
Leading Cases in Administrative Law

Anna Shavers, Christopher J. Walker, Matthew Lee Wiener
EDITORS



AMERICAN BAR ASSOCIATION

Administrative Law and
Regulatory Practice Section

Cover design by Sara Wadford/ABA Design

The materials contained herein represent the opinions of the authors and/or the editors and should not be construed to be the views or opinions of the law firms or companies that such persons are in partnership with, associated with, or employed by, nor of the American Bar Association or the Section of Administrative Law & Regulatory Practice, unless adopted pursuant to the bylaws of the Association.

Nothing contained in this book is to be considered as the rendering of legal advice for specific cases, and readers are responsible for obtaining such advice from their own legal counsel. This book is intended for educational and informational purposes only.

© 2026 American Bar Association. All rights reserved.

No part of this publication may be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or otherwise, without the prior written permission of the publisher. For permission, complete the request form at www.americanbar.org/reprint or email ABA Publishing at copyright@americanbar.org.

Printed in the United States of America.

30 29 28 27 26 5 4 3 2 1

Library of Congress Cataloging-in-Publication Data

Names: Shavers, Anna editor | Walker, Christopher J. editor | Weiner, Matthew Lee editor | American Bar Association. Section of Administrative Law issuing body

Title: Leading cases in administrative law / Anna Shavers, Christopher J. Walker, Matthew Lee Weiner, editors.

Description: Chicago : American Bar Association, Administrative law and Regulatory Practice Section, 2026. | Includes bibliographical references and index. | Summary: "For non-specialist practitioners who need familiarity with legal cases with administrative agencies"— Provided by publisher.

Identifiers: LCCN 2026008742 (print) | LCCN 2026008743 (ebook) | ISBN 9781639057306 paperback | ISBN 9781639057313 ebook

Subjects: LCSH: Administrative agencies—United States | Administrative Law—United States | LCGFT: Casebooks (Law)

Classification: LCC KF5407 .L39 2026 (print) | LCC KF5407 (ebook)

LC record available at <https://lcn.loc.gov/2026008742>

LC ebook record available at <https://lcn.loc.gov/2026008743>

Discounts are available for books ordered in bulk. Special consideration is given to state bars, CLE programs, and other bar-related organizations. Inquire at Book Publishing, ABA Publishing, American Bar Association, 321 N. Clark Street, Chicago, Illinois 60654-7598.

www.shopABA.org

For Anna Shavers
colleague and friend
(1946–2022)



Professor Anna Shavers with Justice Antonin Scalia—both former chairs of the American Bar Association’s Section of Administrative Law and Regulatory Practice—at the Supreme Court in 2014. Credit: Archives of the Administrative Conference of the United States.

Contents

Acknowledgments	xi
Foreword	xiii
Jeffrey A. Rosen	
Preface	xvii
Contributors	xxiii
Members of the Case Selection Committee	xxvii
Part I: Adjudication, Rulemaking, and Due Process	1
Chapter 1	
<i>Londoner v. City & County of Denver</i> , 210 U.S. 373 (1908); <i>Bi-Metallic Investment Co. v. State Board of Equalization</i> , 239 U.S. 441 (1915)	3
Michael Herz	
Chapter 2	
<i>SEC v. Chenery Corp. (Chenery II)</i> , 332 U.S. 194 (1947)	11
Ronald A. Cass and Matthew Lee Wiener	
Chapter 3	
<i>Board of Regents v. Roth</i> , 408 U.S. 564 (1972); <i>Perry v. Sindermann</i> , 408 U.S. 593 (1972)	21
William Jordan	
Chapter 4	
<i>Goldberg v. Kelly</i> , 397 U.S. 254 (1970)	31
Kathryn Kovacs	
Chapter 5	
<i>United States v. Florida East Coast Railway Co.</i> , 410 U.S. 224 (1973)	39
Emily Bremer	

