

THE OFFICE OF ADMINISTRATIVE HEARINGS BIENNIAL REPORT FOR FISCAL YEARS 2013-14



The Mission of the Office of Administrative Hearings is to provide a fair, efficient, and effective forum to manage and resolve administrative disputes.

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A message from Chief Administrative Law Judge:

Eugene A. Adams

The Office of Administrative Hearings respectfully submits its combined Annual Report for FY '13 and FY '14. It provides information required by law and addresses other issues that are of interest to the public, private stakeholders, government agencies we service, the Mayor and the City Council. These include other accomplishments and initiatives that are ongoing and are intended to improve operations and efficiencies.

As the newly-confirmed Chief ALJ, it is my privilege to work with the agency's extraordinarily talented staff--judges and administrative professionals alike. Together, we are committed to reviewing practices, policies and procedures to ensure that our litigants get the timely consideration of their claims and prompt, fair decisions. We are also working to make this agency an even more desirable place to visit and work after a period of instability.

Looking forward, we have an ambitious agenda, which includes an updated case management system, a fair and effective distribution of cases among our judges, performance measures for internal and external assessments, robust but useful training, overall responsiveness and customer service and collaborative efforts to improve morale.

I have no doubt that OAH, by working together, will achieve these goals and we look forward to reporting on them in the future.

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Introduction and History of OAH

The Office of Administrative Hearings (OAH) is an administrative court that provides adjudication services for District of Columbia agencies, boards, and commissions. This independent agency, whose adjudication model is referred to as a Central Panel, is a neutral, impartial tribunal responsible for harmonizing rules and procedures to improve fairness and efficiency and to ensure that constitutional and statutory due process requirements are met. One of the many benefits of this model of adjudication is the fostering of judicial decision-making free from the appearance of, and in some cases actual, undue influence of the executive agencies whose actions are in dispute.

D.C. Law 14-76, the "[Office of Administrative Hearings Establishment Act of 2001](#)" became effective on March 6, 2002. D.C. Official Code §§ 2-1831.01 *et seq.* After its 2003 planning year, OAH began hearing cases on March 22, 2004. Currently, OAH hears cases involving more than 40 District agencies, boards and commissions.

The OAH Establishment Act mandates a number of agencies to be served. The remainder of the agencies not covered under the Act whose cases OAH regularly adjudicates are covered through Memoranda of Understanding. Finally, the Act further allows for any other agencies not covered to refer individual cases to OAH for adjudication.

Annually: There are over 20,000 new cases filed; of which, approximately 11,000 are closed without a trial-type hearing. Close to 7,000 hearings are held, 122 mediations, and over 12,000 orders are entered.

Department of Employment Services (DOES)
Department of Human Services (DHS)
Board of Appeals and Review (former)
Department of Consumer and Regulatory Affairs (DCRA)
Department of Health (DOH)
DC Public Schools (DCPS)
Department of the Environment (DOE)
Office of Tax and Revenue (OTR)
Taxicab Commission (DCTC)

Department of Public Works (DPW)
Department of Health Care Finance (DHCF)
Department of Transportation (DOT)
Department of Housing and Community Development (DHCD)
Metropolitan Police Department (MPD)
Office of Planning (OP)
Fire and Emergency Medical Services (FEMS)
Office of the Attorney General - Child Support Services Division (CSSD)
Department of Behavioral Health (DBH) (formerly Mental Health)
Department on Disability Services (DDS)
Office of the State Superintendent of Education (OSSE)
Child and Family Services Agency (CFSA)
Department of Small & Local Business Development (DSLBD)
Health Benefit Exchange (HBX)
Office of Human Rights (OHR)
Rental Housing Commission (RHC)
Shelter (Shel)
Taxicab Commission (Taxi)
Department of Insurance, Securities & Banking (DISB)

Organizational Highlights for FY2013-14

Personnel Changes

In FY14, OAH staff voted for Union representation. The OAH Administrative Law Judges (ALJs) elected to be represented by the International Federation of Professional and Technical Engineers (IFPTE), and the administrative support staff elected to be represented by the American Federation of State, County and Municipal Employees (AFSCME). OAH entered into a Memorandum of Understanding with the Office of Labor Relations and Collective Bargaining for representation during collective bargaining, anticipated to begin in FY15.

The Agency also recruited locally and nationally to fill mission-critical vacancies: Five new ALJs, an Executive Director, Clerk of Court, Supervisory Attorney Advisor, five Attorney Advisors, and an Information Technology Specialist, all of whom began service in FY14.

New Administrative Law Judges

The Commission on Selection and Tenure (COST) of Administrative Law Judges, an independent body established by the OAH Establishment Act, appointed five new Administrative Law Judges in FY14: Sherri Beatty-Arthur, Leslie Meek, Bernard Weberman, Eli Bruch and Vytas Vergeer (see p.7 for brief bios, or visit the OAH website). These appointments filled critical vacancies on the Judicial Corps which occurred in FY13 and early FY14, and supports OAH's Mission of a "...fair, efficient and effective system to manage and resolve administrative litigation..."

Significant Accomplishments

Case Management: In June of 2014, under the direction of former Acting Chief ALJ Wanda R. Tucker and the Principal ALJs, the Judicial Corps accomplished a major project to bring to disposition all cases filed before June 1, 2013, which were ready for final orders. This amounted to closure of over 600 aged cases. A "first-in, first-out" OAH-wide case disposition strategy was re-affirmed and ALJ caseloads (including the number of cases and complement of case types) were adjusted, in order to support this initiative.

