (see course website)
Tuesday, Feb. 11	Rulemaking v. Adjudication II	Textbook: 497-525

### THE ROLE OF THE COURTS

Thursday, Feb. 13	Timing and Availability	Textbook: 1003-1009, 1038-1050, 1131-1138, 1161-1172
Tuesday, Feb. 18	Reviewing Findings of Fact	Textbook: 527-570

<sup>1</sup> Please note that assigned readings are often not in sequential order.

Thursday, Feb. 20	Reviewing Agency Conclusions I	Textbook: 581-595, 606-623
Tuesday, Feb. 25	Reviewing Agency Conclusions II	Textbook: 628-658, 671-689
Thursday, Feb. 27	Discretion	Textbook: 768-780, 786-806, 814-822
Tuesday, Mar. 3	Due Process	Textbook: 1204, 1206, 56-63, 875-879, 968-980  <i><a href="#">Technological Due Process</a></i> (see course website): 1249-1258, 1281-1288

#### THE ROLE OF THE EXECUTIVE

Thursday, Mar. 5	Presidential Control	Textbook: 1199-1201, 1247-1260  <i><a href="#">Presidential Administration</a></i> (see course website): 2272-2303  <i><a href="#">Controlling Presidential Control</a></i> (see course website): 692-706
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#### (OPTIONAL) GUEST LECTURES

Wednesday, Mar. 5 12:30 PM - 1:20 PM	Laura DeNardis, Internet Governance	
Tuesday, Mar. 10 12:30 PM - 1:20 PM	Joseph Turow, Digital Privacy	

#### FINAL EXAM

Tuesday, Mar. 10	<u>Review Session</u>	
Tuesday, Mar. 17 1:00 PM	<u>Final Exam</u>	