

Preface

THE limits which courts place on the powers of administrative tribunals have particular significance to practicing attorneys and law students. It is largely to the extent that such limits are imposed, that our government remains a government of laws and not a government of men.

The following pages have been written to describe the standards which the courts impose upon administrative agencies, thereby controlling and limiting their powers. More particularly, the writer has sought: (1) to bring together the leading cases in which the courts have laid down the principles that govern frequently litigated questions in contests between the agencies and the parties with whom they deal; (2) to describe the criteria and techniques of administrative adjudication—what may be termed the jurisprudence of administrative tribunals—within these court-imposed standards.

No attempt has been made to discuss the problems of administrative organization and agency management, which are of particular interest to the political scientist and specialist in government. The purpose of this volume is more modest. It is an examination of the relationship between administrative agencies and the courts, with particular reference to judicial doctrines concerning: (1) constitutional limitations on the delegation of powers to administrative agencies; (2) procedural requirements in cases where agencies exercise judicial powers; (3) procedural and substantive requirements imposed in connection with rule-making activities; (4) methods and scope of judicial review.

It is a pleasurable duty to acknowledge my indebtedness to E. Blythe Stason, Dean of the University of Michigan Law School, whose kindly encouragement led to the writing

of this study, and whose scholarly case book has been relied on repeatedly throughout the following pages. The views expressed, however, are those of the writer.

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