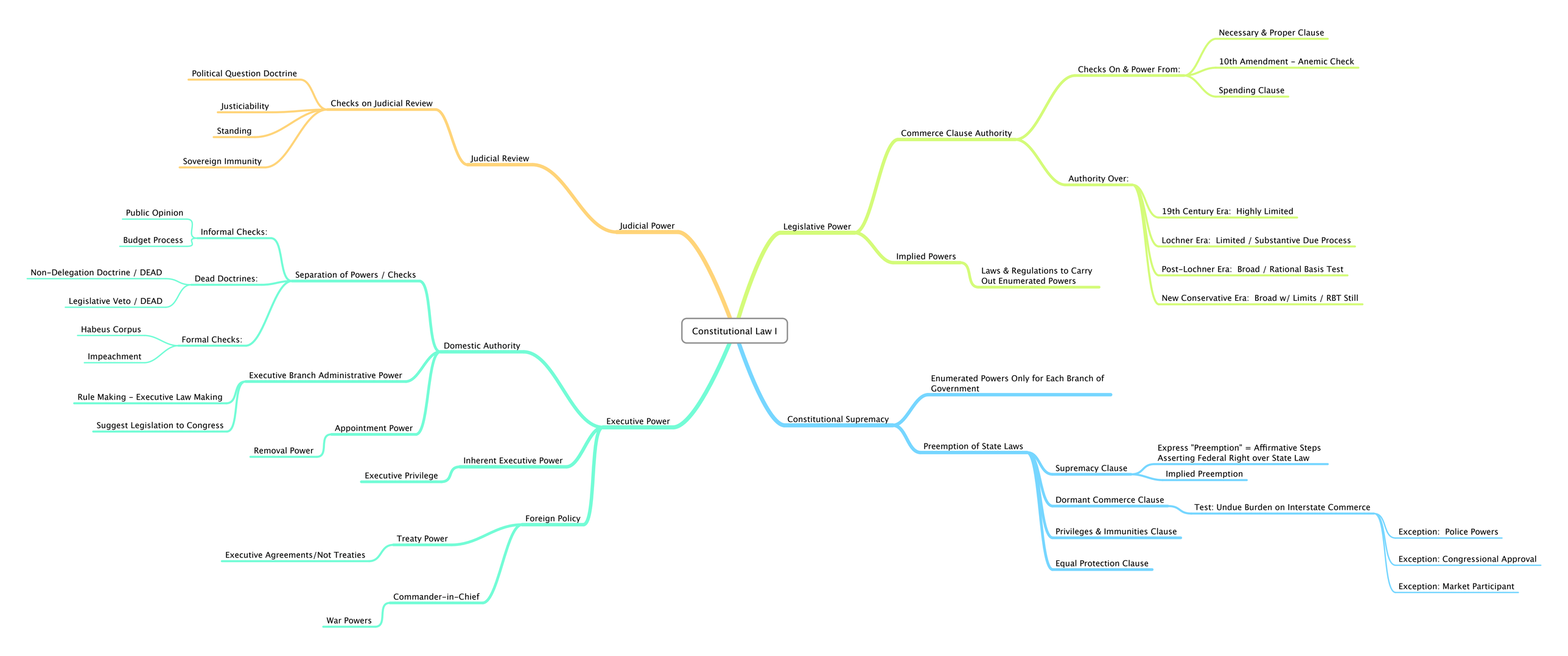
Constitutional Law I
Judicial Power
Judicial Review
Checks on Judicial Review
Political Question Doctrine
Justiciability
Standing
Sovereign Immunity
Domestic Authority
Separation of Powers / Checks
Informal Checks:
Public Opinion
Budget Process
Dead Doctrines:
Non-Delegation Doctrine / DEAD
Legislative Veto / DEAD
Formal Checks:
Habeus Corpus
Impeachment
Executive Branch Administrative Power
Rule Making - Executive Law Making
Suggest Legislation to Congress
Appointment Power
Removal Power
Executive Power
Inherent Executive Power
Executive Privilege
Foreign Policy
Treaty Power
Executive Agreements/Not Treaties
Commander-in-Chief
War Powers
Legislative Power
Commerce Clause Authority
Checks On & Power From:
Necessary & Proper Clause
10th Amendment - Anemic Check
Spending Clause
Authority Over:
19th Century Era: Highly Limited
Lochner Era: Limited / Substantive Due Process
Post-Lochner Era: Broad / Rational Basis Test
New Conservative Era: Broad w/ Limits / RBT Still
Implied Powers
Laws & Regulations to Carry Out Enumerated Powers
Constitutional Supremacy
Enumerated Powers Only for Each Branch of Government
Preemption of State Laws
Supremacy Clause
Express "Preemption" = Affirmative Steps Asserting Federal Right over State Law
Implied Preemption
Dormant Commerce Clause
Test: Undue Burden on Interstate Commerce
Exception: Police Powers
Exception: Congressional Approval
Exception: Market Participant
Privileges & Immunities Clause
Equal Protection Clause