

WELCOME TO POLITICAL SCIENCE 511J

LEGAL ISSUES IN PUBLIC ADMINISTRATION: AN INTRODUCTION TO LOCAL GOVERNMENT LAW AND ADMINISTRATIVE LAW

UNCG
113 Ferguson
Designated Saturdays 9:00-11:50
Fall, 2009

Marshall Hurley
378-1870 (work)
mrhurley@triad.rr.com
(I love e-mail!)

Course Objective: This course is designed to provide an overview of selected local government law topics and to briefly introduce the study of administrative law.

Learning Outcomes: The course readings, written assignments and in class exercises are designed to produce the following outcomes: You will: (1) learn about selected legal principles in state and local government law and administrative law; (2) become familiar with and be able to locate legal resources relating to state and local government law and administrative law; (3) learn the fundamentals relating to the research for addressing local government legal problems; and (4) be able to analyze and apply case law, statutes, and administrative regulations in preparing basic reports relating to issues in state and local government law and administrative law.

Course Approach: The classes will be seminar style with general discussion and students will be called upon to brief and analyze cases and to summarize and comment upon statutes and other readings. Also, occasional in-class exercises will be conducted in connection with current class topics. Each student should be prepared to discuss the assigned readings and cases.

Course Materials:

There is no text for this course. **Course materials will be distributed via e-mail.**

| <u>Evaluation Components</u> | <u>Graduate Points</u> | <u>Undergraduate Points</u> |
|---|------------------------|-----------------------------|
| 1. Class participation. ¹ | 10 | 10 |
| 2. Two (2) one page briefs of certain assigned cases and a summary (not to exceed two (2) pages) of N.C.G.S. Section 14-234 | 20 | 20 |
| 3 Perform the necessary research for and then write a city ordinance on a selected area of regulation authorized for municipal government. Additionally, prepare a brief memorandum (not to exceed two (2) pages) justifying the adoption of and providing the legal authority for the ordinance you have written. The class will be divided into small groups and each group will be responsible for writing a municipal ordinance. | 30 | 30 |
| 4 A short paper (not to exceed six (6) pages <u>double-spaced</u>) discussing and taking a position on a local government and/or administrative legal issue or issues. This paper shall cite and apply relevant cases, statutes, administrative rules and regulations. Also, this paper should make suggestions for a recommended course of action for addressing the issue examined. Each student will present a 5 minute summary of his or her paper in class on a date to be announced. | 40 | 45 |

Classes: Saturday mornings on each date designated below
- 9:00 a.m. - 11:50 a.m.

AUG 29, SEPT 19, OCT 17, NOV 7, NOV 21

NOTE CORRECTION TO SCHEDULE. WE WILL NOT MEET SEPT 12. WE WILL MEET SEPT 21

Deadline for final paper and to turn in make-up work: Final day of regularly scheduled classes at 5:00 pm.

¹ No one will receive a grade of "A" unless there is adequate class participation. No exceptions.

SCHEDULE

Aug 29: Class I Legal systems and Selected Topics - Local Government Law

- A. Introduction to legal issues in public administration - to legal systems - reading and briefing cases, and to legal resources.
- B. Local government's constitutional protections
- D. Home rule

September 19: Class II Selected Topics - Local Government Law

- A. Prohibitions on special legislation
- B. Conflict and preemption
- C. Constitutional limitations on local government
- D. Conflicts of interest

THE REMAINDER OF THE SCHEDULE WILL BE DISTRIBUTED ON SEPT 19.

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AN INTRODUCTION TO LOCAL GOVERNMENT LAW
AND ADMINISTRATIVE LAW (PSC 511-J)**

REQUIRED COURSE WORK

Read all cases and statutes distributed by e-mail. Be ready to discuss the materials.

Because we are not using a text, you should print out the cases and bring to class.

Please read the cases and statutes in the following order (it will all make more sense to you if you do):

- North Carolina General Statute § 143-318.10 (Open Meetings)
- BONEY PUBLISHERS, INC. v. BURLINGTON CITY COUNCIL
- North Carolina General Statute Chapter 132 (Public Records)
- KNIGHT PUBLISHING CO. v. CHARLOTTE-MECKLENBURG HOSPITAL
- North Carolina General Statute § 14-234 (Public officers/ public contracts)
- LEXINGTON INSULATION COMPANY v. DAVIDSON COUNTY

Prepare and submit two (2) written case briefs, one (1) page each of any two assigned cases (excluding *Hunter v. City of Pittsburgh*); these will be due in class on Sat. Oct. 14. Each brief should contain the following information: (1) Facts (2) Issue (3) Holding (4) Reasoning. A sample brief is being e-mailed.

IMPORTANT REMINDER: Each student is being graded on class participation. As previously explained, class participation is required in order to receive a grade of "A" in this course.

Questions? Problems? Stuck? Call or e-mail me.

OPTIONAL EXTRA CREDIT PROJECT

Summarize in one (1) page N.C. General Statute Section 14-234 (which will be distributed via e-mail); may be turned in on the day of our final class meeting or any time before the last class. You may turn in your work in hard copy or via e-mail.