



2004 NAALJ CONFERENCE

&

ANNUAL MEETING

in

**BALTIMORE: A STAR
SPANGLED CITY**

Featuring numerous
educational programs plus
Merryman: an exciting
drama written by Judge Paul
Handy involving a stand-off
between President Abraham
Lincoln and Chief Justice
Roger Brooke Taney

This year's convention promises to be an
enriching source of information and
networking.

COME JOIN US FROM NOVEMBER 3-7, 2004!!!!!!!!!!!!!!



UNIVERSITY of BALTIMORE

1420 N. Charles Street
BALTIMORE, MARYLAND 21201-5779

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WEDNESDAY NOVEMBER 3, 2004

- 3:00PM Hotel Check-In**
- 5:00PM – 7:00PM Registration**
- 6:30PM – 8:30PM Cocktail Reception**
Come mingle with colleagues, friends, and students at the Historic Lord Baltimore Hotel
- 5:00PM – 7:00PM Board Meeting**
Historic Lord Baltimore Hotel

THURSDAY, NOVEMBER 4, 2004

- 7:00AM – 5:30PM Registration**
- 8:30AM – 9:45AM Plenary Session**
Welcome Remarks
 - Chris Graham, NAALJ President
 - Gilbert A. Holmes, Dean, University of Baltimore School of Law
 - Greetings from Governor Robert L. Ehrlich – Jervis Finney, Counsel to the Governor
- Baltimore: A Star Spangled City**
William Donald Schaefer, Comptroller of the State of Maryland and Former Governor
- NAALJ Programs and Goals**
John Hardwicke, NAALJ Executive Director
- 9:45AM – 10:00AM Break**
- 10:00AM – 10:45AM Plenary Session**
The Importance Of Administrative Adjudication In The Context Of The Rule Of Law
Timothy Maloney, Partner, Joseph, Greenwald & Laake, P.A.
- 10:45AM – 11:00AM Plenary Session**
2005-2006 Fellowship Topics And Contests Announcement & Introduction of 2004 Fellowship Contest Winner, Harold J. Krent, Dean and Professor of Law, Chicago-Kent College of Law
Professor Gregory Ogden, Pepperdine University
- 11:00AM – 12:00PM Plenary Session**
Accommodating ALJ Decision Making - Independence With Institutional Interests
 - Harold J. Krent, Dean and Professor of Law, Chicago-Kent College of Law

- 12:00PM – 1:30PM Lunch**
- 1:30PM – 3:00PM Break-out Sessions**
 - A. Creating The Central Panel**
Moderator – Timothy Maloney
Former Delegate Maloney guided Maryland’s Office of Administrative Hearings (OAH) bill through the legislature and into the hands of the governor who was considering a veto. This program is a “how to do it” emphasizing the effectiveness, practicability, and cost savings of the Central Panels.
 - Judge Edward Schoenbaum, Department of Employment Security (IL)
 - Andrew Hemenway, Hearing Officer, Alaska Department of Administration
 - Christopher McNeil, Hearing Examiner, State of Ohio
 - B. Diversity In The Courtroom**
Assisting judges in dealing with language and cultural differences of both litigants and lawyers. Obtaining testimony through translators; developing a proper record in diversity situations; etc.
 - Judge E. Savannah Little (DC)
 - Judge Kerry Sullivan (TX)
 - Judge Peter Loomis (NY)
 - C. Ethics**
Assist judges in everyday reaction to ethical considerations, for example, recusal, friendly communication with litigants, jokes, answering the telephone, agency or litigant inquiries, attendance at rallies or political meetings, etc.
 - Moderator – Judge Harriet Turney (AZ)
 - Judge Joan Gordon (MD)
 - Judge Marc Zylberberg (NY)
 - Judge Ann Young, U. S. Nuclear Regulatory Commission
- 3:00PM – 3:15PM - Break**
- 3:15PM – 4:30PM Break-Out Sessions**
 - A. The Complex Case And Niceties Of Decision Making: Pre-Hearing Conference, Motions Practice, The Decision And The Order**
 - Moderator – Neil Alexander (DC)
 - Judge Neile Friedman, (MD)
 - Judge Robert Sharkey, (DC)
 - Robert McGowan, Hearing Examiner, Maryland Public Service Commission

