T

hank you for the opportunity to serve as Chair of the Section of Administrative Law and Regulatory Practice. This is a fascinating and significant time for developments both at the ABA and in administrative law. I appreciate being able to work with you in both arenas.

Last year, John Cooney, with incomparable grace and skill, successfully navigated the Section through the uncertainties and difficulties of addressing and responding to proposals for major change in the ABA. We all, especially me, owe John a debt of gratitude for his leadership and dedicated service.

This year, we are preparing to implement the new ABA membership model, which was designed and adopted during John’s tenure. (Fortunately, John continues to advise the Section, as Immediate Past Chair.) With an anticipated launch date of May 2019, the new model aims to provide greater value to members through lower membership dues and more offerings (including a broad array of free CLE programs and searchable reference materials). The Section is selecting the programs it will contribute to the free-to-ABA members CLE library, tagging work products, and working on myriad other changes to enhance the value of your membership.

As a first step toward the new model, the ABA has introduced a new website designed to provide a more personalized user experience. There have been some technical issues with its implementation, and the Section staff is working hard to assist while the site is being perfected. (Please direct any comments related to the new website to our wonderful Section Director, Anne Kiefer, at Anne.Kiefer@americanbar.org.) In the meantime, please continue to sign up for Section committees and activities. The experiences are well worth it. Thank you for your patience and support.

In the administrative law sphere, the Trump Administration’s ambitious de-regulation efforts, ensuing litigation, and subsequent responses are fostering hard looks at long-accepted institutional arrangements for governance, as well as major debates about the administrative state. Nowhere has this been better captured than the Section’s 2018 Fall Conference, which had record-breaking attendance.

The conference’s luncheon presentation was delivered by OIRA Administrator Neomi Rao (a former Section Council member, and recently nominated to serve on the United States Court of Appeals for the D.C. Circuit). With multiple programs in virtually every time slot, the frequently-heard refrain was, “They’re all so good, it’s hard to decide [which one to attend].”

Kudos to conference Co-Chairs Andrew Emery and Susan Prosnitz, the panel organizers, and panelists. I can only reiterate what numerous attendees said to me: “Thank you for an amazing conference.” This year’s fall program was at capacity. Don’t delay in signing up for future conferences—otherwise, you might miss out. The winter issue of Administrative & Regulatory Law News (ARLN) will provide in-depth coverage and photos of the 2018 conference.

Mark your calendars now for February 21, 2019, the Section’s Homeland Security Law Institute (HSLI) at the Ritz Carlton Pentagon City. Featuring the leaders in the field, this is sure to provide essential updates and insights. The HSLI will be a one-day program followed the next day by the Air & Space Law Forum’s Washington Update Conference, in the same location. HSLI Co-Chairs Anne Bechdolt and Joe Whitley are working closely with the Forum to make the programs complementary and a discount will be available for those who attend both.

Meanwhile, Section Vice-Chair Chris Walker is hard at work on the Spring Institute. Stay tuned for an announcement, coming soon, about the date, site, and program details. Section committees and members are also busy preparing webinars and brown-bag programs.

New and updated publications are heading your way, too, thanks to the hard work of the Publications Committee headed by Jeff Litvak. Section members can order hard copies of ABA books at a discount, including the recently released Developments in Administrative Law and Regulatory Practice (free online to Section members) and A Guide to the Federal Torts Claims Act (2d ed.). Moreover, the updated edition of A Guide to Federal Agency Rulemaking (6th ed.) will be available next month. In the Spring, look for a new book, Leading Cases in Administrative Law, which will provide a compendium of the most important cases in the field, as analyzed by more than twenty-five leading experts. I am also pleased to report that The Lobbying Manual (5th ed.) has been an ABA best-seller, and is the definitive guide.

If you have an idea for a book or would like to author a publication, please contact Jeff Litvak or Section staff. Similarly, if you’re interested in writing an article for ARLN, please contact editor-in-chief, David Rubenstein. Don’t forget to consult the Section’s Notice & Comment blog for the latest thinking on current
topics in administrative law and regulatory practice (www.yalejreg.com/nc). You also can become a blog contributor. The Section offers wonderful publications and opportunities for authorship.

As is obvious from the programs and publications described above, all of the Section’s work depends on the dedicated involvement of its members and staff. Some of these distinguished members and leaders were honored during the Awards Reception at the Washington Convention Center, on November 2, 2018.

- H. Russell Frisby Jr. (former Section Chair and House of Delegates representative, and present Board of Governors member) received the Senior Fellow Award for extraordinary contributions to the Section;
- Renée Landers (Section Chair 2016–17) received the Fellow Award for her leadership of the Section and contributions to the field of administrative law;
- John Cooney (Immediate Past Chair) received a Certificate and gift for his leadership of the Section; and
- Susan Prosnitz (Co-Chair of the Fall Conferences, 2016–2018) received the Volunteer of the Year award.

In addition, at the Fall Conference luncheon on November 2, 2018:
- Carol Ann Siciliano received the Mary Lawton Award for Outstanding Government Service;
- Wendy Wagner, William West, Thomas McGarity, and Lisa Peters received the Award for Scholarship in Administrative Law for their article, Dynamic Rulemaking, 32 N.Y.U. L. REV. 183 (2017); and
- David Hahn received the 2018 Gelhorn–Sargentich Student Essay Award for his article, Late for an Appointment: Balancing Impartiality and Accountability in the IRS Office of Appeals, MINN. L. REV. (forthcoming).

Finally, it is my sad duty to report that, on November 5, 2018, we lost one of our most dedicated and enthusiastic members, William S. Morrow, Jr. Bill was a long-time former editor of ARLN, as well as a former Section Fellow, Council member, and Budget Officer. Michael Asimow, William Jordan, Jeff Litwak, and Paul Noe are the drafting committee for a Section Resolution in Bill’s memory.

Perhaps the best way to memorialize Bill is to try to emulate him. Bill embodied the special qualities of the Section: good friendship, keen analysis, excellent writing, intellectual honesty, creativity, decency, and a fascination with administrative law and regulatory practice. I look forward to honoring and perpetuating those qualities in the Section with you.

The Editorial Board of ARLN Welcomes Submissions

If you would like to contribute an article, please contact David Rubenstein at david.rubenstein@washburn.edu