FLORIDA ADMINISTRATIVE LAW – LAW 6521

FIRST DAY CLASS ASSIGNMENT

Assignment for August 28, 2020

Overview of First Day

For the first part of our first day, I will provide a broad overview of the area of administrative law; the topics we will cover regarding Florida's Administrative Procedure Act (Chapter 120, Florida Statutes); and the significance of administrative law in determining the rights of persons regulated by Florida's executive branch of state government – essentially, everyone.

For the second part of the class, we will examine the Florida Legislature's role in establishing the state's fundamental policy and analyze how courts determine whether the Legislature has usurped that role by effectively impermissibly delegating that responsibility to executive branch agencies.

1. Log onto our Canvas and TWEN pages:

To familiarize yourself with the means by which you will receive your next week's assignments and other communications from me, please log onto our E-Learning Course Page (i.e., Canvas) or TWEB, which are the two sites where all assignments, cases, powerpoint slides, and other materials for the course will be posted throughout the semester. You will see the various modules in Canvas and folders in TWEN where the case assignments, cases and other class materials, and powerpoint slides will be posted each week.

Please add your email address to the email list on *both* of these sites, so that you will receive my email communications during the semester.

2. Reading Assignment for August 28, 2020 class:

Please read the following, which is posted in our Class Materials - Required module on our Canvas page and in the Class Materials - Required folder on our TWEN page:

\* Florida Constitution, Article II, section 3.

\* Askew v. Cross-Keys Waterway*,* 372 So. 2d 913 (Fla. 1979)

\* Department of Business Regulation, Division of Alcoholic Beverages & Tobacco v. Jones, 474 So. 2d 359 (Fla. 1st DCA 1985).

3. Review and Download Powerpoint Slides

Please download and review the two powerpoint slide programs that are posted in Canvas in the "Powerpoint Slides by Topic" module and in TWEN in the "Powerpoint Slides by Topic" folder.

These two powerpoint slide presentations are "Fall 2020 Introduction to Administrative Law" and "Fall 2020 Florida's Nondelegation Doctrine."

You will want to download these slide presentations for use in class to follow the discussion and as guide for taking notes.

4. Review the Course Syllabus.

The Fall 2020 Course Syllabus is posted on our Canvas page in the Class Syllabus module and on our TWEN page in the Course Syllabus folder. Please look over this before class. I will spend a few minutes at the beginning of class discussing and explaining parts of it.

5. Preparation for Class Discussion:

I always encourage discussion in class, and value your participation and perspective. So, as you complete the reading and review the powerpoint slides, please be thinking about the benefits and drawbacks of the nondelegation doctrine. In particular, consider why Florida courts have strictly viewed nondelegation, how Florida's nondelegation doctrine differs from the federal nondelegation doctrine, and whether you think the nondelegation doctrine is a "good" or "bad" thing, from a public policy perspective.

I look forward to a great semester with you!