All Agency Training: OAH Judges and staff participated in mission critical trainings in FY13 and FY14, such as a course on legal writing by the National Judicial College, "High Performance Courts" presented by the National Center for State Courts, "Managing Cases with Self-Represented Litigants" by the Self-Represented Litigant Network, and nationally recognized experts presented "Fair and Ethical Judging: Overcoming Implicit Bias in the Courts."

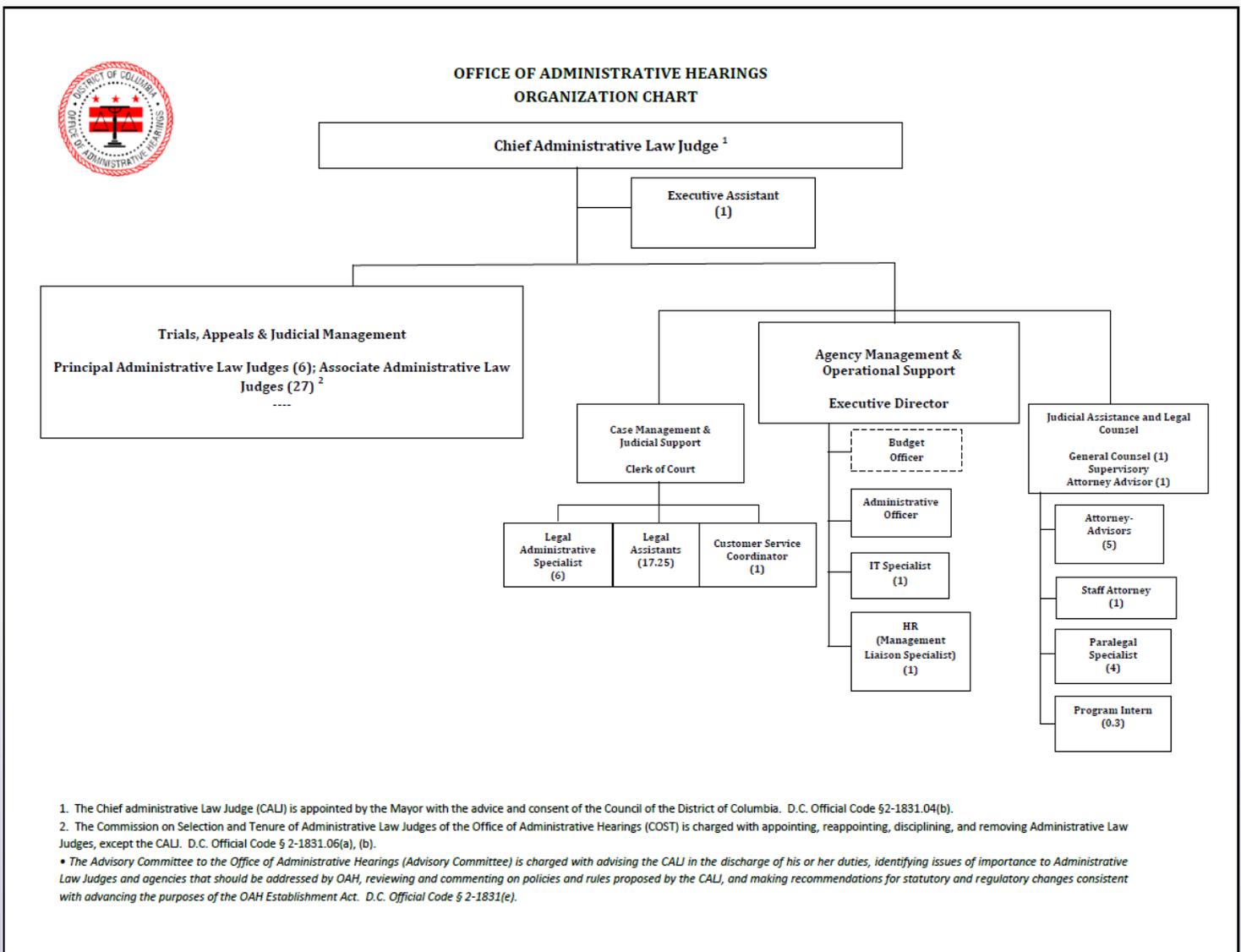
New Jurisdictions

In October 2013, OAH began hearing Taxicab Commission cases that were formerly heard by the Bureau of Traffic Adjudication. Approximately 10,000 cases were opened in this subject area in FY14, these are in addition to the over 20,000 other new cases filed that year.

In FY14, OAH also began adjudicating Health Care Benefit Exchange (HBX) cases as a result of the new Healthcare Reform legislation (Obamacare), and also entered into agreement to hear appeals from the Department of Small and Local Business Development (DSLBD).

Organizational Structure

There are four program divisions at OAH: 1.) **Executive:** Agency Management and Agency Financial Operations. This program provides administrative and operational support and tools required to achieve programmatic results; 2.) **Judicial:** Ensures due process and is charged with improving the quality, efficiency, and efficacy of justice management. This program provides pre-trial management, adjudication, and mediation services; 3.) **Court Counsel:** Includes the functions of Judicial Assistance and Legal Counsel, and supports the Chief Administrative Law Judge's efforts to ensure agency compliance with applicable laws, assists key management staff (e.g. tracking legislative and regulatory initiatives, legal research and analysis, and drafting orders); and 4.) **Clerk of Court:** Provides an efficient intake of cases and supports the agency's case management and caseload reporting, maintains forms and documentation, and serves as the primary customer service interface.



