

THE UNIVERSITY OF MISSISSIPPI
SCHOOL OF LAW
UNIVERSITY, MS 38677

ADMINISTRATIVE LAW 605-1
SPRING SEMESTER 2000
PROFESSOR DAVIS

FINAL EXAMINATION

PLEASE READ THESE DIRECTIONS CAREFULLY BEFORE BEGINNING THE EXAMINATION.

MAKE SURE THAT THE FRONT OF THIS EXAM HAS YOUR EXAM NUMBER ON IT.

RETURN THIS EXAMINATION WITH YOUR ANSWERS UPON COMPLETION.

THIS IS AN OPEN BOOK EXAMINATION. YOU MAY USE YOUR TEXT AND SUPPLEMENT AND ANY MATERIAL REFERENCED BY EITHER. YOU MAY ACCESS SUCH MATERIAL THROUGH COMPUTER TECHNOLOGY. YOU **MAY NOT CONSULT WITH ANYONE DURING THIS EXAMINATION PERIOD.** YOU HAVE 48 HOURS WITHIN WHICH TO COMPLETE THIS EXAMINATION.

YOUR EXAMINATION CANNOT BE GRADED UNLESS YOU ACKNOWLEDGE THE FOLLOWING PLEDGE WITH YOUR EXAMINATION NUMBER WRITTEN IN THE SPACE PROVIDED BELOW THE PLEDGE:

BY THE ACT OF SUBMITTING MY EXAMINATION PAPER OR BOOKS FOR EVALUATION, I DO PLEDGE ON MY HONOR THAT I HAVE NEITHER GIVEN NOR RECEIVED ANY IMPROPER ASSISTANCE AND THAT I WILL REPORT ANY IMPROPER ASSISTANCE GIVEN OR RECEIVED BY OTHERS THAT I AM MADE AWARE OF.

FAILURE TO SUBMIT THE ABOVE PLEDGE MAY RESULT IN ZERO CREDIT FOR THIS COURSE.

RELAX, TAKE YOUR TIME AND THINK THROUGH YOUR ANSWERS. HAVE FUN AND GOOD LUCK!

1. Why study state and federal administrative law?

2. What are the principal sources of administrative law?

3. What are the three fundamentals of administrative law?

4. What is the status of the administrative procedure reform initiative in Mississippi?

5. What is the framework adopted by the Supreme Court in determining whether administrative procedures provided are constitutionally sufficient?

6. What is the difference between a rule and order?

7. What is the trigger for a formal hearing under the Federal Administrative Procedure Act?

8. What is the approach to formal hearing taken by the 1981 Model Administrative Procedure Act?

9. What interests are served, if any, by disclosure of ex parte contacts?

10. What broad classifications are included in Alternative Dispute Resolution?

11. What is the Scope of Review under the Federal Administrative Procedure Act?

12. What is meant by “logical outgrowth” in the administrative context?

13. What is the difference between “logical outgrowth” and “substantially different”?

14. Explain Res judicata and collateral estoppel in the administrative law context.