

REGULATORY LAW, THEORY & REALITY
University of Florida Levin College of Law
LAW 6936 (29972) 2 CREDITS

Spring 2023

Wednesday 1:15 – 3:15 pm
Room 355A Holland

Professor Lisa Edgar
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Class Description

This seminar is an introductory exploration of regulation. In broad terms, the purpose of regulation is to further the public health, safety, and welfare; to serve as a substitute for the competitive market; or both. Practitioners know that regulation is also the convergence of theory, law, policy, politics, conflicting values, and more.

Course materials and topics will include regulatory theory, legislating v. regulating, intended and unintended consequences, consumer protection, “level playing fields,” economic and political considerations, and more. Coursework will consist of readings, assignments, class discussion, quizzes, engagement with expert guest speakers, and an analysis paper that meets the Advanced Writing Requirement (AWR).

Successful advocacy, whether for a client or a cause, requires effective communication informed by an understanding of surrounding dynamics. As such, many classes will include discussions of timely issues that illustrate theory and/or the purpose and impact of regulation. Be informed and aware about the world around you. Consider this quote:

“We must be struck at every turn by the importance of ideas. Regulation itself is such an idea; deregulation is another . . . To the extent [that] an agency can choose, its choices will be importantly shaped by what its executives learned in college a decade or two earlier.”

THE POLITICS OF REGULATION 393 (James Q. Wilson ed., 1980).

All students are expected to complete the assigned readings prior to class. Assigned readings and other material will be posted on the Canvas Course page. Students should check the Canvas course page on a regular basis for announcements, updates, assignments, materials, readings, and other.

Course Objectives and Outcomes

After successful completion of this seminar, students should be able to:

- Recognize, understand and explain regulatory theories and trends
- Identify and understand different roles and responsibilities within the legal regulatory process
- Describe strategic and practical considerations when advocating before a regulatory agency or representative
- Compose a persuasive approach on behalf of a client or issue that supplements a strict legal interpretation
- Complete Advanced Writing Requirement (AWR) paper

Contact Information and Office Hours

Please make note of my contact information. Office phone 352-273-0972 and **cell phone 850-322-6502 (preferred)**. Email lisa.edgar@law.ufl.edu.

Office hours are 3:30 – 5:30 pm Tuesdays at 370A Holland. Drop ins are welcome for questions and discussion. Additionally, send me an email or text with a quick question, comment, or to schedule an appointment. Depending on the day, we can meet in person, by Zoom or phone. I am available for questions about this course, general discussion, and as a sounding board and resource. Don't wait for a concern to become a possible problem. I will be reachable.

Attendance

Attendance will be taken at the beginning of each class. Please be on time. However, late attendance is preferred over no attendance. A student who arrives late is responsible for following up so their attendance is recorded after class.

Life happens unexpectedly at times. Each student is allowed one unexcused absence, no questions asked. Excused absences are according to UF policy. As a courtesy, please notify me in advance of your upcoming absence if possible.

Class Calendar

During the semester, we will be discussing emerging issues and may have an opportunity for expert guest speakers. As such, changes may be necessary. The

schedule for class readings from week to week will be fluid.

Class Preparation

Given that we meet 2 hours a week for a two credit-hour course, students should plan to spend at least 2 hours per week preparing for each class and 2-3 hours a week working on the Advanced Writing Requirement paper. Do not underestimate the time necessary over the course of the semester for the AWR paper. Preparation time for class and assignments includes reading the materials, thinking about the materials, and synthesizing your learning and knowledge of the assigned materials. Be prepared to be called upon, and to lead and engage in discussion.

Grades

Your final grade will be based on the following allocation:

AWR Final Paper	45%
AWR First Draft	15%
AWR Class Presentation	10%
Short Reflection Papers	10%
AWR Preparation Assignments	10%
Participation	10%

Due dates and AWR requirements will be provided on Canvas and discussed in advance in class.

UF Levin College of Law Standard Policies

Other information about UF Levin College of Law Policies, including compliance with the UF Honor Code, Grading, Accommodations, Class Recordings, and Course Evaluations, can be found at this website:

<https://ufl.instructure.com/courses/427635/files/74674656?wrap=1>

Laptops and Cell Phones

Laptops and cell phones will be allowed during class for pedagogical purposes (*i.e.*, to take notes or to further discussion). Cell phones should be placed on vibrate and may be answered for emergency calls. Respect this arrangement with the respect with which it is given.

Law School Counselor

At UF Law, we are fortunate to have a mental health counselor, **Ritzy Ettinger**, who is dedicated to the law school community. Ritzy assists with both crisis and non-crisis services. You may reach out to Ritzy by email or call the Student Life main office.

Name: Ritzy Ettinger

Direct Email: rettinger@ufl.edu

Student Life Phone: 352-273-0620

UF Law Student Life

Please familiarize yourself with the law school's Student Life page at <https://www.law.ufl.edu/student-life>. It is a tremendous resource for both law school and university resources and services, including the following:

- Academics (e.g., Schedules, Calendars, Policies, Experiential Learning)
- Campus Logistics (e.g., Reserving a Study Room)
- Technology (e.g., Zoom, Canvas, ExamSoft, Helplines)
- Research Tools (e.g., Law Library, Westlaw, Lexis)
- Diversity & Inclusion (e.g., Statements, Policies, D&I Dean's Information)
- Career and Professional Development (e.g., Advisors, Appointments, Symplicity)
- Health And Safety (e.g., Wellness, Title IX)
- Contact Information (e.g., Law School Departments)

Class 1: Introduction and Overview

- Fill out and submit Form 1 in Canvas
- Read through Assignment 1 and Shapiro-Tomain Preface

Class Calendar (subject to change)

Class 1 1/18	Introduction and review assigned material
Class 2 1/25	Regulatory theory and administrative law
Class 3 2/1	Regulatory theory and administrative law contd.
Class 4 2/8	Economic regulation, possible guest speaker
Class 5 2/15	Economic regulation contd.
Class 6 2/2	Boeing case study
Class 7 3/1	Maryland PSC discussion
Class 8 3/8	AWR

Class 9 3/15	Spring break
Class 10 3/22	AWR and case study
Class 11 3/29	Review
Class 12 4/5	AWR presentation
Class 13 4/12	AWR presentation
Class 14 4/19	AWR presentation