- B. Operating the Central Panel**
This program deals with organization and the responsibilities of the Chief Judge, his/her relationship with the judge staff, practical co-operative endeavors with client agencies, and working with legislative bodies to develop realistic budgets. This panel is chosen to consist of both State and City central panels.
 - Chief Judge Lois Oakley, (GA)
 - Chief Judge Tom Dewberry, (MD)
 - Chief Judge Tyrone Butler, (DC)
 - Chief Judge Jim Reilly, City of Chicago
- C. Professionalism**
What should you do if litigants show a tendency to physical violence or exhibit threats or lack of control in the courtroom? Discusses practical questions concerning handling the courtroom, dress codes, chewing gum, or admonishing litigants who show anger toward each other and the judge. Assist judges in relationships with other judges including peer associates, the constitutional judiciary, participation in Bar Association activities, community activities, public impressions and appearances, as well as effective handling of the hearing process and crisis control.
 - Moderator – Deputy Chief Judge Tom Stovall, (TN)
 - Judge Janet Thompson (KY)
 - Judge James Horan (NY)
 - Judge Lynn England (TN)

- 4:45PM Membership Meeting**
 - Election of Officers
- Dinner After The Meeting On Your Own**
- 8:00 PM – 10:00 PM No Talent Show**
 - Cash Bar
 - Karaoke

FRIDAY NOVEMBER 5, 2004

- 7:00AM - 8:30 AM**
Registration & Continental Breakfast
- 8:00AM– 9:15AM Plenary Session**
Recent Developments In Case Law
 - Chair – Professor Arnold Rochvarg, University of Baltimore School of Law
 - Professor Gregory Ogden, Pepperdine University
 - Hon. John F. Gossart, Jr., United States Immigration Judge

9:15AM – 9:30AM Break

9:30AM – 10:45AM Plenary Session

Administrative Justice: Agency Perspective

This topic will center upon agency policy making and its relationship to the administrative judiciary; finality of decisions, preserving agency expertise, agency culture and loss of this culture in the judicial process, the agency mission, maverick administrative judges, etc.

- Moderator – Chief Judge Tom Dewberry (MD)
- Kenneth Schisler, Chair Maryland Public Service Commission
- Tom Keech, Counsel to the Board of Physician Quality Assurance
- James D. Fielder, Jr., Ph.D., Secretary of Department of Labor, Licensing & Regulation
- Mary Ann Saar, Secretary of the Department of Public Safety and Correctional Services (MD)

10:45AM – 11:00AM Break

11:00AM – 12:00PM Plenary Session

Administrative Justice: Other Perspectives

An examination of the expectation of the constitutional judiciary as contrasted with the expectation of trial lawyers in the presentation of actual cases; developing a proper record; a well reasoned decision; joint efforts of legal counsel and the hearing officer to preserve due process for judicial review.

- Justice Jaynee LaVecchia, Supreme Court of New Jersey
- Philip Armstrong, Attorney
- Kenneth Armstrong, Attorney

12:00PM – 1:30PM Buffet Lunch

Presentation of Victor Rosskopf Award

- Presentation by Chris Graham, NAALJ President

Commentary - November 2, 2004 Election

- John Ashford, Chairman & CEO, The Hawthorn Group LC

1:30PM – 2:30PM Plenary Session

Future Of Administrative Law: Where Should It Go? How Can It Best Function In The 21st Century?

This topic will provide a discussion among those with different perspectives as to the proper role of administrative justice in the executive branch, its relationship to the courts, to the agencies, and to the governor and his/her staff. Should the administrative tribunal have final decision-making

authority? Should it have constitutional standing? When is the administrative remedy satisfied?

- Moderator – John Hardwicke, NAALJ Executive Director
- Professor Charles Koch, William and Mary School of Law
- Deputy Chief Judge Jeff Masin, (NJ)
- Judge Joseph H. H. Kaplan, Circuit Court of Baltimore City

2:30PM – 3:30PM Break-out Session

A. The In House Hearing Officer: Does He/She Function Better In Certain Agencies?

- Moderator: Judge Jim Murray, (MD)
- Judge Calonette M. McDonald, (DC)
- Marvin N. Robbins, Executive Director, Inmate Grievance Office
- Patricia A. Smith, People's Counsel, Maryland People's Counsel

B. Growth Of The Central Panel Movement; Expansion Within States Having A Central Panel; Extension To Other States.

- Chief Judge Marvin Kittrell, (SC)
- Chief Judge Robert Cohen, (FL)

