
GOVERNMENT OF THE DISTRICT OF COLUMBIA



OFFICE OF ADMINISTRATIVE HEARINGS

FISCAL YEAR 2011 ANNUAL REPORT



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I. Introduction

The Office of Administrative Hearings (OAH) is an administrative court that provides adjudication services for several District of Columbia agencies, boards, and commissions. The independent agency is a neutral, impartial tribunal charged with harmonizing rules and procedures to improve fairness and efficiency and to ensure that constitutional and statutory due process requirements are met.

OAH was established by the Office of Administrative Hearings Establishment Act of 2001, D.C. Law 14-76, codified at D.C. Official Code §§ 2-1831.01 *et seq.* Included within OAH's jurisdiction are cases formerly heard by the Department of Consumer and Regulatory Affairs (DCRA), the Department of Public Works (DPW), the Department of Health (DOH), the Department of Human Services (DHS), the Department of Employment Services (DOES), the Office of Tax and Revenue (OTR), the Taxicab Commission (Taxi), and the former Board of Appeals and Review (BAR). Other cases within OAH's jurisdiction include certain cases brought by the Department of Transportation (DDOT), Metropolitan Police Department (MPD), Fire and Emergency Medical Services (FEMS), the Office of Planning (OP), the Department of Mental Health (DMH), the Child and Family Services Agency (CFSA), the DC Office of Energy (OE), the Department of the Environment (DDOE), and the Department of Housing and Community Development (DHCD).

OAH began its first phase of caseload operations on March 22, 2004 and assumed its second phase of caseload operations on October 1, 2004. During FY09, OAH began hearing certain cases involving the Office of the Attorney General, Child Support Services Division (CSSD), the Department of Health Care Finance (DHCF), and the Department on Disability Services (DDS). During FY10, OAH began hearing cases for the Office of the State Superintendent of Education (OSSE) and the DC Lottery and Charitable Games Control Board (DCLB).

Additional information about OAH, including links to the OAH Establishment Act and Procedural Rules (1 DCMR Chapters 28 and 29), may be found at www.oah.dc.gov.

II. Mission and Goals

The mission of OAH is to enhance the quality of life in the District of Columbia by providing citizens and government agencies with a fair, efficient, and effective system to manage and resolve administration litigation arising under District of Columbia law. By developing innovative reforms for the District of Columbia's system of administrative justice, OAH fosters public confidence in that system and promotes higher levels of voluntary compliance that ensure greater health, safety, and well-being in our community.

To fulfill its mission, OAH has developed the following strategic result goals:

- Balance and maintain fairness, quality, and efficiency in a dynamic operational environment.
- Continue to provide outreach to government agencies, the community, the bar, and other stakeholders.
- Maintain OAH's role as a neutral and efficacious tribunal, thereby promoting greater health and safety in the District of Columbia.
- Develop and refine the critical pathways to integrate any new caseload, personnel, and resources.
- Use all means practically available to obtain a suitable and adequate central hearing facility.
- Implement a new electronic case management system to provide quality data reporting in a timely manner with user-friendly access.

