

ADMINISTRATIVE LAW
PROFESSOR EDWARD J. PEREZ
UNIVERSITY OF LA VERNE COLLEGE OF LAW
FALL 2018

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Class Meets: Thursday 6:30-8:30 pm

Location: Room 206.

Office Hours: 5:30-6:30 Appt. Preferred.

Course Description

Administrative Law greatly impacts every citizen, business entity, non-profit organization, government entity and international business. A thorough understanding of its principles is a must for every lawyer. In this course we will study agency creation, rulemaking powers, investigative powers, adjudication powers, accountability for agency actions, and judicial review of agency decision making; among other topics.

Grading: A two essay final examination worth approximately 80% of your grade, a mid-term quiz approximately 10% of your grade and class participation up to 10% of your grade.

Text Book: Schwartz, Corrada, Brown and West. Administrative Law: A Casebook, 9th Edition. Walters Kluwer

Other materials: I will post information via TWEN and also hand out other materials on an as needed basis.

Course Objectives: After completion of the course, students will understand:

1. What an agency is and how it is created;
2. The purpose of an agency;
3. How an agency fulfills its mandate;
4. The importance of agencies within the government bureaucracy;
5. The Administrative Procedure Act and Judicial Review of agencies;
6. The judicial deference to agency decisions.
7. Why agencies are referred to as the "fourth branch of government"

The University of La Verne's Disability Accommodations Statement.

Students with disabilities should refer to the policies described in the University of La Verne Disabled Student Services Handbook located at website (<https://sites.laverne.edu/disabled-student-services/disabled-student-services-handbook/>), which can be found on the website of the University of La Verne Disabled Student Services website at (<https://sites.laverne.edu/disabled-student-services/disabled-student-services/disabled-student-services-handbook/>) or at their office. Temporary accommodations are offered on a case by case basis. All required documentation must be submitted by the student before any final accommodations are granted and should be made directly to the Director of Student Affairs.

Any student eligible for and requesting academic accommodations due to a documented disability (or a suspected disability) is asked to contact the College of Law Director of Student Affairs and American with Disability Act Compliance Officer, Akita Mungaray, by email at amungaray@laverne.edu or by phone at (909) 460-2017. Her office is located on the first floor of the College of Law, Office #107. You can also contact Cynthia Dene at the University of La Verne Disabled Student Services Office at (909) 448-4441. The office is located at the La Verne campus Health Center. In order to be considered for accommodations, disabilities must be documented and the proper medical evaluations must be submitted. The office is here to help you succeed in law school. Visit it online at <https://sites.laverne.edu/disabled-student-services/>.

Academic Integrity Policy

Students must be aware of and follow the Academic Integrity Policies of the College of Law.

Course-Specific-Policies

Attendance is required. No more than two absences are permitted. Excessive absences may result in the student being dropped from the course. Students are expected to be prepared for and participate in class discussion. Students who are unprepared or don't participate in class discussion, may be referred to the Academic Dean and/or dropped from the course.

University of La Verne Mission and Values

It is the mission of the University of La Verne to provide opportunities for students to achieve their educational goals and become contributing citizens to the global community.

The University of La Verne shares four core values that promotes positive and rewarding life for its students through fostering a genuine appreciation for:

1. **Values Orientation.** The University affirms a philosophy of life that actively supports peace with justice, the health of the planet and its people. Therefore, in light of this affirmation, it encourages students to become reflective about personal, professional, and societal values. It also encourages values-based ethical behavior.
2. **Community and Diversity.** The University promotes the goal of community within the context of diversity. It encourages students to understand and appreciate the diversity of cultures that exists locally, nationally, and internationally. It also seeks to promote appreciation and preservation of biodiversity by helping students understand the impact/dependence of human beings on their environment.
3. **Lifelong Learning.** The University commits itself to promoting education that facilitates lifelong learning. It teaches students how to think critically, to do constructive research, and to access and integrate information in order to prepare them for continued personal and career growth.
4. **Community Service.** The University believes that personal service is a primary goal of the educated person. It encourages students to experience the responsibilities and rewards of serving the human and ecological community.

