



BALLOTPEDIA EXPEDITIONS LIVE

JUDICIAL DEFERENCE

## Expedition: Judicial Deference

### Introduction:

This month-long learning experience will introduce learners to the concept of [judicial deference](#). In the context of administrative law, deference applies when a federal court yields to an agency's interpretation of either a statute that Congress instructed the agency to administer or a regulation promulgated by the agency.

In this course, learners will read 3 articles that describe judicial deference and how it intersects with constitutional interpretation. Using these articles as well as accompanying videos and information from experts, learners will be asked to reflect on key concepts related to judicial deference and its relationship to both the administrative state and governance as a whole.

### Readings:

1. Cynthia R. Farina, "[Statutory Interpretation and the Balance of Power in the Administrative State](#)"
2. Jonathan R. Siegel, "[The Constitutional Case for Chevron Deference](#)", Vanderbilt Law Review.
3. Michael Kagan, "[Loud and Soft Anti-Chevron Decisions](#)", UNLV William S. Boyd School of Law Legal Studies Research Paper.

### Syllabus and Suggested Schedule:

Note: The schedule provided below is only a recommendation. As the unit is self-paced, learners can proceed through the materials at any pace they choose (with the possible exception of live events).

#### Week 1:

- Video: Introduction to Judicial Deference(~3 min)
- Overview of course materials and requirements

- Reading 1: Cynthia R. Farina, "[Statutory Interpretation and the Balance of Power in the Administrative State](#)".
  - Read the paper
  - Video: About the reading (~5 min)
  - Reflect on "go deeper" questions for self-study

## Week 2:

- Interview with Professor Kent Barnett
- Reading 2: Jonathan R. Siegel, "[The Constitutional Case for Chevron Deference](#)", Vanderbilt Law Review.
  - Read the paper
  - Video: About the reading (~5 min)
  - Reflect on "go deeper" questions for self-study

## Week 3:

- Interview with Professor Adam White
- Reading 3: Michael Kagan, "[Loud and Soft Anti-Chevron Decisions](#)", UNLV William S. Boyd School of Law Legal Studies Research Paper.
  - Read the paper
  - Video: About the reading (~5 min)
  - Reflect on "go deeper" questions for self-study

## Week 4:

- "AMA" style Q and A with an expert\* (1 hr.)
- Final feedback survey
- Explore further readings and resources

## Course Contents:

- ◻ Syllabus/Content Checklist
- ◻ Introduction to Judicial Deference (~5 minute video)
- ◻ Cynthia R. Farina, "[Statutory Interpretation and the Balance of Power in the Administrative State](#)"
  - ◻ 5 minute video exploring the reading
  - ◻ Key Questions/Dig Deeper sheet
- ◻ Jonathan R. Siegel, "[The Constitutional Case for Chevron Deference](#)", Vanderbilt Law Review.
  - ◻ 5 minute video exploring the reading
  - ◻ Key Questions/Dig Deeper sheet

- Michael Kagan , “[Loud and Soft Anti-Chevron Decisions](#) ”, UNLV William S. Boyd School of Law Legal Studies Research Paper.
  - 5 minute video exploring the reading
  - Key Questions/Dig Deeper sheet
- Interview with [Professor Kent Barnett](#)
- Interview with [Professor Adam White](#)
- “AMA”-style Q and A session with an expert\*
- List of resources and further reading on the nondelegation doctrine
- Feedback survey