III. Organization

A. Administration and Management

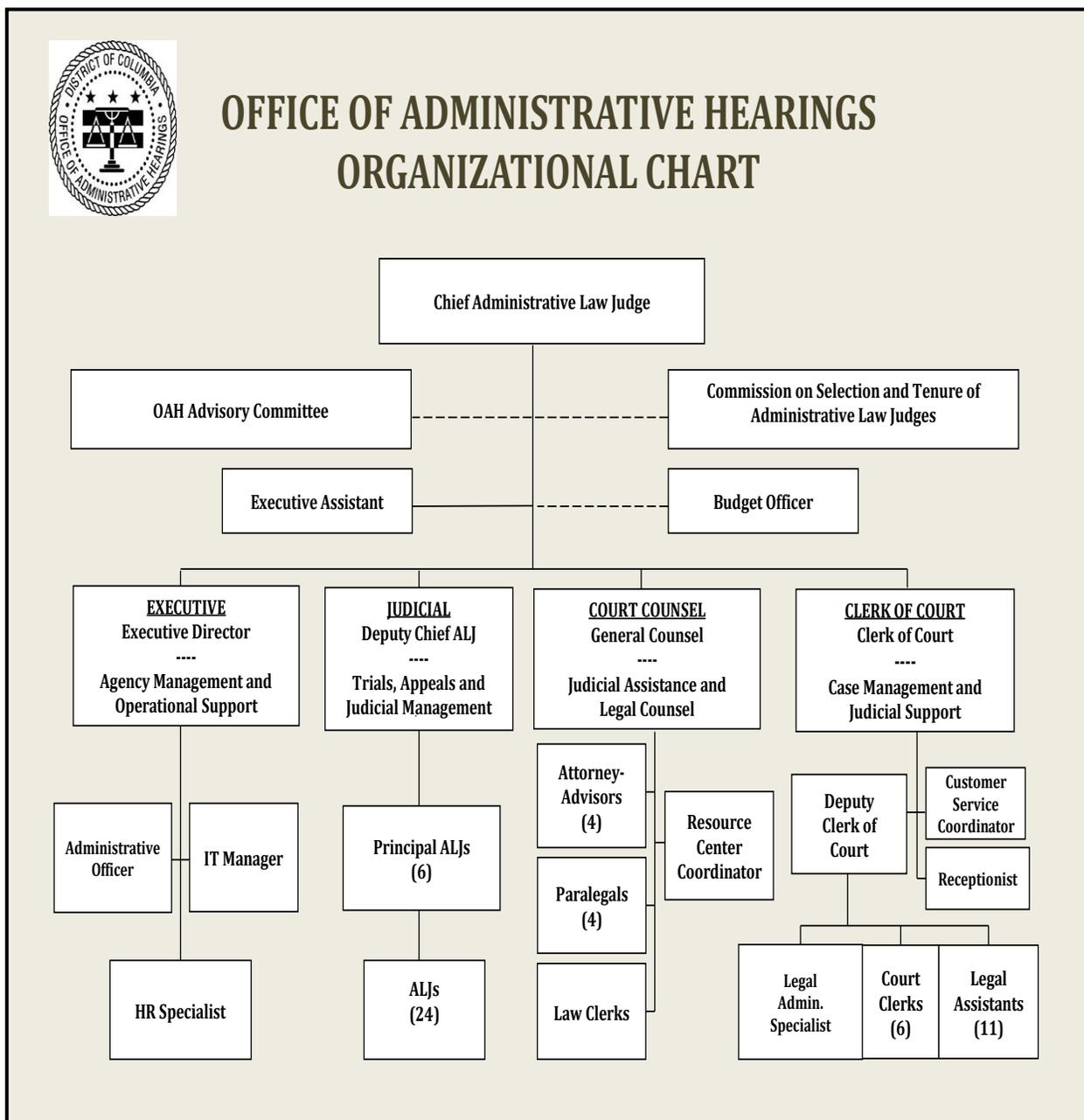
The Chief Administrative Law Judge (Chief ALJ) oversees the Office of Administrative Hearings. By statute, the Chief ALJ is appointed to a six-year term by the Mayor of the District of Columbia, with confirmation by the Council of the District of Columbia. Chief Judge Mary Oates Walker was named Acting Chief ALJ effective January 1, 2010. After confirmation by the Council, she was appointed Chief ALJ effective February 2, 2010.

An Advisory Committee, also created by statute, advises the Chief ALJ, identifies issues of importance to the agencies and Administrative Law Judges (ALJs or judges), reviews and comments on policies, and makes recommendations for needed statutory and regulatory changes. By statute, the Advisory Committee is comprised of eight (8) members: 1) a Mayoral designee; 2) a Council designee; 3) a designee of the Attorney General; 4) two agency heads or their designees; 5) two members of the District of Columbia Bar; and 6) a member of the public, appointed by the Mayor. In FY10, the Advisory Committee scheduled quarterly meetings.

In addition, the Commission on Selection and Tenure of Administrative Law Judges, an independent, statutorily-created body, appoints, removes, and disciplines OAH ALJs. The three (3) voting members of the Commission include: a Mayoral appointee, a Superior Court appointee, and a Council appointee. The Chief ALJ and the Attorney General for the District of Columbia, or his or her designee, also serve as *ex officio*, non-

voting members. By statute, after a two-year initial appointment, each ALJ is eligible for reappointment to a ten-year term if hired prior to December 6, 2005. Each ALJ appointed after that date is eligible for reappointment to a six-year term. In FY10, the Commission reappointed one ALJ and recruited candidates to fill one vacancy.