Chapter 6

Portland Cement Association v. Ruckelshaus, 486 F.2d 375 (1973) 47
Linda Jellum

Chapter 7

Withrow v. Larkin, 421 U.S. 35 (1975) 55
Michael Asimow

Chapter 8

Mathews v. Eldridge, 424 U.S. 319 (1976) 65
Jeffrey S. Lubbers

Chapter 9

Sierra Club v. Costle, 657 F.2d 298 (D.C. Cir. 1981) 75
Jeremy Graboyes

Part II: Prerequisites to Judicial Review 85

Chapter 10

Abbott Laboratories v. Gardner, 387 U.S. 136 (1967) 87
Ronald Levin

Chapter 11

Association of Data Processing Service Organizations, Inc. v. Camp,
397 U.S. 150 (1970) 97
Kevin Stack

Chapter 12

Heckler v. Chaney, 470 U.S. 821 (1984) 107
Bijal Shah

Chapter 13

Lujan v. Defenders of Wildlife, 504 U.S. 555 (1992) 115
Adam J. White

Chapter 14

Bennett v. Spear, 520 U.S. 154 (1997) 123
William Funk

Part III: Legal Interpretation in Administrative Law	131
Chapter 15	
<i>Skidmore v. Swift & Co.</i> , 323 U.S. 134 (1944) Kathryn Watts	133
Chapter 16	
<i>Chevron v. Natural Resources Defense Council</i> , 467 U.S. 837 (1984) Kent Barnett and Christopher J. Walker	141
Chapter 17	
<i>Auer v. Robbins</i> , 519 U.S. 452 (1997) Jennifer Mascott	149
Chapter 18	
<i>United States v. Mead Corp.</i> , 533 U.S. 218 (2001) Jack Beermann	157
Chapter 19	
<i>Kisor v. Wilkie</i> , 588 U.S. 558 (2019) Jennifer Mascott	167
Chapter 20	
<i>West Virginia v. EPA</i> , 597 U.S. 697 (2022) Kristin Hickman	177
Chapter 21	
<i>Loper Bright Enterprises v. Raimondo</i> , 603 U.S. 369 (2024) Cary Coglianesse and Katherine Shaw	185
Part IV: Judicial Review on the Merits	201
Chapter 22	
<i>SEC v. Chenery Corp. (Chenery I)</i> , 318 U.S. 80 (1943) Anna Shavers	203
Chapter 23	
<i>Universal Camera Corp. v. NLRB</i> , 340 U.S. 474 (1951) Blake Emerson	211

Chapter 24

Citizens to Preserve Overton Park, Inc. v. Volpe, 401 U.S. 402 (1971) 223
Richard Murphy

Chapter 25

Vermont Yankee Nuclear Power Corp. v. Natural Resources Defense Council, 435 U.S. 519 (1978) 231
Gillian Metzger

Chapter 26

Motor Vehicle Manufacturers Association v. State Farm Insurance,
463 U.S. 29 (1983) 241
Reeve Bull

Part V: Separation of Powers **251**

Chapter 27

Myers v. United States, 272 U.S. 52 (1926) 253
Aditya Bamzai

Chapter 28

Humphrey's Executor v. United States, 295 U.S. 602 (1935) 261
Aditya Bamzai

Chapter 29

Crowell v. Benson, 285 U.S. 22 (1932) 269
Matthew Lee Wiener

Chapter 30

INS v. Chadha, 462 U.S. 919 (1983) 281
Connor Raso

Chapter 31

Morrison v. Olson, 487 U.S. 654 (1988) 289
Peter M. Shane

Chapter 32

Whitman v. American Trucking Associations, Inc., 531 U.S. 457 (2001) 301
Craig N. Oren

Chapter 33

Free Enterprise Fund v. Public Co. Accounting Oversight Board,
561 U.S. 477 (2010)

315

Peter Strauss

Chapter 34

Seila Law LLC v. CFPB, 591 U.S. 197 (2020)

327

Aaron Nielson

Chapter 35

United States v. Arthrex, Inc., 594 U.S. 1 (2021)

335

Nina Mendelson and Rebecca Eisenberg

Table of Cases

345

Index

359