University of La Verne College of Law Vision, Mission, and Values.

VISION

La Verne Law is an incubator for innovation in legal education, thought, and advocacy for individuals passionate about serving their communities and promoting access and justice.

MISSION

The mission of La Verne Law is to guide our students in the discovery of law and self as they prepare for the practice of law or other professional careers. Our faculty of scholars and teachers is committed to creating an innovative, collaborative learning environment designed to develop the knowledge and skills relevant to achieve individual and professional success.

Our mission encompasses educating, as well as enhancing the professional lives of local, regional, national, and international communities we encounter – for students, faculty, staff, administrators, alumni, members of the bench and bar, and others who pursue social justice.

Our mission is grounded in the core values of the University of La Verne – lifelong learning, ethical reasoning and decision-making, diversity & inclusivity, and community & civic engagement. Difference-making is our legacy.

University Values: As a college within the University of La Verne we adopt and endorse the University core values of Lifelong Learning, Diversity and Inclusivity, Community Engagement, and Ethical Reasoning.

College of Law Core Principles and Values: As an institution dedicated to teaching and training the next generation of lawyers and leaders, we operate institutionally and individually on the principles of professionalism, innovation, ethics, student centeredness and community enhancement. In our actions and interactions, we seek to be affirming, respectful, humble, accountable, committed, inclusive, empathetic, responsive, passionate, and positive.

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University of La Verne College of Law Program Objectives.

- A. Upon completion of the program of legal education, students will possess the skills and knowledge to enable them to pass any bar examination of their choosing.
- B. Upon completion of the program of legal education, students will possess those skills to participate as respected members of the legal profession.
- C. Upon completion of their legal education, students will be ethical, responsible, and will exhibit model professional behavior.
- D. Upon completion of their legal education, students will embrace cultural differences and engage civic and community responsibilities.

American Bar Association Standard 302: Learning Outcomes.

A law school shall establish learning outcomes that shall, at a minimum, include competency in the following:

- (a) Knowledge and understanding of substantive and procedural law; and
- (b) Legal analysis and reasoning, legal research, problem-solving, and written & oral communication in the legal context; and

- (c) Exercise proper professional and ethical responsibilities with clients and within the legal system; and
- (d) Other professional skills needed for competent and ethical participation as a member of the legal profession.

ABA Standard 310

This course is designed to satisfy the requirements of ABA Standard 310. Standard 310 requires that for each hour of in-class time, students spend two hours preparing for class (reading or completing class assignments or assessments).

In compliance with ABA Standard 302, the University of La Verne College of Law has established the following:

University of La Verne College of Law Program Learning Outcomes.

1. Students shall demonstrate knowledge and understanding of substantive and procedural law.
2. Students shall demonstrate competence in legal analysis and reasoning.
3. Students shall demonstrate competence in conducting legal research.
4. Students shall demonstrate competence in problem-solving.
5. Students shall demonstrate competence in written and oral communications.
6. Students shall be able and motivated to exercise proper professional and ethical responsibilities to clients, the legal system, and the wider community.
7. Students shall demonstrate competent litigation skill.
8. Students shall demonstrate competent transactional skill.
9. Students shall apply cultural competency while exercising their legal skill

5.

Reading Assignments.

Read and Brief all cases.

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| Week 1 | pp. 1-70 |
| Week 2 | pp. 72-143 |
| Week 3 | pp. 144-216 |
| Week 4 | pp. 218-291 |
| Week 5 | pp. 292-360 |
| Week 6 | pp. 363-430 |
| Week 7 | pp. 434-509 |
| Week 8 | pp. 510-575 |
| Week 9 | pp. 576-643 |
| Week 10 | pp. 644-709 |
| Week 11 | pp. 712-792 |
| Week 12 | to be announced |
| Week 13 | to be announced |
| Week 14 | class presentations |

6.