The Administrative Law Judge Corps OAH has a total of 34 Administrative Law Judges (ALJs), one of whom is the Chief Administrative Law Judge (CALJ). There are also several ALJs, referred to as Principals, who assist the CALJ in case management across groups (or clusters) of agencies: PALJ Elizabeth Figueroa, public benefits; PALJ Erika Pierson, DC Public Schools and Rental Housing (DHCD); PALJ Arabella Teal, Taxicab Commission; PALJ Steven Wellner, Department of Employment Services (DOES); and PALJ Paul Handy, Department of Public Works (DPW). For more info on ALJ appointments and terms, see [OAH Establishment Act](#). Eugene A. Adams was confirmed as Chief Administrative Law Judge for a six year term on July 15, 2015.

OAH ADMINISTRATIVE LAW JUDGES			
<i>(as of July 2015)</i>			
NAME	INITIAL APPOINTMENT	LENGTH OF CURRENT TERM (YEARS)	EXPIRATION OF CURRENT TERM
John Dean	3/22/2004	10	3/22/16
Calonette McDonald	3/22/2004	10	3/22/16
Robert Sharkey	3/22/2004	10	3/22/16
Paul Handy	7/26/2004	10	7/26/16
Ann Yahner	7/26/2004	10	7/26/16
William England, Jr.	8/9/2004	10	8/9/16
Beverly Sherman Nash	8/9/2004	10	8/9/16
James Harmon, Jr.	10/1/2004	10	10/1/16
Denise Wilson-Taylor	10/1/2004	10	10/1/16
E. Savannah Little	10/8/2004	10	10/8/16
Jesse Goode	6/20/2005	10	6/20/17
Claudia Barber	8/15/2005	10	8/15/17
Joan Davenport	8/15/2005	10	8/15/17
Audrey Jenkins	8/15/2005	10	8/15/17
Mary Masulla	8/15/2005	10	8/15/17
Wanda Tucker	8/15/2005	10	8/15/17
Nicholas Cobbs	8/29/2005	10	8/29/17
Sharon Goodie	8/29/2005	10	8/29/17
Scott Harvey	8/29/2005	10	8/29/17
Arabella Teal	8/29/2005	10	8/29/17
Steven Wellner	5/30/2006	6	5/30/20
Samuel McClendon	11/27/2006	6	11/27/20
Elizabeth Figueroa	12/11/2006	6	12/11/20
Erika Pierson	12/11/2006	6	12/11/20
John Rooney	1/8/2007	6	1/8/21
Margaret Mangan	1/22/2007	6	1/22/21
Claudia Crichlow	11/26/2007	6	11/26/15
Caryn Hines	4/28/2008	6	4/28/16
Eli Bruch	6/22/2014	2	6/22/16
Leslie Meek	6/22/2014	2	6/22/16
Bernard Weberman	6/30/2014	2	6/30/16
Sherri Beatty-Arthur	7/14/2014	2	7/14/16
Vytas Vergeer	8/18/2014	2	8/18/16

OAH Welcomed New Administrative Law Judges in FY14

Judge Sherri Beatty-Arthur was appointed in July 2014. She has been a practicing attorney since 1999 and is an active participant in the Washington, D.C. legal community. Judge Beatty-Arthur's legal practice was primarily in civil rights and employment law, and included positions with the U.S. Department of Agriculture and the U.S. Securities and Exchange Commission. She has served as the Board Chairman and CEO for the Office of Employee Appeals for D.C. She spent several years as a partner at Arthur & Arthur, PLLC, where she advised clients in family law, employment law and small business development. Additionally, she served on the executive team at the D.C. Public Defender Service where she advised management on hiring, recruitment, human resources and diversity. She has been a professor at the University of Maryland and at Prince George's County Community College, and has taught at the University of Maryland Graduate School of Business and at Howard University School of Law. She is a native Washingtonian who received her bachelor's degree from the University of Maryland in 1993, a law degree from Howard University School of Law in 1998 and an MBA in 2011 from the University of Maryland.

Judge Eli Bruch was appointed in June 2014. Before joining OAH, Judge Bruch served as an ALJ for the D.C. Commission on Human Rights for almost seven years. At the Commission, he adjudicated administrative complaints filed under the District's Human Rights Act and the Family and Medical Leave Act, and adjudicated administrative appeals filed under the Criminal Background Checks for the Protection of Children Act. Judge Bruch also has experience working in the private sector and for a non-profit. From 2010 to 2014, Judge Bruch taught The Legal Environment of Employee Relations at George Mason University's School of Business as an Adjunct Professor of Business Legal Studies. Judge Bruch earned a B.A. from the University of Wisconsin-Madison, a J.D. from Hofstra University School of Law, and a LL.M. from Georgetown University Law Center.

Judge Leslie Meek was appointed in June 2014. Prior to joining OAH, Judge Meek served as an ALJ and Appellate Administrative Law Judge with the District of Columbia Department of Employment Services, Administrative Hearings Division. There, she adjudicated workers' compensation cases for over eight years. Judge Meek graduated from Fisk University where she earned a B.A. in Political Science. She earned her J.D. from Case Western Reserve University School of Law. While attending Law school, Judge Meek was personally recruited by former U.S. Attorney General Janet Reno and became an Assistant State's Attorney in Miami-Dade County, Florida. Judge Meek also served as Assistant City Attorney for the City of Miami and as Assistant General Counsel for the Comptroller of the State of Florida. Judge Meek was legal counsel for the United Teachers of Dade, the fourth largest teacher's local in the country and was appointed General Counsel for the union, becoming the first African-American to ascend to the position.