As depicted in the FY11 organizational chart and described more fully below, OAH has four program areas: 1) the Judicial Program, consisting of the ALJs and headed by the Deputy Chief ALJ; 2) Court Counsel, comprised of Attorney-Advisors and paralegals and headed by the General Counsel; 3) Clerk of Court staff, who report to the Clerk of Court; and 4) Agency Management staff, who report to the Executive Director.





B. Staffing

1. Judicial

The Judicial program is comprised of thirty-three (33) ALJs, including the Chief ALJ. ALJs hold hearings and decide appeals from agency decisions. They also conduct mediations in certain cases. The chart below identifies each ALJ's initial appointment date and whether that ALJ has been reappointed to a ten-year or six-year term. There is one vacancy in the Judicial program. The vacancy announcement for that ALJ position closed during FY11, but the position was not filled because of fiscal constraints.

OAH Administrative Law Judges – FY 2011				
ALJ	INITIAL APPOINTMENT	10-YEAR TERM*	6-YEAR TERM*	EXPIRATION OF CURRENT TERM
John Dean	3/22/2004	√	--	3/22/16
Calonette McDonald	3/22/2004	√	--	3/22/16
Mark Poindexter	3/22/2004	√	--	3/22/16
Robert Sharkey	3/22/2004	√	--	3/22/16
Paul Handy	7/26/2004	√	--	7/26/16
Ann Yahner	7/26/2004	√	--	7/26/16
William England, Jr.	8/9/2004	√	--	8/9/16
Beverly Sherman Nash	8/9/2004	√	--	8/9/16
James Harmon, Jr.	10/1/2004	√	--	10/1/16
Denise Wilson-Taylor	10/1/2004	√	--	10/1/16
E. Savannah Little	10/8/2004	√	--	10/8/16
Jesse Goode	6/20/2005	√	--	6/20/17
Claudia Barber	8/15/2005	√	--	8/15/17
Joan Davenport	8/15/2005	√	--	8/15/17
Audrey Jenkins	8/15/2005	√	--	8/15/17
Mary Masulla	8/15/2005	√	--	8/15/17
Wanda Tucker	8/15/2005	√	--	8/15/17
Nicholas Cobbs	8/29/2005	√	--	8/29/17
Sharon Goodie	8/29/2005	√	--	8/29/17
Scott Harvey	8/29/2005	√	--	8/29/17
Arabella Teal	8/29/2005	√	--	8/29/17
Louis Burnett	9/26/2005	√	--	9/26/17
Jennifer Long	5/28/2006	--	√	5/28/14



Steven Wellner	5/30/2006	--	√	5/30/14
Samuel McClendon	11/27/2006	--	√	11/27/14
Elizabeth Figueroa	12/11/2006	--	√	12/11/14
Erika Pierson	12/11/2006	--	√	12/11/14
John Rooney	1/8/2007	--	√	1/8/15
Margaret Mangan	1/22/2007	--	√	1/22/15
Claudia Crichlow	11/26/2007	--	√	11/26/15
Caryn Hines	4/28/2008	--	√	4/28/16

*By statute, after a two-year initial appointment, each judge is eligible for reappointment to a ten-year term if hired prior to December 6, 2005. Each judge appointed after that date is eligible for reappointment to a six-year term.

2. Court Counsel

The Court Counsel program supports OAH's judicial function by assisting judges in legal analysis, research, and drafting while also providing legal support services to agency management. This program employs five (5) Attorney-Advisors, one of whom serves as the agency's Resource Center Coordinator, and five (5) paralegals who are supervised by the General Counsel. In FY11, OAH also continued its tradition of recruiting, training, and mentoring several term and summer interns from law schools across the country.

As a part of OAH's relocation to its consolidated hearing and office facility in August 2011, OAH opened its Resource Center, led by its first Resource Center Coordinator, who also oversees OAH's access to justice and language access initiatives. The Resource Center provides self-represented litigants with information and assistance related to their matters before OAH. The Resource Center has partnered with various law schools and legal services organizations to provide "Know Your Rights" and other informational brochures to the public, often in multiple languages. During walk-in hours, self-represented litigants can meet with Resource Center staff or supervised volunteers regarding their cases and, if necessary, receive legal information and assistance with OAH forms and procedure. Through the Resource Center, OAH has formalized its referral system in an effort to assist members of the public in obtaining representation in their matters.

