



Annual Award for Scholarship (2017)

Each year, the ABA Section of Administrative Law and Regulatory Practice recognizes the best work of administrative law scholarship for the prior year. I write to request nominations for that award. Eligible books and articles are those that were published (copyrighted) during 2016.

In general, publications worthy of the Section's award should be:

- 1) well written, since publications that are informative and develop new ideas need not be difficult to read;
- 2) tightly reasoned, with a clear analysis that does not detour from development of the main thesis of the argument;
- 3) broadly applicable to at least several programs or issues;
- 4) provide a new and timely insight into a current issue of administrative law;
- 5) provide a new theoretical construct that will aid in the understanding or development of administrative law or develop a practical recommendation for solving a problem of administrative law; &
- 6) contain a minimum of repetition or recitation of existing work.

The award recipient is selected by early June, announced soon thereafter, and the award winner is invited to the Section's Administrative Law Conference held in Washington, date and location TBD.

Please submit your nomination package to:

The ABA Section of Administrative Law and Regulatory Practice

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Washington, D.C. 20036

Email: anne.kiefer@americanbar.org or fax to 202-662-1529.

Please direct inquiries to Section Director Anne Kiefer at 202-662-1690.

Section of Administrative Law & Regulatory Practice
List of Award Recipients
Annual Award for Scholarship in Administrative Law

2016 Gillian Metzger, "The Constitutional Duty to Supervise, 124 Yale Law Journal 1836 (2015)"

2015 Anne Joseph O'Connell, "Bureaucracy at the Boundary, 162 University of Pennsylvania Law Review 841 (2014)"

2014 Nicholas R. Parrillo, *Against the Profit Motive: The Salary Revolution in American Government, 1780-1940*, Yale University Press (2013)

2013 Jerry L. Mashaw, *Creating the Administrative Constitution: The Lost One Hundred Years of American Administrative Law*, Yale University Press (2012);
Kevin M. Stack, *Interpreting Regulations*, 111 Michigan Law Review 355 (2012)

2012 John Manning, *Separation of Powers as Ordinary Interpretation*, 124 Harvard Law Review 1939-2040 (2011)

2011 Nina Mendelson, *Disclosing 'Political Oversight' of Agency Decision Making*, 108 Michigan Law Review 1127-1178 (2010)

2010 Anne Joseph O'Connell, *Vacant Offices: Delays in Staffing Top Agency Positions*, 82 Southern California Law Review 913 (2009)

2009 William Eskridge and Lauren Baer, *The Continuum of Deference: Supreme Court Treatment of Agency Statutory Interpretation from Chevron to Hamdan*, 96 Geo. L.J. 1083 (2008)

2008 Reuel E. Schiller, *The Era of Deference: Courts, Expertise, and the Emergence of New Deal Administrative Law*, 106 Michigan Law Review 399 (2007)

2007 Nicholas Bagley and Richard L. Revesz, *Centralized Oversight of the Regulatory State*, 106 Columbia Law Review 1260 (2006)

2006 Edward Rubin, *The Myth of Accountability and the Anti-Administrative Impulse*, 103 Michigan Law Review 2073 (2005)

2005 M. Elizabeth Magill, *Agency Choice of Policymaking Form*, 71 University of Chicago Law Review 1383 (2004)

2004 Steven P. Croley, *White House Review of Agency Rulemaking: An Empirical Investigation*, 70 University of Chicago Law Review 821-885 (2003)

- 2003 Thomas Merrill and Kathryn Tongue Watts, Agency Rules With the Force of Law: The Original Convention, 116 Harvard Law Review 467 (2002)
- 2002 Elena Kagan, Presidential Administration, 114 Harvard Law Review (2001)
- 2001 Jody Freeman, The Private Role in Public Governance, 75 New York University Law Review 5434 (2000)
- 2000 Cass R. Sunstein, Is the Clean Air Act Constitutional?, 98 Michigan Law Review 303 (1999) and Informational Regulation and Informational Standing: Akins and Beyond, 147 University of Pennsylvania Law Review 613 (1999)
- 1999 John F. Duffy, Administrative Common Law in Judicial Review, 77 Texas Law Review 113 (1998)
- 1998 Jerry Mashaw, Greed Chaos, and Governance, Yale University Press (1997)
Cynthia Farina, The Consent of the Governed: Against Simple Rules for a Complex World, 72 Chicago-Kent Law Review 987 (1997)
- 1997 George B. Shepherd, Fierce Compromise: The Administrative Procedure Act Emerges from New Deal Politics, 10 Northwestern Law Review 1557 (1996)
Jessica Korn, The Power of Separation: American Constitutionalism and the Myth of the Legislative Veto, Princeton University Press, (1996)
- 1996 Patrick J. Borchers and David L. Markell, New York State Administrative Procedure and Practice, West Publishing (1995)
- 1995 Richard J. Pierce, Administrative Law Treatise, 3rd Edition (1994)
- 1994 Richard L. Revesz, Rehabilitating Interstate Competition: Rethinking the 'Race to the Bottom' Rationale for Federal Environmental Regulation, 67 New York University Law Review 1210 (1993)
- 1993 Thomas W. Merrill, Judicial Deference to Executive Precedent, Yale Law Journal (1992)
- 1992 Thomas O. McGarity, Reinventing Rationality: The Role of Regulatory Analysis in the Federal Bureaucracy, Cambridge University Press (1991)
- 1991 Jerry L. Mashaw and David L. Harfst, The Struggle for Auto Safety, Harvard University Press (1990)
- 1990 Cass R. Sunstein, Interpreting Statutes in the Regulatory State, Harvard Law Review (1989)

1989 Linda R. Hirshman, Postmodern Jurisprudence and the Problem of Administrative Discretion, Northwestern University Law Review (1988)

1988 Peter L. Strauss, Formal and Functional Approaches to Separation-of-Powers Questions: Foolish Inconsistency?, Cornell Law Review (1987)

1987 The Honorable Stephen G. Breyer, Judicial Review of Questions of Law and Policy, Administrative Law Review (1986)

1986 Cass R. Sunstein, Interest Groups in American Public Law, 38 Stanford Law Review 29 (1985)