Judge Vytas V. Vergeer was appointed in August 2014. For almost 20 years, he worked at Bread for the City, first as a Staff Attorney from 1994 to 1999, then as the Legal Clinic Director from 1999 to 2014, with a 20 month respite to be the Director of Government Relations at the National Housing Law Project, 2001-2002. At Bread, the vast majority of his job revolved around low-income housing issues, although he also practiced public benefits law, and just about any area of the law that his clients needed. Judge Vergeer served six years as a member of the Steering Committee of Real Estate, Housing, and Land Use section of the D.C. Bar, two years as its Chair. He also served on the D.C. Bar's Landlord/Tenant Implementation Committee, the committee that created and wrote rules for the Housing Conditions Docket in DC Superior Court, the D.C. Bar's *Pro Bono* Committee, and a committee that drafted rules on Limited Scope Representation. He served two years on the Board of Directors for the Washington Council of Lawyers, and two years on the DC Bar's Board of Governors as well as receiving the Jerrold Scoutt prize in 2010 for his public interest career. He has an Honors B.A. in Philosophy from the University of Maryland, and graduated from Catholic University's law school in 1993. He had the honor clerking for Judge John Ferren at the D.C. Court of Appeals in 1994.

Judge Bernard H Weberman was appointed in June 2014. Prior to joining OAH, Judge Weberman worked for many years with the Office of Chief Counsel, Internal Revenue Service, serving most recently as the Appellate Authority for the Department of Treasury in which he made final decisions for the Department on disciplinary actions initiated by the Office of Professional Responsibility on appeal from Administrative Law Judges, and as the Director, Headquarters Operations, Division Counsel, Small Business/Self-Employed. He was previously an attorney with the Tax Division, Department of Justice and the Office of General Counsel, Department of Agriculture. Judge Weberman graduated from the University of Michigan and received a J.D. from the University of Texas and an LL.M in Taxation from Georgetown University.

Caseload Information and Trends

The following table represents all agencies served since 2005, and total filings for each year. In FY14, of the 21,838 cases opened, approximately 13,000 were closed without needing a trial-type hearing. In approximately 4,100 of these cases closed, persons charged with violations (respondents) admitted responsibility for violations charged and paid the fines (“Quick Admits”); in approximately 2,300 cases, respondents requested “paper” hearings by admitting responsibility for charged violations and submitting written reasons for reduction or suspension of authorized fines without a trial-type hearing (“Admit with Explanation”). ALJs disposed of approx. 5,700 cases by final “default” orders, without hearings, when respondents failed to respond to notices of violations or infractions. *Note: Data does not include Taxicab infraction caseload data, which comes from a separate DMV system.*

Agency	FY05	FY06	FY07	FY08	FY09	FY10	FY11	FY12	FY13	FY14
Child and Family Services Agency	4	2	1	2	2	1	1	0	0	0
DC Public Schools	**	**	**	**	**	**	**	302	383	284
Department of Consumer & Regulatory Affairs	3,446	2,255	1667	1,309	1,914	1,595	921	884	800	808
Dept. of Disability Services	**	**	**	**	7	4	19	14	11	14
Department of Employment Services	2,514	2,914	2,859	3,018	3,222	3,123	2,723	2,179	2,413	2,545
Department of Health	909	516	830	935	1,012	573	479	498	592	386
Department of Health Care Finance	**	**	**	**	57	110	342	286	318	498
Department of Housing & Community Development	**	**	511	419	314	269	159	186	151	171
Department of Human Services	765	864	755	816	943	864	1,031	932	779	798
Department of Insurance, Banking & Securities	**	**	**	**	**	**	**	**	**	1
Dept. of Behavioral Health fka Dept. of Mental Health	13	12	8	7	10	15	9	16	13	8
Department of Public Works	9,027	13,120	16,387	13,707	14,250	17,668	15,227	10,163	18,114	15,314
Department of the Environment	**	98	201	287	143	106	90	108	59	79
Department of Transportation	329	208	684	1,549	1,827	1,324	438	259	182	178
Fire & Emergency Medical Services	24	47	59	84	112	64	30	33	5	9
Health Benefit Exchange	**	**	**	**	**	**	**	**	**	162
Metropolitan Police Dept.	60	58	40	66	51	11	30	48	104	179
Office of Human Rights	**	**	**	**	**	**	**	**	1	0
Office of Planning	0	25	49	41	68	38	55	40	36	44
Office of Tax & Revenue	52	22	21	30	39	42	71	35	30	34
Office of the Attorney General—Child Support	**	**	**	**	22	17	12	18	6	6
Office of the State Superintendent of Education	**	**	**	**	**	9	3	7	13	12
Shelter	**	**	**	**	**	**	**	**	289	285
Taxicab Commission	**	**	**	**	**	**	**	**	53***	23***
TOTAL									24,352	21,838

FY13 and FY14 Caseload Summaries

Not all cases filed or opened with OAH result in assignment to an ALJ, “quick admits.” Therefore, the number of cases opened or filed with OAH will be greater than the number of cases assigned. All “Cases Closed” include cases closed by final orders, admits, rejections, administrative dismissals (if cases were opened in error or were duplicates).

FY13 Caseload Summary

Cases Opened/ Filed in FY 2013	ALL FY13 Cases Closed in FY 13	Cases Closed in FY13 from earlier Fiscal Years (2006-2012)	Final Orders Issued in FY13 for Assigned FY 13 Cases	Hearings Held for cases opened & assigned in FY13
24,352	20,397	3,949	14,993	6,745

FY14 Caseload Summary

Cases Opened/Filed in FY 2014	ALL FY 14 Cases Closed in FY 14	Cases Closed in FY14 from earlier Fiscal Years (2006-2013)	Final Orders Issued in FY 14 for Assigned FY 14 Cases	Hearings Held for cases opened & assigned in FY 14
21,838	14,027	2,268	12,341	6,929

As shown in these tables, there were over 6,700 full, trial-type evidentiary hearings held in FY13, and over 6,900 in FY14, for cases opened and assigned in those years. Of the 6,929 hearings in FY14:

