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PSC 523.01: Administrative Law

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POLITICAL SCIENCE 523
Administrative Law
Fall 1996

Administrative law is the part of public law that deals with the work of public administrators. Its principles are closely related to the doctrines of separation of powers and due process in constitutional law. The traditional divisions of administrative law are the delegation doctrine (the relationship of an agency to the legislature), judicial review (the relationship of an agency to the courts), rulemaking (the procedures an agency follows when it makes law), and adjudication (the procedures an agency follows when it resolves disputes). Newer concerns of administrative law are public access to the records of the agencies and the broad informal discretion of bureaucrats.

Text: The Legal Foundations of Public Administration, 2nd edition

Grade: Midterm examination - 30% (60 points)
Final examination - 30% (60 points)
Essays - 30% (60 points)
Attendance and discussion - 10% (20 points)

A = 180-200 points
B = 160-179 points
C = 140-159 points
D = 120-139 points
F = -119 points

Reading: 25 pages per class meeting

Writing: Students will write two analyses of assigned problems and be responsible for an annotated bibliography. Written work will be graded for content (clarity and validity) and writing quality (grammar, syntax, and logical development).

Format: Students are expected to complete reading assignments and participate in class discussion. Class discussion will concentrate on case principles, evolution of doctrine, and practical problems. The instructor will be discussion leader and will lecture as required.

Examination: The midterm examination date will be announced a week in advance. The final examination, which will cover material from the midterm to the end of the course, will be on a take-home basis.

Instructor: Jim Lopach, Political Science, University of Montana
Montana, Missoula, MT 59812; 243-4829

Political Science 523
Administrative Law
Annotated Bibliography Project

Write a paragraph on each of the following administrative law sources which discusses the work's purpose, organization, and practical application for public administration. For the Administrative Law Review, write a 1,000-word essay that is a summary and critique of an ALR article that pertains to the subject matter of the course.

1. Session Laws of Montana
2. Montana Code Annotated
3. Montana Reporter or State Reporter
4. Pacific Reporter
5. Administrative Rules of Montana
6. United States Statutes at Large
7. United States Code or United States Code Annotated
8. U.S. Reports or Supreme Court Reporter or Lawyers' Edition of the U.S. Supreme Court Reports
9. Federal Register
10. Code of Federal Regulations
11. American Jurisprudence or Corpus Juris Secundum
12. K. Davis, Administrative Law Treatise, 3rd edition (1994)
13. Montana Administrative Procedure Act (MCA, 2-4-101)
14. Administrative Law Review

The following two reference works are on reserve in the State Library and can be of assistance to you:

Cohen, How to Find the Law, West Publishing Company

Jacobstein and Mersky, Fundamentals of Legal Research,
Foundation Press