

ADMINISTRATIVE LAW

LAWS 2000.01 (Four credits)

SYLLABUS – Fall, 2008

Professor Diana Ginn

Contact information:

Office #423

Telephone 494-2798 (o); 423-2319 (h)

E-mail d.ginn@dal.ca

Appointments: You may email me or phone me to set up an appointment, or you can drop in anytime I am in my office and the door is open.

Email communication with students: Any emails sent to students will use their dal.ca email address and will have the re line: Admin Law. Please read these! Students will be deemed to have received course information sent by email.

Web page: All handouts provided in class will also, after the class, be posted on the Administrative Law web page, run through the library.

Class times Monday 11:00 – 1:00 (room 204), Wednesday 11:00 – 1:00 (room 105)

Text: Administrative Law Casebook, 2008, Volumes 1 and 2

Examination: CLOSED BOOK (students will be given the table of contents and any relevant legislation.)

Students may choose to write **either:**

- one 3 hour exam on the full course (December 8), or
- two 1.5 hour exams, the first on substantive review (October 22, during class time) and the second on procedural review (December 8).

Notes: Students wishing to write the 2 exams **must sign up for this option by 1 p.m. on October 15, and having signed up, cannot withdraw.**

Marks received on the October midterm exam will not be curved at that time. Instead, for consistency with those writing only in December, the raw October grade will be added to the raw December grade, and **all curving will occur in December.**

ACCOMMODATION

Students wishing to request accommodation regarding exam writing must make the request in writing to the Studies Committee and should see Associate Dean Deturbide or Assistant Dean Hughes for more information. Material for the Studies Committee should be given to Tiffany Coolen-Jewers, administrative assistant to the Associate Dean.

Professor Pothier is the faculty advisor to students with disabilities. Students with disabilities wishing to discuss in-class accommodation or study assistance needs should see Professor Pothier.

Readings

(Note: These readings relate only to Volume 1. A second reading list for Volume 2 will be provided later in the term)

Date	Readings for Volume 1
Wednesday, Sept 3	Introduction to course, pp. 1-7
Monday, Sept 8	Introduction to Administrative Law, pp 7- 32
Wednesday, Sept 10	Introduction to Substantive Review, pp 33-60
Monday, Sept 15	Current approach to Substantive Review, pp. 61- 88 (Please complete chart on “How to read an admin law case” before class.)
Wednesday, Sept 17	Legislated Choices of Standard of Review, pp. 89-94 Application of Correctness Standard, pp. 95-112
Monday, Sept 22	Application of Reasonableness Standard, pp. 112- 144
Wednesday, Sept 24	Application of Reasonableness Standard, pp. 144 - 171
Monday, Sept 29	Application of Reasonableness Standard, pp. 171- 187
Wednesday, Oct 1	Standing, pp. 188 – 209 Remedies, pp. 210 – 217
Monday, Oct 6	Review: Sample exam question, Fall, 2007 midterm, starting p. 267, question 2
Wednesday, Oct 8	Authority of an ADM to hear a Charter challenge to its enabling legislation, pp. 218- 233.
Monday, Oct 13	Thanksgiving – No classes
Wednesday, Oct 15	Relationship between Administrative Review and a Charter Challenge to an ADM’s decision, pp. 234-266 (Note: since this is admin law, not con law, you don’t need to focus as much on the constitutional analysis; instead, read the cases to answer the question: what approach will the courts take when the decision of an ADM is challenged as unconstitutional?) <i>*** Note: Must sign up for midterm by end of class today</i>
Monday, Oct 20	Review for midterm
Wednesday, Oct 22	Midterm exam