- 2,300 were DPW hearings in which residents, businesses, and visitors were charged with violations of rules governing solid waste disposal, recycling, and cleanliness standards for residential, commercial, and public property
- 1,800 were DOES hearings in which a party is appealing a decision issued by the Department about unemployment insurance benefits
- 800 were DHS hearings involving rules which govern public benefits
- 700 were Medicaid and locally-funded health care benefits hearings administered by the Department of Health Care Finance
- 300 were DCPS student discipline cases
- 260 were rental housing hearings

Many of OAH’s ALJs hear cases in multiple jurisdictions, as shown in the following pages. Case types vary widely in their complexity and the amount of time which each takes to reasonably dispose. In case types which are high volume and relatively simple and straightforward (eg. DPW), template orders have been utilized to aid in efficiency of disposition. *A note about time standards: There are two case types which have strict time standards for disposition—DOES and DCPS. For DOES, one U.S. Department of Labor standard is that 95% of cases resolved in a given month are resolved within 90 days of filing. OAH has consistently met this standard. For DCPS, final orders must be issued no later than one school day following the hearing. OAH has consistently met this time standard.*

OAH set a goal of increasing its percentage of total number of cases disposed within 365 days from the close of the record, if not sooner; and to increase the percentage on non-unemployment insurance cases resolved within 120 days of filing.

[See OAH KPIs at OCA website.](#)

FY13 and FY14 ALJ Performance

The OAH Establishment Act states that the annual report shall include case statistics for each Administrative Law Judge (ALJ) from the filing of a case to its disposition. ALJs who also served in administrative functions (i.e. as Chief, Principals, or Clerk of Court) are denoted by asterisks as they typically carry reduced caseloads to offset their administrative duties. The lack of data for some ALJs results from not serving any or all of that fiscal year. “Orders Issued” can be any number of orders, which may precede final order/case closure. All case data in this report is derived from OAH’s case management system, eCourt. No conclusions should be drawn from this data on the relative caseloads or efficiency of any of the judges—OAH is in the process of determining relevant performance standards for ALJs based on caseload complexity, complementarity of assignments and disposition rates.

Administrative Law Judges	FY13 Cases Assigned	FY13 Mediations	FY13 Hearings Held	FY13 Orders Issued	FY13 Cases Disposed	FY14 Cases Assigned	FY14 Mediations	FY14 Hearings Held	FY14 Orders Issued	FY14 Cases Disposed
Barber	413	22	243	502	353	395	20	291	508	347
Beatty- Arthur	0	0	0	0	0	122	3	19	70	68
Bruch	0	0	0	0	0	112	11	29	102	82
Burnett	152	0	149	285	151	0	0	0	0	21*
Cobbs	227	26	204	276	210	290	29	187	339	270
Crichlow	470	2	466	491	353	390	4	423	456	269
Davenport	432	0	458	501	374	534	0	474	705	494
Dean*	440	1	316	415	317	355	0	226	636	333
England	213	5	174	215	192	283	3	137	274	236
Figueroa*	342	1	456	426	284	391	6	438	548	323
Goode	319	0	279	342	297	422	0	281	410	359
Goodie	261	6	240	273	202	407	1	369	389	294
Handy	485	3	537	568	419	585	4	591	744	526
Harmon	294	0	239	307	260	412	0	242	432	362
Harvey	270	1	188	312	234	343	12	247	351	267
Hines	244	23	211	271	205	293	18	194	327	236
Jenkins	328	17	268	414	261	384	16	337	544	331
Little	255	1	239	278	177	273	7	205	248	156
Mangan	177	28	115	234	144	254	40	112	306	224
Masulla	191	8	159	225	147	250	10	214	276	199
McClendon*	7407	0	102	8115	7235	4342	0	107	4871	4292
McDonald*	194	3	68	204	164	358	0	245	305	252
Meek	0	0	0	0	0	92	9	14	0	68
Nash	299	32	219	318	270	292	35	182	287	244
Pierson*	121	19	108	126	102	127	20	108	109	80
Poindexter*	91	0	9	153	71	0	0	9	52	0
Rooney	359	0	278	374	341	408	0	249	386	353
Sharkey*	445	3	48	534	412	396	1	41	482	349
Teal*	402	3	329	441	385	427	0	294	415	368
Tucker*	158	24	112	183	121	83	11	73	116	73
Vergeer	0	0	0	0	0	73	12	15	49	42
Weberman	0	0	0	0	0	123	6	30	103	93
Wellner*	377	1	217	400	363	482	0	185	461	425
Wilson-Taylor	268	2	250	306	196	211	6	232	279	134
Yahner*	784	0	64	1159	753	211	1	125	382	192

FY13 Cases Assigned to Administrative Law Judges, by Jurisdiction

The charts on this and the next page show the distribution of cases across jurisdictions for each ALJ in the past two fiscal years. As mentioned, case types vary widely in terms of their complexity. An informal, subjective survey of ALJs in FY14 showed that most cases generally fall in the mid-range of complexity, other cases such as DHCD (rental housing), and some DCRA issues are more complex, while DPW cases are viewed as the least complex, yet most voluminous. (There is likely a slight margin of error +/- with these numbers).