During FY11 OAH also began a pilot in-person interpreter program. With funding approved by the Council of the District of Columbia, OAH secured the services of three (3) court-certified interpreters to provide in-person Spanish interpretation during hearings as well as to provide assistance to Spanish-speaking members of the public. The in-house interpreters also provide services translating commonly-used OAH forms and informational brochures into Spanish. In addition, OAH secured the services of an interpreter vendor to provide in-person interpretation services for speakers of Amharic, Vietnamese, Chinese, Korean, Arabic as well as other languages more commonly encountered at OAH. The in-person interpreter program has resulted in more efficient



hearings and access to accurate and relevant information for non- or limited English proficient members of the public at OAH.

3. Clerk of Court

The Clerk of Court program provides day-to-day case management and support to the judicial function. In addition, this program is the primary customer service interface for OAH. This program employs 21 support staff.

4. Agency Management

The Agency Management program provides operational support to OAH to achieve programmatic results. This program is standard for all performance-based budgeting agencies. Within this program, staff performs duties related to human resources, information technology, and program management. This program employs three (3) staff, who report to the Executive Director.

IV. Financial Resources

The gross funds budget for FY11 was approximately \$8,046,826, an increase of \$108,000 over the FY10 proposed gross funds budget. There were 65.1 FTEs for the agency in FY11.

Local Funds. The FY11 local funds budget was \$6,919,582, an increase of \$97,000 from the FY10 budget of \$7,005,000. There were 56.85 FTEs funded by local funds, an increase of .95 FTEs from FY10.

Special Purpose Revenue. The FY11 budget was \$8,243, an amount that remained constant from FY10. The number of FTEs funded by special purpose revenue in FY10 was .25, a number that remained constant from FY10.

Intra-District Funds. The FY11 budget was \$1,119,000, an increase of \$20,000 from the FY10 budget of \$1,099,000. Eight (8) FTEs were funded from intra-district funds, an amount that remained constant from FY10. The intra-district funds were transferred from the following agencies:

- Department of Employment Services – \$1,023,780
- Department of the Environment – \$73,955
- District of Columbia Lottery Board – \$11,000
- Office of the Attorney General – \$10,265

Funding by Program

Judicial

	<u>FY09</u>	<u>FY10</u>	<u>FY11</u>
Budget	\$4,913,000	\$5,079,000	\$5,743,000
FTEs	34.8	34.0	34.0

Court Counsel

	<u>FY09</u>	<u>FY10</u>	<u>FY11</u>
Budget	\$349,000	\$348,000	\$360,000
FTEs	5.0	5.0	5.0

Clerk of Court

	<u>FY09</u>	<u>FY10</u>	<u>FY11</u>
Budget	\$1,189,000	\$1,152,000	\$1,187,000
FTEs	18.0	17.8	18.85

Executive

	<u>FY09</u>	<u>FY10</u>	<u>FY11</u>
Budget	\$428,000	\$497,000	\$493,000
FTEs	3.0	4.0	4.0

Agency Management

	<u>FY09</u>	<u>FY10</u>	<u>FY11</u>
Budget	\$1,576,000	\$1,035,000	\$438,000
FTEs	3.3	3.3	3.25

V. Caseload

In FY11, 21,647 cases were filed with OAH, a 16% decrease in overall filings from FY10. This decrease mainly is the result of reduced enforcement agency activity related to filing Notices of Infraction and Notices of Violation. There were, however, significant increases in requests for hearings in other OAH jurisdictions. Of particular note:

- Cases filed in the Department of Human Services jurisdiction totaled 1,031, an increase of 19% over FY10.
- Cases filed in the Office of Planning jurisdiction totaled 55, an increase of 45% over FY10.
- Cases filed in the Department of Health Care Finance jurisdiction totaled 342, an increase of 200% over FY10.



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- OAH acquired jurisdiction over Rental Housing cases at the beginning of FY07, and 207 pending cases were transferred to it at that time, with 1,531 more cases filed during FY07 through FY10. During FY11, 159 rental housing cases were filed with OAH.

The following charts depict the FY11 Caseload Report and eCourt ALJ case statistics, as required by statute (D.C. Official Code § 2-1831.05(a)(12)).



