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Book Review of Virginia Administrative Law and Practice

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Virginia Administrative Law and Practice. Joint Committee on Continuing Legal Education, Charlottesville, 1980.

The Virginia Continuing Legal Education Committee is offering a handbook for administrative practice: *Virginia Administrative Law and Practice* (1980). This looseleaf was written largely by practicing lawyers with the practitioner clearly in mind. Its chapters cover practice before the various agencies which perform the functions assigned the State Corporation Commission (e.g. utility and securities regulation), the Industrial Commission of Virginia (Workman's Compensation), Virginia Alcoholic Beverage Control Commission, the State Air Pollution Control Board, State Water Control Board, and the State Board for Contractors. These particularized chapters are introduced by a wonderfully insightful general chapter by the late Professor McFarland.

The handbook is an extremely useful desk reference. A Virginia practitioner will want the book in easy reach whether or not he specializes in administrative practice. In fact it will probably be of more use to the occasional administrative practitioner—a practice which no general practicing lawyer can avoid any longer. The book is a concise, well organized and easy to understand collection of practice information about state administrative agencies. A practitioner will not find such concise information in any other one source.

Of course, the information is basic and can only provide the practitioner with a start in dealing with these agencies. The sophistication of practice before these agencies, or any agency, as any administrative law teacher can attest, cannot be taught but must be learned through experience. Nonetheless the handbook comes as close as possible to passing on such practical

understanding. Along with an outline of all the basic information for each agency, the authors from time to time offer the benefit of their practical experience. For example, in discussing an application before the Alcoholic Beverage Control Commission, the handbook points out that there are no site restraints in Virginia, such as a distance a bar must be from a school. Yet it does not stop there, but suggests that: "Regarding church or school objections, it is often helpful if the applicant will voluntarily agree to a restriction upon his license." The authors do not lose realities in the strict confines of the literal language of the law.

The book will be particularly useful for one representing and advising clients on business or employment matters. Chapter Two constitutes a concise outline of the operations of the Corporation Commission. This agency regulates business activities in a variety of areas and serious mistakes could be avoided merely by perusing this chapter from time to time to ensure against omissions or missed opportunities. Chapter Three offers a particularly effective treatment of Workmen's Compensation laws. It provides a concise outline of the specifics of the substantive law and an organization for the procedural steps. The chapters on alcoholic beverages, pollution and contractor regulation, while dealing with more specialized practice, are nearly as precise on the substantive law and well organized on the procedural requirements as the Workmen's Compensation materials. All the chapters take pains to include the forms used by each relevant agency.

A helpful addition to the handbook would be a chapter dealing with the general concepts of administrative procedure. Such a chapter would pull the specialized materials together and permit those chapters to include more sophistication merely by incorporating by reference parts of the general chapter. Supplemental materials might also be considered in the future to add to the utility of the handbook as a learning tool. This development will no doubt come from the CLE courses which will work from this book.

Having suggested some potential improvements I hasten to reiterate that I cannot imagine any practicing lawyer in Virginia not having this book on his shelf. I am sure it will raise substantially the level of practice for anyone who at any time might be involved with a state agency.

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