The Historical Society of the District of Columbia Circuit
and the Litigation Section of the District of Columbia Bar Present:

Review of Agency Rules in the D.C. Circuit:
Back to the Future?

The D.C. Circuit has played a pivotal role in development of the law respecting judicial review of rulemaking, beginning with the celebrated debate between Judges Bazelon and Leventhal in the 1970s over whether judges should concentrate on the agency's procedural or substantive performance, and culminating in the Circuit's adoption of its own brand of "hardlook" review. With rulemaking high on the agendas of the Obama Administration's departments and agencies, the panel will explore how the D.C. Circuit has defined the proper scope of judicial review within the limits imposed by the Supreme Court.

"Rules are not necessarily sacred, principles are."

— Franklin Delano Roosevelt

Date:
Wednesday, March 31, 2010

Time:
4:30 p.m.

Location:
Ceremonial Courtroom, 6th Floor
E. Barrett Prettyman U.S. Courthouse
3rd Street & Constitution Avenue, N.W.
Washington, D.C.

Admission is free.

A reception will follow the program.

Reservations are not required.

Programs like this one depend on the generosity of the Society's members, law firms, and others. Non-members are invited to become dues-paying members of the Society and/or to make a contribution to the Society.

For additional information, call 202 216 7346 or visit www.dcchs.org.

The Historical Society of the D.C. Circuit is a 501(c)(3) non-profit organization independent of the Courts.

Introduction and Historical Background:
Jeffrey Lubbers, Professor of Practice in Administrative Law, Washington College of Law, American University

Panelists:
Brett Kavanaugh, Judge, U.S. Court of Appeals for the District of Columbia Circuit

Michael Fitzpatrick, Associate Administrator, Office of Information and Regulatory Affairs, Office of Management and Budget

Howard Fox, Counsel, Earthjustice

Paul Verkuil, Nominee for Chairman of the Administrative Conference of the United States and Professor of Law, Benjamin N. Cardozo Law School

Moderator:
Jeffrey Lubbers