C. Adjudicating The Pro Se Case

- Hazel Warnick, Director Appeals Division, Maryland Department of Labor, Licensing & Regulation
- Judge Yvette N. Diamond, (MD)
- Susan H. Anderson, Hearing Examiner, Maryland Department of Labor, Licensing & Regulation
- Judge John P. Dean, (DC)

3:30PM – 3:45PM Break

3:45PM – 5:00PM Break-out Sessions

A. Judicial Writing: Originality of Thought and Current Citation Practice

- Professor Eric Easton, University of Baltimore School of Law
- Professor Amy Sloan, University of Baltimore School of Law
- Judge Sandra Tristano, Circuit Court of Cook County Illinois
- Professor Gregory Ogden, Pepperdine University

B. Blending ADR into the Administrative/Judicial Process

- Judge Lynda L. Moser (GA)
- Professor Phyllis Bernard, University of Oklahoma
- Rachel Wohl, Executive Director, Maryland Mediation & Conflict Resolution Office
- Professor Robert S. Kerr, Oklahoma City University School of Law

C. Safety on the Highway

- National Highway Safety Counsel Programs; executive missions and problems relating to enforcement of those missions in the hearing process.
- Christopher McNeil, Hearing Examiner, State of Ohio
- Judge A. Michael Nolan (MD)
- Judge Lois Oakley (GA)
- Judge Michael Danziger (NY)

5:00PM – 7:00PM Dinner on Your Own

7:00PM – 8:00PM Dessert Reception

Indulge in desserts while exploring the Maryland Historical Society in the Mount Vernon Historic District. Conclude the evening with *Merryman*.

8:00PM Merryman

An historical one-act drama based on several true incidents during the Civil War resulting in the incarceration of a Maryland resident at Fort McHenry and refusal of his release because of suspension of habeas corpus by President Lincoln.

SATURDAY, NOVEMBER 6, 2004

8:00AM Registration

8:30AM – 10:00AM Plenary Session

International Networking Panel

- Moderator – Judge Bryan McDaniel, (LA)
- Michele Juteau, President Canadian Council of Administrative Tribunals (CCAT)
- John Hardwicke, NAALJ Executive Director
- Senior ALJ Edwin Felter, Jr., (CO)
- Professor Charles Koch, William and Mary School of Law

10:00AM – 10:30AM Plenary Session

Educational Programs For Judges

- Bill Dressell, President, National Judicial College

10:30AM – 10:45AM Break

10:45AM – 12:30PM Break-out Sessions

A. NAALJ's Educational Mission – NAALJ's Raison d'Etire

Introduction and committee overviews followed by a panel discussion and workshop on ALJ certification.

- Moderator – Bill Dressell, President National Judicial College
- Judge Larry Craddock (TX)
- Judge Janet Thompson (KY)

- Judge Robert Sharkey (DC)

B. Special Education

Creating a perspective for the ALJ: is FBA ever placement or evaluation?

- Moderator – Judge Lynda Moser (GA)
- Zvi Greismann, Attorney, Montgomery School System
- Celine Almazan, Attorney, Maryland Coalition for Inclusive Education
- Chief ALJ Julian Mann III, (NC)
- David Rostetter, President, Education Policy Solutions, Ltd.
- Carol Ann Baglin, Assistant State Supervisor, Division of Special Education/Early Intervention Services

12:30PM – 2:00PM Lunch (on your own)

2:00PM – 4:00PM Mock Hearing

- Lisa Coleman, General Counsel, District of Columbia Office of Administrative Hearings

6:00PM – 7:00PM Reception

7:00PM Banquet

- Chief Justice Joseph Kennedy, Supreme Court of Nova Scotia, Canada

TOURS

11:00AM – 5:00PM Tour of Annapolis
 Maryland's capital, Annapolis, offers a mixture of history, architecture, shopping and the U.S. Naval Academy. Walk with the colonials on this informative and entertaining tour of the Academy Chapel, the Crypt of John Paul Jones, Bancroft Hall Dormitory, the Historic Maryland State House, and historic mansions. Wander the city docks; eat at any of the numerous restaurants and shop. *Cost of lunch not included. \$55*

