
PREFACE

The authors intend the sixth edition of the *Administrative Law* casebook to meet several objectives. First, we hope to accomplish the core goal of the first edition of the text. That goal was described in the preface to the first edition:

This book is designed to serve as a streamlined workhorse for professors who like to teach out of cases and to focus on the principles underlying core doctrines. It lets the cases speak for themselves, with a minimum of editorializing text. This approach gives professors and students alike the opportunity to reconcile the principles of the case, each in his or her own way.

The sixth edition, accordingly, retains the organizational structure of the first edition. That structure is dictated by the four fundamental components of administrative law: (1) procedural requirements for agency adjudication; (2) procedural requirements for, and other issues related to, agency rulemaking; (3) separation-of-powers issues related to administrative agencies; and (4) judicial review of agency action. The authors' experience is that the course is most successful when taught in this order, and the sixth edition of the text adheres to this order for presenting the materials. The four components, however, are presented in chapters that are largely independent. Instructors may change the order of presentation to conform to their own judgment about the optimal order of presentation.

Although largely adhering to the organizing principles and structure of the first edition, this new edition has been revised to account for the significant developments in administrative law that have occurred since the fifth edition was published, most notably the reversal of the *Chevron* doctrine and separation of powers issues raised by the second Trump Administration. The revised text includes as new lead cases the Supreme Court decisions in *SEC v. Jarkesy*, *United States v. Arthrex, Inc.*, *Loper Bright Enterprises v. Raimondo*, *West Virginia v. EPA*, and *Carr v. Paul*. There are also new sections on executive orders and the civil service. The new edition provides students with more context for lead cases by providing more thorough introductions and brief discussions of significant doctrinal and scholarly developments before and after courts decided the lead cases. The sixth edition provides a contemporary, up-to-date treatment of the field, and features comprehensive coverage of administrative law in a book that can be taught in the standard three-hour survey offering.

The authors also present coverage of contemporary academic debates and critiques of these core administrative law doctrines, while retaining the case-method approach that has been a central feature of the prior five editions. Throughout the text, questions and notes for students have been added to reflect the insights of decisions in recent cases, including *Biden v. Missouri*, *Collins v. Yellen*, *Culley v. Marshall*, *Corner Post, Inc. v. Board of Governors of Federal Reserve System*, *Department of State v. Muñoz*, *FCC v. Prometheus Radio Project*, and *Ohio v. EPA*, as well as insights from many scholars. Although the new introductory and note materials seek to place important legal doctrines and developments in context and provide a road map for the cases that follow, the casebook retains its strong commitment to the case method as its principal pedagogy. The text continues to provide opportunities for students to apply their understanding of administrative law principles in new legal contexts. The "Theory Applied Problems" at the conclusion of different sections of the text allow students to test their understanding of the principles of administrative law.

Although the text includes significant changes with new lead cases, we have sought to ensure that the materials included in the sixth edition may be taught in a three-hour course. Meeting this objective has meant that some materials from previous editions have been removed. Finally, we wish to acknowledge in this preface, as we acknowledged in the preface to earlier editions, the debt we owe to the teachers of administrative law and authors of administrative law texts who have affected our understanding of this subject. That group of law professors has grown since the date of publication of the first edition, because we are now indebted to the adopters of the text who have helped us to revise and, we hope, improve it in this sixth edition.

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