

# The craft of public administration statute

[Business](#), [Management](#)



## Introduction

The statute making process is time overwhelming and involves a minimum of seven stages of official comment and review. From the commencement to end, it usually takes two to three years for a proposal to be enacted as a rule. The following constitute the primary stages of the rule making process in public administration. (Magat 65)

### Stage 1. Initial Consideration by the Advisory Committee

#### a) Making suggestions for changes

The projected changes in the rules are suggested by adjudicators, clerks of court, and lawyers. Suggestions for changes, accompaniments, or deletions must be handed in writing to the secretary, who acknowledges every letter and distributes it to the chair of the Standing Committee and reporter of the advisory committee. (Magat 68)

#### b) Consideration of suggestions

The advisory committee can take several courses of action such as: Accommodating the suggestion either, totally or with modifications or restrictions; deferring action resting on the suggestion or looking for additional information concerning its operation and impact; rejecting a proposal because it does not have value or would be contradictory with other rules or a statute. (Magat 70)

#### c) Drafting Rules Changes

When an advisory committee decides primarily that a particular modify in the rules would be suitable, it normally asks its journalist to prepare a draft modification to the policy and an explanatory committee note. The draft amendment and committee note are discussed and nominated upon at a

committee meeting. (Magat 72)

#### Stage 2. Publication and Public Comment

Once an advisory committee votes initially to recommend an amendment to the rules, it is required to obtain the approval of the Standing Committee, or its chair to issue the proposed amendment for municipal comment. In seeking publication, the advisory committee must give details to the standing committee the reasons for its suggestion, including any marginal or separate views. (Magat 83)

#### Stage 3. Consideration of the Public Comments and Final Approval By the Advisory Committee

The reporter prepares a summary of the printed comments received from the municipal and the proof presented at the hearings. The advisory committee next takes a fresh look at the anticipated rule changes in light of the printed comments and testimony. Once the advisory committee decides to carry on in final form, it submits the proposed amendment to the Standing Committee for approval. (Magat 86)

#### Stage 4. Approval by the Standing Committee

The standing committee considers the final recommendations of the advisory committee and may recognize, reject, or modify them. If the Standing committee approves a projected rule change, it will pass on to the judicial conference. (Magat 90)

#### Stage 5. Judicial Conference Approval

The judicial Conference generally considers proposed amendments to the policy at its September assembly each year. If approved by the conference,

the amendments are transmitted to the Supreme Court. (Magat 91)

#### Stage 6. Supreme Court Approval

The Supreme Court has the authority to lay down the federal rules, subject to a legal waiting period. 28 U. S. C. §§ 2072, 2075. The Court ought to transmit proposed amendments to assembly by May 1 of the year in which the modification is to take effect. 28 U. S. C. §§ 2074, 2075. (Magat 93)

#### Stage 7. Congressional Review

The congress have a statutory period of at least 7 months to take action on any rules prescribed by the Supreme Court. If the Congress does not pass legislation to decline, amend, or defer the rules, they take outcome as a matter of law on December 1. 28 U. S. C. §§ 2074, 2075. (Magat 95)

#### Work Cited

Berkley, E, George. The Craft of Public Administration. Mc Graw-Hill Publishers, 2003. ISBN: 0072817402