OAH Caseload Report

AGENCY	FY05	FY06	FY07	FY08	FY09	FY10	FY11
Dept. of Public Works	9,027	13,120	16,387	13,707	14,250	17,668	15,227
Dept. of Employment Services	2,514	2,914	2,859	3,018	3,222	3,123	2,723
Dept. of Human Services	765	864	755	816	943	864	1,031
Dept. of Consumer & Regulatory Affairs	3,446	2,250	1,667	1,309	1,914	1,595	921
Dept. of Health	909	516	830	935	1,012	573	479
Dept. of Transportation	329	208	684	1,549	1,827	1,324	438
Dept. of Health Care Finance	**	**	**	**	57	110	342
Dept. of Housing & Community Development	**	**	511	419	314	269	159
Dept. of the Environment	*	98	201	287	143	106	90
Office of Tax & Revenue	52	22	21	30	39	42	71
Office of Planning	0	25	49	41	68	38	55
Fire & Emergency Med. Services	24	47	59	84	112	64	30
Metropolitan Police Dept.	60	58	40	66	51	11	30
Dept. on Disability Services	**	**	**	**	7	4	19
Office of the Attorney General	**	**	**	**	22	17	12
Dept. of Mental Health	13	12	8	7	10	15	9
Taxicab Commission	0	84	25	5	4	1	7
Office of the State Superintendent of Education	**	**	**	**	**	9	3
Child & Family Services Agency	4	2	1	2	2	1	1
Office of Energy	0	2	1	0	0	0	0
Lottery & Charitable Games Control Brd.	**	**	**	**	**	0	0
TOTAL	17,151	20,235	24,106	22,276	23,997	25,834	21,647

* Cases were under jurisdiction of Department of Health in FY05.

** OAH acquired jurisdiction in FY07 (DHCD), FY09 (DHCF, OAG, DDS), or FY10 (OSSE, DCLB).



FY11 ALJ Statistics

Administrative Law Judge	Docket Responsibility	Cases Assigned	Open (end of FY11)	Final Decisions Written	Hearings Held
Barber, Claudia	40% DCRA; 10% DOH-nonMA/DDOE; 25% DPW; 10% RH; 5% Tax; 5% OP; 5% DMH	605	83	522	384
Burnett, Louis (Principal ALJ)	50% Supervisory; 15% DOH-nonMA/DDOE; 15% DCRA; 10% RH; 5% OP; 5% DMH	621	43	578	69
Cobbs, Nicholas	85% RH; 10% UI; 5% DDOT	202	38	164	171
Crichlow, Claudia	20% DHS; 50% DPW; 20% DDOT; 10% CS	422	135	287	271
Davenport, Joan	65% DPW; 15% DPW; 15% FEMS; 5% Taxicab	541	96	445	391
Dean, John (Principal ALJ)	50% Supervisory; 30% DHS; 5% DPW; 15% RH	532	142	390	239
England Jr., William	50% Supervisory; 50% UI	326	32	294	140
Figuroa, Elizabeth	50% DOH-nonMA/DDOE; 35% DPW; 15% DDOT	503	80	423	337
Goode, Jesse	60% UI; 10% DOH-nonMA/DDOE; 20% DCRA; 5% OP; 5% DMH	292	24	268	250
Goodie, Sharon	65% UI; 20% DHS; 5% DOH-MA; 10% BAR	256	34	222	222
Handy, Paul	35% DHS; 5% DHS-MA; 5% DOH-MA; 10% MPD; 15% Tax; 30% DPW	697	167	530	468
Harmon, Jr., James	100% UI	267	21	246	240
Harvey, Scott	75% DCRA; 15% DOH-nonMA/DDOE; 10% UI	327	30	297	189
Hines, Caryn	85% RH; 10% UI; 5% DPW	125	11	114	120
Jenkins, Audrey	50% DPW; 40% DCRA; 10% DDOT	591	70	521	328
Little, E. Savannah	40% DHS; 15% DHS-MA; 30% DPW; 10% DOH-MA; 5% TAX	427	131	296	267
Long, Jennifer (Principal ALJ)	50% RH; 50% Supervisory	103	29	74	29