1:00PM – 5:00PM Star Spangled Banner Tour

Travel to Fells Point and have lunch (not included) in Baltimore's feisty and independent historic district that has flourished since its beginnings as a maritime community. Continue the tour to Johns Hopkins Hospital to see the awesome statue of Christ and drive through Mount Vernon Place, to Federal Hill for a bird's eye view of the Inner Harbor. Then enjoy a guided tour of Fort McHenry where Francis Scott Key was inspired to write the lyrics of *The Star Spangled Banner*, and where John Merryman was imprisoned for promoting the Confederate cause in Baltimore. \$45

SUNDAY, NOVEMBER 7, 2004

Breakfast on your own

8:30AM Committee Meetings

8:30 AM – 9:45 AM Joint Board Meeting

- Representative CCAT Board Members
- NAALJ Board

10:00 AM - 12:00 PM

- NAALJ Board Meeting

12:00PM Hotel Check-Out

THE CONFERENCE HOTEL

ELEGANT AND GRAND, THE RADISSON PLAZA LORD BALTIMORE COMBINES THE HISTORIC CHARM OF A BYGONE ERA WITH ALL THE AMENITIES AND FACILITIES OF A MODERN LUXURY HOTEL. CONVENIENTLY LOCATED IN THE HEART OF DOWNTOWN, THE LORD BALTIMORE PROVIDES AN IDEAL SETTING FOR EVENTS OF ALL TYPES AND SIZES. WE HAVE ARRANGED A SPECIAL ROOM RATE FOR ATTENDEES AT THIS CONFERENCE AND MEETING. THE RATE IS \$129.00 PER NIGHT [PLUS APPLICABLE TAXES]. THIS RATE IS CONFIRMED THROUGH THE CONFERENCE DATES; HOWEVER, A BLOCK OF ROOMS WILL BE HELD FOR ATTENDEE REGISTRANTS UNTIL OCTOBER 15, 2004. AFTER THAT DATE, THE HOTEL WILL CONTINUE TO ACCEPT RESERVATIONS AT THE GROUP RATE, BUT ROOMS ARE SUBJECT TO AVAILABILITY. HOTEL PARKING IS AVAILABLE AT THE PREVAILING RATES. PARKING IS ALSO AVAILABLE ADJACENT TO HOTEL.



Each guest must make his/her own reservations by calling 1-800-333-3333 or 410-539-8400 by October 15, 2004. Attendees should indicate that the reservation is for "NAALJ 2004" to receive the special rate.



BALTIMORE - A STAR-SPANGLED CITY

National Association of Administrative Law Judges
2004 ANNUAL MEETING AND CONFERENCE

NOVEMBER 3 - 7, 2004
RADISSON PLAZA LORD BALTIMORE HOTEL,
BALTIMORE, MARYLAND 21201



Registration Form
(One form per person; please photocopy)

NAME:	
TITLE:	
AGENCY/COMPANY:	
DAYTIME PHONE NUMBER:	
FAX NUMBER:	
ADDRESS:	
CITY/STATE/ZIP:	
EMAIL ADDRESS:	
SPOUSE/GUEST NAME:	

	FEES	AMOUNT DUE
Registration Fee	\$400.00	
NAALJ Member Discount	- \$ 25.00	
Early Discount (before October 1, 2004)	- \$ 25.00	
Late Registration (or after November 1, 2004 or at door)	+\$ 25.00	
Guest/spouse (Luncheon, reception and banquet only)	+\$115.00	
Guest/spouse: <input type="checkbox"/> Luncheon \$25.00 ea. <input type="checkbox"/> Reception \$40.00 ea <input type="checkbox"/> Banquet \$50.00 ea;		
Set of course materials on CD	+\$125.00	
OPTIONAL TOURS AND EVENTS		
Star Spangled Tour	+\$45.00	
Annapolis Tour	+\$55.00	
TOTAL AMOUNT ENCLOSED		
Number Of Persons Attending The Friday Evening Dessert Reception And Drama (No Charge)		

Special needs (accommodations, diet): _____

Please mail registration form to: **Keisha L. Whitehall**
NAALJ 2004 Conference
University of Baltimore School of Law
1420 N. Charles Street
Baltimore, Maryland, 21202

Phone: 410-837-6829
Fax: 410-837-4450
email: kwhitehall@naalj.org

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- Check (enclosed) payable to the NAALJ for \$ _____
- Visa Mastercard

Account No. _____ Expiration Date: _____

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Signature _____