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Helgi Walker and Michael Corcoran Explain Post-Loper Bright Landscape for National Law Journal

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The National Law Journal

Partner Helgi Walker and associate Michael Corcoran have published an article in the National Law Journal [PDF] about the landmark *Loper Bright Enterprises v. Raimondo* administrative law U.S. Supreme Court case. They explain the two must-do steps for any lawyer seeking to challenge agency actions involving supposed delegations of discretionary power: (1) knock out generic grants of authority as conferring no interpretive discretion and (2) ensure that the agency's regulations are directly linked to terms it has the authority to interpret.

They write that the ruling's language about delegated discretions "is no shark, but a herring" and that in light of their analysis "agency challengers should be well-equipped to sail across these new seas in the post-*Loper Bright* world — building on *Loper Bright* and opening new fronts in challenges to agency actions."

Related People

Helgi C. Walker

Michael Corcoran

Related Capabilities

Administrative Law and Regulatory Practice

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