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Teaching Administrative Law Research: Preparing Law Students for Regulatory Practice

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Teaching Administrative Law Research: Preparing Law Students for Regulatory Practice, by Susan Azyndar

 yalejreg.com/nc/teaching-administrative-law-research-preparing-law-students-for-regulatory-practice-by-susan-azyndar/

A quick skim of daily headlines shows the breadth of regulatory law, from recommendations to limit the F.B.I.'s use of warrantless surveillance to how the Consumer Product Safety Commission defines e-bikes. Many lawyers practice exclusively in regulatory settings, confronting these new developments continuously, and even lawyers who focus on less regulation-centric areas will still encounter administrative law. Law students, therefore, need to develop skills particular to practicing in this legal environment.

Recognizing the value of these skills, law schools have begun to add more administrative law courses to their curricula, with over 55 schools requiring a legislation and regulation course for JD students, many in the first year. Doctrinal understanding of administrative law principles must be complemented with related skills content, including research. Students need to understand the structure of regulatory information and where to find it just as much as—and perhaps even more than—they need to know the ins and outs of the Administrative Procedure Act.

Administrative law research offers an abundance of puzzles influenced by factors such as the Supreme Court's evolving approach to agency deference and every presidential administration's implementing pronounced policy shifts. Students need to master using the *Federal Register* and the *Code of Federal Regulations*—and to know when to use which—in addition to a wide range of other skills: finding and using administrative decisions, finding and using a range of guidance documents, and assessing scientific data on which many regulations rely. Much administrative legal information remains ephemeral, posing a further challenge. Moreover, in my experience, the tools and information available on major legal research databases vary more significantly with regard to administrative law than with cases and statutes, and going beyond Westlaw and Lexis is often key. ProQuest Regulatory Insight, TRACfed, and other more specific databases meet more niche regulatory research needs.

Navigating this more complex research environment requires knowledge of specific sources and also demands a strategic approach. Legal research instructors can craft assignments that maximize experiential learning. For example, students can assess or draft comments on a proposed rule, write a client update on a new rule or decision, or create a compliance checklist. I have also invited students to choose a news article in a field that interests them and write about the research tools an attorney would use when facing a similar problem. Assignments such as these integrate sources and skills, better equipping students to represent clients in regulatory contexts. Experiential administrative law research courses

are the most effective way to ensure our students are ready for regulatory practice. Integrating research into doctrinal courses also reinforces the importance of these skills, so I strongly suggest working with your law librarians to help law students become regulatory ready!

Susan Azyndar is the Senior Associate Director of the Kresge Law Library at Notre Dame Law School. She is happy to receive comments via [email](#).