Administrative Law Judge	Docket Responsibility	Cases Assigned	Open (end of FY11)	Final Decisions Written	Hearings Held
Mangan, Margaret	85% RH; 15% DOH-nonMA/DDOE	216	40	176	121
Masulla, Mary	50% DCRA; 30% FEMS; 20% DDOT	399	78	321	193
McClendon, Sam (Principal ALJ)	50% Supervisory; 10% DPW; 20% DDOT; 10% BAR; 10% FEMS	1,996	475	1,521	92
McDonald, Calonette	100% UI	298	7	291	218
Nash, Beverly	55% UI; 5% DCRA; 10% RH; 20% TAX	304	35	269	245
Pierson, Erika	90% UI; 10% RH	267	32	235	246
Poindexter, Mark (Deputy Chief ALJ)	85% Supervisory; 5% DCRA; 5% DOH; 5% DPW	194	0	194	8
Rooney, John	100% UI	331	19	312	312
Sharkey, Robert	25% DOH-nonMA/DDOE; 75% RH	187	27	160	123
Teal, Arabella	90% UI; 5% DCRA; 5% RH	281	16	265	254
Tucker, Wanda	90% RH; 10% DCRA	177	44	133	90
Walker, Mary Oates	N/A	0	0	0	0
Wellner, Steven	85% UI; 10% DCRA; 5% RH	379	25	354	277
Wilson-Taylor, Denise	15% RH; 80% DPW; 5% DHS-MA;	335	131	204	194
Yahner, Ann (Principal ALJ)	50% Supervisory; 50% DPW	2,914	60	2,854	35

VI. Key Initiatives

In FY11, many of OAH's key initiatives were led by internal committees. Most committees are chaired by ALJs and have ALJs as members, with support staff participation where appropriate.

A. Access to Justice

1. Procedural Rules Revision

The Rules Committee published updated rules in the December 31, 2010 edition of the D.C. Register and they became effective January 1, 2011. The revised rules eliminate the distinction between "simple" and "complex" cases and include new procedures for defaults in civil infraction cases; new rules about representation by tenant organizations in rental housing cases; expanded opportunities for law students to represent parties, provided the students are supervised properly; new simplified procedures for subpoenas, especially in unemployment insurance and rental housing cases; new rules on motions for reconsideration; new rules describing the mediation process; new rules identifying the parties who have the burden of producing evidence in certain circumstances; and a separate section of rules applicable in unemployment insurance cases, including a pilot program to allow filing by e-mail in those cases.

The Committee conducted several in-house training sessions on the new rules for judges, attorney advisors and clerk staff, and also met with stakeholder groups to explain the changes in the rules. The Committee also assisted the Clerk's Office in developing new forms to implement the rules, such as the automatic subpoena forms for use in rental housing and unemployment insurance cases.

In response to requests from several agencies that plan to implement new procedures, the Committee will propose a change to the rules allowing agencies to electronically send data to OAH when opening a case.

2. Mediation

The purpose of the Mediation Committee is to develop and expand the use of mediation to meet (or exceed) the Key Performance Indicator for resolving cases quickly and effectively without the need for evidentiary hearings or written orders, or to help narrow issues that need to be heard, thereby reducing the time required for evidentiary hearings.

During FY11, the Committee worked with the Rules Committee to finalize the mediation rules section of the new OAH procedural rules. The Committee consulted with the OAH General Counsel on rules and procedures for implementing the proposed Department of Insurance, Securities and Banking foreclosure mediation program.

Additionally, several mediations forms, brochures and surveys were revised and implemented for mediation participants.

B. Consolidated Administrative Court Facility

OAH moved to a newly constructed administrative court facility on the fourth floor of One Judiciary Square on August 1, 2011. The new facility has 21 court rooms, including two divided rooms for multi-party cases. All court rooms are amplified and have digital audio recording capability. Seven hearing rooms also have video-teleconferencing capability. There is a spacious reception area and ample office space for current staff. The new facility has conference room facilities, attorney-client meeting rooms, file and supply storage areas, and a kitchen pantry for staff. The space also houses 46 offices, a law library, a cashier's office, more than 30 workstations and the recently opened Resource Center for self-represented litigants and others seeking information about OAH procedures and available resources.

