

Overview of Administrative Law

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(A concise, organized guide for quick reference and deeper study)

1. What Is Administrative Law?

Aspect	Description
Definition	The body of law that governs the activities of administrative agencies of government.
Purpose	Ensures agencies act within legal bounds, protect individual rights, and promote transparency, accountability, and efficiency in public administration.
Scope	• Creation and organization of agencies • Delegation of powers (rule-making, adjudication, enforcement) • Judicial review of agency actions • Procedural safeguards (notice, hearing, record-keeping)
Key Distinction	Public (government) agencies vs. private regulatory bodies (e.g., professional licensing boards).

2. Sources of Administrative Law

Source	Content	Typical Example
Constitution	Limits on delegation, due process guarantees, separation of powers.	U.S. Constitution's "non-delegation doctrine," Fifth Amendment due process.
Statutes (Enabling Acts)	Create agencies, define powers, set policy goals.	Clean Air Act (EPA), Social Security Act (SSA).
Regulations (Administrative Rules)	Detailed rules agencies issue to implement statutes.	Title 40 CFR (EPA regulations).
Case Law	Judicial decisions interpreting statutes, regulations, and constitutional limits.	<i>Chevron U.S.A., Inc. v. NRDC</i> (deference doctrine).

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Executive Orders & Policies	Direct agency priorities and procedures.	Presidential Executive Orders on immigration.
Agency Guidance (Interpretive rules, policy statements)	Clarify how agencies will apply regulations; not always binding.	IRS Revenue Rulings.

3. Structure of Administrative Agencies

Type	Characteristics	Typical Functions
Executive (Cabinet) Agencies	Part of the President's/Prime Minister's cabinet; headed by a secretary or minister.	Policy formulation, rulemaking, enforcement (e.g., Department of Labor).
Independent Regulatory Agencies	Statutorily insulated from direct political control; often led by multi-member commissions.	Specialized regulation (e.g., Federal Communications Commission).
Executive Agencies with Quasi-Judicial Powers	Conduct adjudications (e.g., licensing disputes).	Administrative law judges (ALJs) hear cases.
Hybrid Agencies	Blend executive and independent features (e.g., Environmental Protection Agency).	Both policy and regulatory enforcement.

4. Core Functions of Agencies

1. Rulemaking (Legislation)

- **Process:** Notice of Proposed Rulemaking ? Public Comment ? Final Rule ? Publication.
- **Legal Standard:** Must be "reasonably related" to statutory authority (Chevron deference) and comply with procedural requirements (APA, GDPR, etc.).

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2. Adjudication (Judicial)

- **Mechanism:** Administrative hearings before ALJs; decisions may be appealed to the agency head, then to the federal courts.
- **Features:** Less formal than court trials, expertise-driven, quicker resolution.

3. Enforcement

- **Tools:** Investigations, inspections, civil penalties, criminal referrals.
- **Due Process:** Requires notice, opportunity to be heard, and proportional penalties.

4. Policy Implementation

- Translating legislative intent into actionable programs, grants, and guidelines.
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5. Procedural Foundations

| Principle | Key Statute / Doctrine | Practical Effect | |