JUDGE	DCPS	DCRA	DDOE	DDOT	DDS	DHCD	DHCF	DHS	DMH	DOES	DOH	DPW	FEMS	MPD	OAG	OHR	OP	OSSE	OTR	SHEL	TAXI	TOTAL
Barber		76	3	6		5	52		1		13	237					5	1	6		8	413
Burnett	6	28							1		8	106							3			152
Cobbs	27					15				92		93										227
Crichlow	28	8	5	4			49	90				211		9	3					56	7	470
Davenport								142				249								41		432
Dean*			2		3		67	154	4		49	100								61		440
England	25					6				135		47										213
Figuroa			8	19	2		49	10			16	225		1	2						10	342
Goode										280	6	32		1								319
Goodie	19			9		5	1	62		12		122								31		261
Handy	25		4		4		44	85	1	42	11	198	4	4				3	3	57		485
Harmon										232		62										294
Harvey		74								125		71										270
Hines	27					11				117		89										244
Jenkins	24	40	5	1		5					14	233					4	2				328
Little								98		19		111								27		255
Mangan	34	18				18			1		1	105										177
Masulla		28		5			53					97					3	2	3			191
McClendon*			16	58								7,267	1	64							1	7407
McDonald*								46		39		108									1	194
Nash	23	2				18				187		59						2	7		1	299
Pierson*	40					23				7		51										121
Poindexter*		29									10	52										91
Rooney										304		55										359
Sharkey*	1	343										72				1	18	3	6		1	445
Teal	31					2				316		53										402
Tucker	34	19				12						92					1					158
Wellner*	10					1				309		57										377
Wilson-Taylor	29			27		1						211										268
Yahner*										2	11	751									20	784
Total	383	665	43	129	9	122	315	687	8	2,218	139	11,216	5	79	5	1	31	13	28	273	49	16,418

FY14 Cases Assigned to Administrative Law Judges, by Jurisdiction

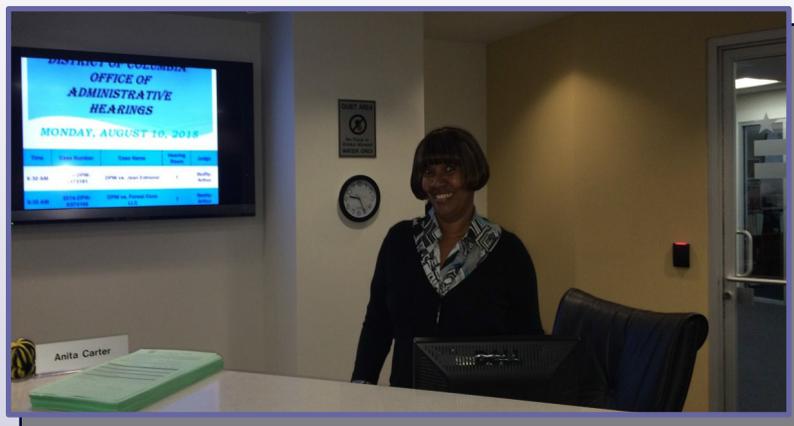
ALJs Beatty-Arthur, Meek, Bruch, Weberman and Vergeer began accepting cases in the final quarter of FY14, following their appointments. (Acting) Chief ALI***, PALI**

JUDGE	DCPS	DCRA	DDOE	DDOT	DDS	DHCD	DHCF	DHS	DISB	DMH	DOES	DOH	DPW	FEMS	HBX	MPD	OAG	OHR	OP	OSSE	OTR	SHEL	TAXI	TOTAL	
Barber	2	46	10	7		5	94					36	167						3	3	8		14	395	
Beatty-Arthur		14				2	11					19	75						1						122
Bruch						5					39		68												112
Cobbs	21					12					100		155									2			290
Crichlow	18	4	8				55	52					193		10	1	3		1				43	2	390
Davenport	7						8	148				5	300		27								39		534
Dean**			1				38	100				24	123		25								44		355
England	12					3					134		134												283
Figuroa**			2	3	4		85	23		1		60	198	1	3		3						8		391
Goode										2	296	8	116												422
Goodie	26			1		4		127			8		162		27	1							51		407
Handy	19		2		8		82	92		3	46	11	231	2	30				1	4	4	50			585
Harmon											244		168												412
Harvey		54									145		144												343
Hines	16					10					106		161												293
Jenkins	20	49	4	2		3	29					27	233		15				2						384
Little	1	6				2		93			2		120		13								36		273
Mangan	19	46				16						2	171												254
Masulla		41		9			69					2	119						4	2	4				250
McClendon**			21	71				1					4,209	4		36									4,342
McDonald	19							116			59		161		3										358
Meek	2					1					16		73												92
Nash	22	4				11					148		94						4	1	7		1		292
Pierson**	20					24					1		82												127
Poindexter		3										4	14												
Rooney											289		119												408
Sharkey		255							1				117						16	2	5				396
Teal**	13										300		113										1		427
Tucker***	25	9				6							41						1		1				83
Vergeer		18	2			2	9					17	24						1						73
Weberman	1					2					51		68									1			123
Wellner**	4										348		130												482
Wilson-Taylor	14			15		6							174									2			211
Yahner**													207										4		211
Total	281	549	50	108	12	114	480	752	1	6	2,332	215	8,664	7	153	38	6	0	34	12	34	271	22	14,120	

Performance Plan

Since 2008, OAH has updated its performance plans annually, and submits quarterly and annual data to the Office of the City Administrator. OAH aligns its objectives and initiatives with its Mission. Please click [here](#) to view OAH's Performance Plans and Performance Accountability Reports (PARs). OAH's FY13 and FY14s accomplishments include:

