

PELLISSIPPI STATE TECHNICAL COMMUNITY COLLEGE
MASTER SYLLABUS

**SPECIAL TOPICS: ADMINISTRATIVE LAW
LAW 2600**

Class Hours: 3.0

Credit Hours: 3.0

Laboratory Hours: 0.0

**Date Revised: Spring
02**

NOTE: This course is not designed for transfer credit.

Catalog Course Description:

Study and discussion of a selected topic in law. Content will vary. May be repeated with program advisor's consent.

Entry Level Standards:

College-level competencies in logic, reading, and English are required.

Prerequisite:

LAW 1000

Corequisite:

LAW 1060

Textbook(s) and Other Course Materials:

Cohen, Anne M., *Practical Administrative Law for Paralegals* (West, 1996)

I. Week/Unit/Topic Basis:

Week	Topic
1	Introduction to Administrative Law and Procedure
2	Sources of Administrative Law and Procedure
3	Legislative, Executive and Judicial Limitations on Agency Authority
4-5	Due Process of Law, Benefits and Interests
6	Applications and Claims; Agency Informal Action
7	Rules: Making and Procedures
8-9	Acquisition and Disclosure of Information
10	Adjudication: Practice, Evidence, Preparation and Appeal
11	Decision Makers and Decisions
12-13	Judicial Review
14-15	Standards and Scope of Review
16	Final Examination

II. Course Objectives*:

- A. Demonstrate a complete and thorough understanding of legal ethics. I, III
- B. Demonstrate a complete and thorough understanding of the paralegal's role in administrative proceedings. I, II, IV
- C. Demonstrate a complete and thorough understanding of the legal principles governing administrative decisions. II, III, IV
- D. Demonstrate a complete and thorough understanding of legal vocabulary with respect to administrative law. II, III, IV
- E. Demonstrate an adequate understanding of the administrative process generally. I, II, III, IV
- F. Demonstrate an adequate understanding of the courts in reviewing and enforcing administrative decisions. II, III, IV
- G. Identify and locate applicable administrative rules, regulations, and reported decisions. II, III, V
- H. Draft initial complaints, forms, and simple memoranda to assist attorneys in administrative cases. I, II, III, IV, V
- I. Perform library and field research with minimal guidance. I, II, III, IV, V

*Roman numerals after course objectives reference goals of the Paralegal Studies program.

III. Instructional Processes*:

Students will:

- 1. Practice elements of the work ethic such as professionalism, preparedness, punctuality, honesty, cooperation, dependability, contribution, effectiveness, good manners, etc. *Personal Development Outcome, Transitional Strategy*
- 2. Refine their reading skills and expand their legal vocabularies through completion of weekly guided reading exercises that allows them to communicate more effectively with lawyers and legal professionals. *Communication Outcome, Transitional Strategy*
- 3. Strengthen their analytical and written presentation skills by drafting administrative documents, a comprehensive report on an assigned agency, and an observation report of an administrative hearing. *Information Literacy Outcome, Problem Solving and Decision Making Outcome, Technological Literacy Outcome, Transitional Strategy, Active Learning Strategy*
- 4. Examine ethical issues related to communication with adverse party, unauthorized practice of law, confidentiality, conflict of interest, etc. *Personal Development Outcome, Cultural Diversity and Social Adaptation Outcome, Transitional Strategy, Active Learning Strategy*
- 5. Perform course assignments such as team discussions, team case studies, experiential exercises, oral and written presentations, Internet and law-based technology research, etc. that help develop critical thinking, problem solving, goal setting and planning skills. *Communication Outcome, Personal Development Outcome, Cultural Diversity and Social Adaptation Outcome, Problem Solving and Decision Making Outcome, Information Literacy Outcome, Technological Literacy Outcome, Transitional Strategy, Active Learning Strategy*
- 6. Listen to guest speakers from the legal community to discover what kind of demand there is for legal professionals in administrative cases. *Personal Development Outcome, Problem Solving and Decision Making Outcome, Transitional Strategy*

*Strategies and outcomes listed after instructional processes reference Pellissippi State's goals for strengthening general education knowledge and skills, connecting coursework to experiences beyond the

classroom, and encouraging students to take active and responsible roles in the educational process.

IV. Expectations for Student Performance*:

Upon successful completion of this course, the student should be able to:

1. Recognize and avoid acts that constitute unethical conduct. A
2. Identify the administrative agency that will process the claim and the address of its nearest regional office. C, E, F, I
3. Identify in the Code of Federal Regulations the applicable rules, regulations, and statements of procedure. C, D, E, F, G, I
4. Identify the limitations period for filing the claim. B, C, D, E, F, G
5. Identify the jurisdictional standards of the agency that will process the claim. B, C, D, E, F, G
6. Identify and use the appropriate formal and informal reporters. B, C, D, E, F, G, I
7. Prepare initial drafts of the administrative complaint. B, C, D, E, F, G, H, I
8. Prepare initial drafts of a simple statement of fact and citation of authority. B, C, D, E, F, G, H, I
9. Create and follow a timetable for the administrative complaint process. B, C, D, E, F, G
10. Create a timetable for the judicial review process. D, E, F, G, I
11. Draft a simple discovery checklist. B, C, E, F, G
12. Draft and serve an administrative subpoena duces tecum and an administrative subpoena ad testificandum. A, B, C, D, E, F, G, H, I
13. Identify the elements of the administrative claim. B, C, D, E, F, G
14. Identify the burdens of proof in the administrative claim. B, C, D, E, F, G
15. Identify the remedy to be requested in administrative claims. B, C, D, E, F, G
16. Identify the judicial standard of review of the administrative agency's findings of fact. B, C, D, E, F, G
17. Identify the judicial standard of review of the administrative agency's conclusions of law. B, C, D, E, F, G
18. Attend at least one administrative hearing during the semester. A, B, C, D, E, F, I

*Letters after performance expectations reference the course objectives listed above.

V. Evaluation:

A. Testing Procedures:

There will be two tests during the semester. A midterm exam and a final exam, each test is worth 30% of the final grade for the course.

B. Laboratory Expectations:

None

C. Field Work:

Students will:

1. Present a comprehensive report on an assigned agency. (20%)
2. Attend an administrative hearing and prepare a written report. (10%)

D. Other Evaluation Methods:

1. All tests and papers will be graded for spelling and English usage in addition to content and format.
2. Participation. Considerable emphasis is placed on participation. Students are expected to read the assigned materials and be prepared to discuss issues presented. Quality of participation is worth more than quantity. Participation counts 10% of the final grade.
3. Any student encountering academic difficulty during the term is strongly encouraged to meet with the instructor to discuss options and solutions.

E. Grading Scale:

A	93-100
B+	88- 92
B	83- 87
C+	78- 82
C	73- 77
D	65- 72
F	64 and below

VI. Policies:

A. Attendance Policy:

Pellissippi State Technical Community College expects students to attend all scheduled instructional activities. As a minimum, students in all courses must be present for at least 75 percent of their scheduled class and laboratory meetings in order to receive credit for the course. Attendance is absolutely essential to perform well in this course. Absenteeism is recorded, not excused. Twelve (12) hours of absences will result in an automatic F for the course.

B. Academic Dishonesty:

Cheating of any type will not be tolerated and will become an automatic zero on that paper or test. Repetition of cheating will result in an F for the final grade.

C. Other Policies:

Late papers will not be accepted. No make-up tests will be given unless the instructor has been notified and excused the student's absence.