C. Revenue Collection

The Revenue Committee coordinated the execution of a contract with Innovative Costing Solutions (ICS) to develop an indirect cost reimbursement rate methodology for claiming federal and local funds. The Committee developed a timekeeping format/tool for ALJs to be used in the claims process. As a result of these efforts, OAH entered into its first MOU directly related to the provision of adjudication services under federally funded programs and submitted its first claim for reimbursement of indirect costs for services provided in Fiscal Year 2010 on behalf of the Department of Health Care Finance.

D. Case Management

The Case Management Committee was formed in FY10 with the primary goals of: (1) evaluating the electronic case management system's technical specifications and performance; (2) establishing an ongoing working relationship between OAH and the vendor; and (3) improving system suitability for long-term OAH use. The Committee's focus is on OAH becoming as self-reliant as possible, as quickly as possible, in the use and maintenance of the system. As part of an ongoing process, the Committee examined: the generation and use of standard orders and other forms through templates; creation of routine report formats; improving ease of use for specific user groups, including ALJs, Legal Assistants, and Attorney-Advisors by creating group-specific menus and search functions; opening of limited access "portals" for certain executive branch agencies; standardization of definitions and procedures; and development of training materials and strategies.

E. Operation Clean Slate (Backlog Reduction)

OAH launched Operation Clean Slate in 2Q FY10. The goal of Operation Clean Slate was to eliminate by the end of FY10 all cases filed through March 2010 that were ripe for decision, which numbered 18,185. The Operation Clean Slate initiative has been a great success. From June through October 2010, OAH reduced its open and pending cases by approximately 14,000 cases, or 76%. As of the end of December 2011, there are about 2,600 cases that remain open or pending. OAH expects to resolve about 90% of these cases in groups through consolidated hearings and mediation. There are mediations involving a large number of these cases actively underway.

F. Recruiting

Nineteen (19) law students were interns with OAH during the summer of 2011. The students represented local law schools as well as law schools from all over the country, including George Washington University, American University, Vermont Law School, Thomas Cooley Law School, University of the District of Columbia, William and Mary, McGeorge School of Law, Howard University, University of Miami, University of Baltimore and The Catholic University of America. In addition to obtaining hands-on experience in various matters, the students observed DC Council public oversight hearings, observed a Landlord and Tenant Branch calendar at the District of Columbia Superior Court, attended an in-house training on the DC legislative process, and observed oral arguments before the District of Columbia Court of Appeals. The OAH Recruitment Committee administered an intern mentor/mentee program, where each student is paired with an ALJ as a mentor. The Committee also developed a brown bag lunch series, with presentations on topics such as mediation, evidence, and strategies for obtaining a judicial clerkship.

Additionally, OAH partnered with The Catholic University of America on a pilot program where nine law students would work on projects on an ad hoc basis from December through May. Another partnership with the Washington Bar Association allowed us to select four (4) law students to work as volunteer legal interns at OAH.

OAH interviewed and selected five (5) additional law students or recent graduates who provided assistance at OAH from December through May and represented the following schools: Howard University, University of the District of Columbia, Brandeis University and University of San Diego School of Law.

The Committee focused on increasing awareness of year-round internship opportunities by attending local conferences and career fairs throughout Maryland and local area schools, namely George Mason University, Georgetown University and George Washington University.

G. Training and Education

The purpose of the OAH Training Committee is to develop training programs in support of the goals and objectives of OAH. The Training Committee provides training for judges and also develops training programs for the Office of the General Counsel, legal assistants, and other support staff. To that end, the Committee coordinates functions with the Executive Director, General Counsel, and Clerk of Court, as well as with the other committees. During fiscal year 2011, the Committee helped to coordinate the following programs and initiatives:

- (1) In November 2010, an in-house all-day program on various topics was presented to the OAH Clerk's Office staff;
- (2) In November 2010, Professor Faith Mullen of The Catholic University of America's Columbus School of Law reported the findings of her Bellows Project study of the functioning of OAH;
- (3) In December 2010, John Salatti, Esq., of LAWriters, Inc., gave his second program to the OAH judges and attorneys on Judicial Writing;
- (4) Various judges and staff attorneys enrolled in courses provided throughout the year by the Office of the Attorney General's Inns of Court;
- (5) Various staff members attended various courses provided by the Workforce Development Administration;
- (6) Ten staff members enrolled in the WDA's on-line Rosetta Stone language programs, until the programs ended in June 2011;
- (7) Various judges enrolled in courses provided by the National Judicial College;
- (8) Judge Steven Wellner gave instruction in use of the OAH E-Court computer database on various dates;
- (9) Judge Margaret Mangan organized a series of brown bag lunches to discuss various topics of interest to judges;
- (10) In April 2011, Judge Inez Smith Reid of the District of Columbia Court of Appeals discussed the appellate review of OAH decisions, at a celebration of OAH's anniversary; and
- (11) In September 2011, the National Judicial College came to OAH and gave its Advanced Administrative Law course, specifically tailored to OAH.