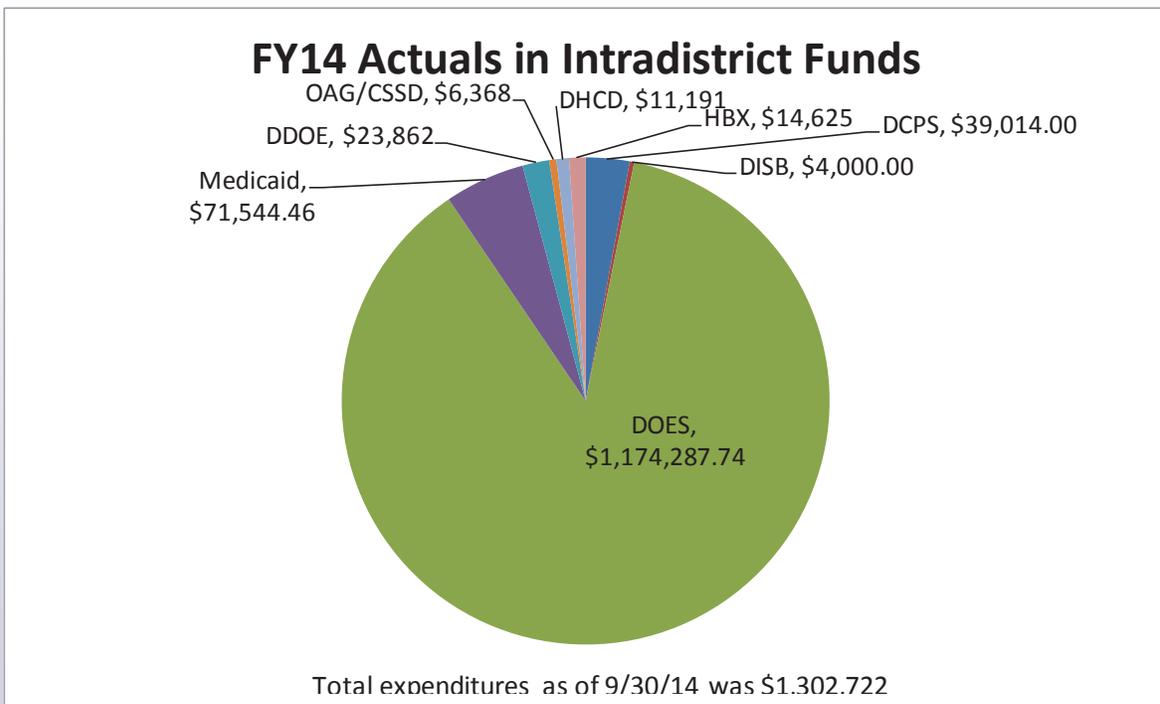
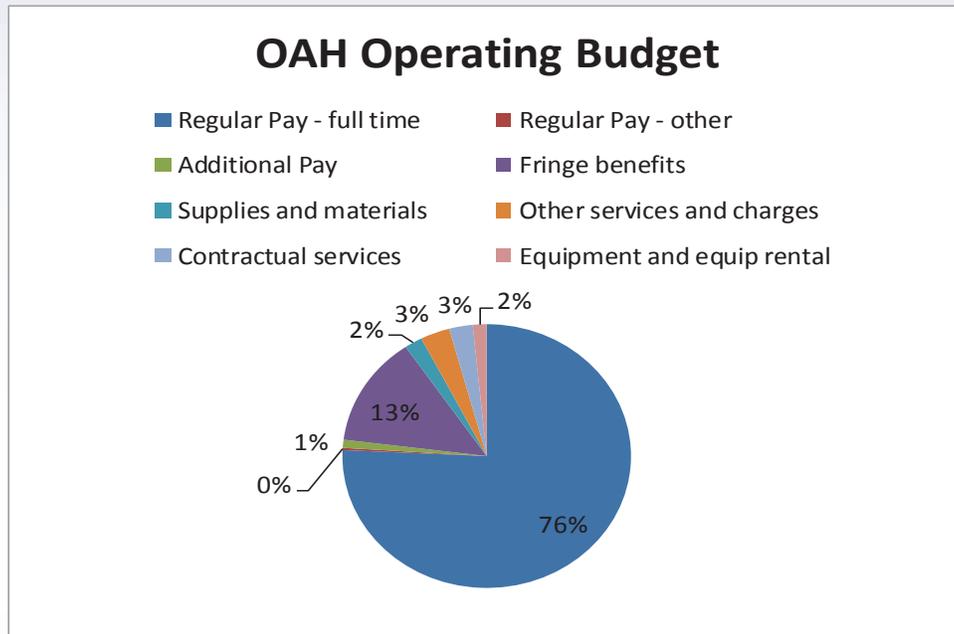
- ◆ **DOES (Unemployment Insurance appeals cases):** The U.S. Department of Labor requires that 95% of unemployment insurance cases resolved within a given month are resolved within 90 days of filing. In FY13 the agency resolved 99.61% of its cases, and in FY14 the agency achieved 98.12% of its cases by this standard.
- ◆ **Non-unemployment insurance cases:** In FY14, 79.05% of these cases were resolved within 120 days of filing.
- ◆ **Mediations:** Between FY13-14, there were 332 mediations, which, when successful, reduced trial-type hearings. Mediations can help resolve cases quickly and effectively without the need for evidentiary hearings and written orders, or to help narrow the issues that need to be heard, thereby reducing time in the hearing. However, not all cases can be referred to mediation. In these fiscal years, 50% of all mediations were DHCD cases, followed by DHCF and DCRA. Though far fewer in number, OSSE, OTR, SHEL, DISB, DOES, DOH, and DDS cases were also referred to mediation.
- ◆ **Customer Service Surveys:** OAH provides a customer service feedback mechanism to all customers, regarding our staff, Judicial performance, facilities, and the hearing process and resources. In FY13, OAH achieved a 94.75% satisfaction rating, and in FY14, OAH achieved a 92.05% satisfaction rating. Customers overwhelmingly comment on the helpfulness and professionalism of the OAH Resource Center and Reception staff.
- ◆ **DCPS Cases:** All DCPS orders were issued no later than one school day following the hearing.
- ◆ **eTims (electronic database which serves the Taxicab Commission cases):** 61 out of 77 employees (Judges and staff) completed eTims training in FY14. Of note, OAH handled approximately 2,500 taxi hearings in FY14. By comparison, OAH handled 2,300 DPW hearings in the same timeframe. *Taxi data is stored in a separate case management system called *eTIMS*.
- ◆ **Staff trained in language access:** In FY14, OAH achieved 82.43% in this initiative. OAH's objective is to continually improve the experience of participants who are limited or non-English proficient to ensure these litigants are afforded equal access to information and services provided by OAH.



Ms. Anita Carter, Customer Service Coordinator at OAH

Budget

OAH's approved FY14 budget was \$9,516,654 and actual expenditures amounted to \$8,476,810 with 70.9 FTEs (as compared to FY13s approved budget of \$9,234,726 and \$8,850,000 in actual expenditures with 73.1 FTEs). In FY14, \$7,673,000 of the total Operating Budget accounted for personnel costs, and \$804,000 accounted for non-personnel services, i.e. supplies and materials, contracts with interpreter services, transcription services, leased copiers and printers, case management systems, professional development for ALJs and staff, etc. OAH has traditionally been underspent in personal services due to vacancies. In FY14, there was a focused effort on filling all vacant positions, which the agency has now completed and has consistently carried close to its fully budgeted 77 FTEs in FY15.



Open Government Report for FY14 by *Marya Torrez, OAH Open Government Coordinator*

To institutionalize a culture of transparent and open government, accountability, and to expand opportunities for resident participation and collaboration, this report summarizes how the DC Office of Administrative Hearings (OAH) has and will continue to develop and enhance transparency, public participation, and collaboration. In accordance with Mayor's Order 2014-170, OAH addressed the following topics in FY14:

Transparency During FY14, OAH took a number of steps to ensure that information regarding OAH policies and procedures, as well as OAH files, are readily accessible to the public. OAH has continued in FY15 and going forward, to ensure that information is readily available to members of the public through:

- ◆ Website enhancements, with more information available to the public.
- ◆ Making OAH case files available to the public, subject to certain legal requirements that protect confidentiality of some OAH litigants.
- ◆ Continuing to work on ensuring that final orders issued in OAH cases are available online in a searchable, user-friendly format. [*We anticipate this will be fully functional in FY16 through enhancements to our electronic case management system and addition of a public portal.*]

Public Engagement and Participation OAH worked during FY14 and continues to strive to engage members of the public in our work and to provide them with information and resources that are meaningful to them through:

- ◆ Stakeholder meetings with DC agencies and advocacy groups that regularly try cases before OAH, members of the bar, interest groups and community organizations.
- ◆ OAH Resource Center which provides free in-person legal help any individual with an OAH matter who does not have a lawyer; as well as written information and resources and referrals to attorneys, information about OAH rules and policies.
- ◆ Proposed rule changes published to the DC Register for public comment, as well as notices regarding ALJs who are up for re-appointment so that the public can provide feedback on those judges.

Collaboration OAH took a number of steps in FY14 to ensure that other DC agencies and stakeholders are able to participate meaningfully in our work through our Principal ALJs:

- ◆ Holding regular meetings with stakeholders (such as DOES, DCRA, OP, DCPS, DHCD, DHCF, and DOH) to discuss how to improve caseload issues.
- ◆ Improving and developing order templates that are most informative and useful to litigants.
- ◆ Providing feedback to other DC agencies, on proposed regulations and how the regulations are likely to impact the customers.

Contact Information:

OAH Open Government Coordinator: 202-442-5951 or marya.torrez@dc.gov

OAH Staff Highlights

ALJ Margaret A. Mangan had a very rich year, locally at OAH, and with judicial education nationally and internationally. At OAH, Judge Mangan broadened the types of cases she hears to include Department of Health as well as Rental Housing, DCPS, DCRA, DPW, and mediation in all areas. She chairs the OAH Recruitment Committee and is a member of the Training and Mediation committees at OAH. Judge Mangan is a member of the National Association of Women Judges (NAWJ) and chairs its Administrative Judiciary Committee. She was on the planning committees for the mid-year conference in Washington, DC and annual conference in San Diego. At the annual conference, with the theme Protecting and Advancing Access to Justice, the Administrative Judiciary Committee's session on the Science of Credibility was well received. Judge Mangan moderated a panel on access to justice and implicit bias with panelists Justice Sonia Sotomayor, Judge Anna Blackburne-Rigsby, and Judge Margaret McKeown.

"I most enjoy interacting with the ALJs and my fellow attorney advisors and gaining valuable knowledge and insight into various areas of law—not just the administrative variety." ~ Louis Neal, Attorney Advisor

"I enjoy my workplace at OAH due to the variety of assignments and my friendly network of coworkers. Everyone is a team player and supportive...it is a privilege to work in a professional environment amongst hard working staff, talented attorneys and judges." ~ Daljit Soni, Attorney Advisor



Louis Neal



Daljit Soni

Marya Torrez

MARYA TORREZ

ATTORNEY ADVISOR

"I enjoy being part of an agency that is working to ensure that some of DC's most vulnerable residents are provided with access to justice."

Words of praise from ALJ Paul Handy

"To me, the greatest achievement we made [in 2014] was to hire outstanding leaders...several outstanding new attorney-advisors, and other key court personnel...all of whom came in and performed high quality and difficult work in helping to standardize and improve our procedures. The benefits of this work will be felt for years to come, as OAH improves its service to the public. In addition, I would like to commend all of the Clerk's Office staff and judges working in the Department of Human Services (DHS) and Department of Health Care Finance (DHCF) jurisdictions. During 2014, we experienced a high volume of cases coming in, particularly in Medicaid and homeless shelter services. The staff really stepped up and managed these cases promptly, efficiently and professionally."