H. Ethics

The Ethics Committee's responsibility is to provide to guidance to ALJs concerning their obligations under the OAH Code of Ethics for Administrative Law Judges. Upon request of an ALJ, the Committee issues formal opinions interpreting the Code. Committee members are also available to provide informal advice to ALJs about issues arising under the Code. During FY11, Committee members gave informal advice to ALJs on several occasions. There were no requests for formal opinions during FY11.

I. Performance Measures

The Performance Measures Committee was convened in February 2010 as part of a series of reform initiatives launched by the Chief ALJ. During the confirmation process for the Chief ALJ, the Committee on Public Safety and the Judiciary of the Council of the District of Columbia outlined several areas of concern regarding existing operations of OAH. One such area was the need to develop performance measures to aid in the management, tracking and reporting of OAH's efficiency in processing its caseload.

The main activity of the Committee in FY11 was overseeing the tracking and analyzing of new or modified recommended performance measures. The Committee tracked results on a quarterly basis in order to make two assessments: (1) was the new or modified measure as useful in assessing OAH performance in practice as in theory; and (2) if useful, what would be the appropriate benchmark or performance goal that should be adopted to the extent OAH wished to utilize these measures externally, *e.g.*, as an adopted Key Performance Indicator. Those results are displayed in the table below.

FY10 Proposed New (N) or Modified (M) Performance Measure	1QFY11 Results	2QFY11 Results	3QFY11 Results	4QFY11 Results
1) Clearance Rate (N)	3294/4495= 73%	4499/5355= 84%	8556/6489= 132%	7745/5160= 150%
2) % Change in Pending Cases (N)	1065/15823= 6.7%	919/16888= 5.4%	-1742/17801= -9.8%	-3326/16095= -20.7%
3) % of Rental Housing Cases Resolved Within 120 Days of the Close of the Record (N)	2/42=4.8%	33/81=40.7%	27/54=50%	23/51=45%
4) % of Non-UI, Non-RH Cases Resolved Within 120 Days of Filing (M)	57.1%	61.2%	29.6%	33%

J. Pro Bono

During FY11, the Pro Bono Committee recruited volunteer attorneys to assist OAH litigants with hearing and subject matter information, brief advice and in-court representation. The Committee has partnered with the D.C. Bar Pro Bono Program in this effort. Additionally, the Committee has provided *pro se* materials to litigants who visit the OAH Resource Center.

K. Stakeholder Collaboration

In FY11, OAH continued its regular meetings with several stakeholder groups to improve lines of communication and work on procedural reform initiatives. Among the existing task forces are:

- District of Columbia Access to Justice Commission
- DC Public Schools Task Force
- Rental Housing Task Force
- Public Benefits Advocates/Department of Health and Human Services Task Forces
- Department of Public Works Task Force
- Department of Consumer and Regulatory Affairs Task Force
- Office of Tax and Revenue Task Force
- Department of Employment Services/Employer and Employee Advocates Task Force
- Department of Health Task Force
- Taxicab Commission Task Force
- Metropolitan Police Department Working Group on Litter Control Cases

VII. Conclusion

OAH had many significant accomplishments in FY11, most notably the various initiatives to improve access to justice, such as in person language interpretation, and the opening of the new consolidated court facility at One Judiciary Square. Improvements to internal case management and processing also ensure greater efficiencies in administrative adjudication in the District of Columbia.

FY11 also saw OAH continue its successful efforts to provide an open and accessible forum for stakeholder outreach, education, and input. Through such efforts, those appearing before OAH can be confident that their disputes will be resolved in an understandable, fair, professional, and respectful manner. OAH continues to pursue its core mission of “providing citizens and government agencies with a fair, efficient, and effective system to manage and resolve administration litigation arising under District of Columbia law.”