



The NAALJ News

NAALJ 2010 Mid-year Meeting in Montreal

In lieu of our customary Mid-year Conference, this year NAALJ will join our Canadian counterparts at an international administrative law conference in Montreal, hosted by the *Council of Canadian Administrative Tribunals (CCAT)*. NAALJ is partnering with CCAT as a Conference Endorser and we encourage all NAALJ members to attend.

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Special points of interest:

- NAALJ 2010 Midyear May 30 - June 1, 2010 Montreal, Quebec, Canada
- NAALJ 2010 Annual October 10-14, 2010 Malibu, CA



MARK YOUR CALENDARS!

Fifth International Conference

The World and Administrative Justice:
Forward to Basics

May 30 to June 1, 2010 in Montréal, Québec

As we continue into the 21st century, the world of administrative justice is confronted with numerous challenges – economic, social, cultural, technological, and environmental. What are the legal and philosophical principles that will guide us? With attendees from all over the world, this international conference promises to be an exciting opportunity to consider, discuss and debate the numerous challenges ahead.

The educational program will include speakers from Canada (including Quebec, British Columbia, Ontario, Manitoba, Nova Scotia, and Alberta) as well as speakers from France, Tunisia, Australia, United Kingdom, New Zealand, Netherlands, Mexico, and the United States (including Massachusetts, Virginia, Colorado, Arizona, and New York).

Montreal, an international hub, and cosmopolitan city, is consistently rated as one of the world's most livable cities and is often referred to as "Canada's Cultural Capital." A truly multicultural city that blends its strong French accent with that of over 80 other ethnic communities, Montreal offers the visitor everything a big city can offer in terms of restaurants, entertainment, museums, parks, retail shopping, and more.

Some confirmed conference speakers so far include Hon. Justices Rothstein and Lebel from the Supreme Court of Canada, the Chief Justice of the Administrative Tribunal of Tunisia, the Chief Justice of the Administrative Appeals Tribunal of Australia, the Vice-President of the Conseil d'État de France, the President of the Conseil d'État de Belgique, the Chief Justice from the Supreme Court of Victoria (Australia), and the Vice-President of the Court of Haarlem (Netherlands). Speakers from the US include Judge Mark Painter of the United Nations Appeals Tribunal, Honorable Robert J. Yazzie, Chief Justice Emeritus of the Dine (Navaho) Nation, Arizona, Judge Edwin L. Felner, Office of Administrative Courts, Colorado, and Judge R. Bryan McDaniel, U.S. Department of the Interior Office of Hearings and Appeals, Board of Land Appeals.

Additional details regarding this conference may be found at www.ccat-ctac.org or www.naalj.org.

By Hon. John G. Farrell, NAALJ Secretary, NAALJ Liaison 2010 Montreal Conference

President's Message -



A new decade is upon us, one filled with hope and promise, but darkened by a struggling

economy both nationally, and at the state level. Although our states are experiencing unemployment, lay-offs, cutbacks, furloughs, and all the other "perks" of a downturn, we at NAALJ expect to grow and reinforce our commitment to the administrative law judiciary. My focus in 2010 will be upon membership and education. I plan to visit as many of our affiliates as possible this year to spread the word and rally our forces at a time when we can live the old adage of "strength in numbers." By growing our organization, we can continue to provide the excellent educational opportunities you, our members, have come to expect.

We lost one of the lions of the administrative judiciary late last year, Judge John Hardwicke. Judge Hardwicke was not only a former president of NAALJ, but he served as our executive director for a time. He brought great honor to our organization and to the administrative judiciary due to his judicial abilities, his scholarship, and the force of his warm personality. Thanks to Judge Janet Raider and the Past

Presidents Committee, we have raised unprecedented sums for our Challenge Grant Program. Janet's committee will continue its work in memory and honor of John Hardwicke in 2010. We will do this by providing two new levels of contribution to the NAALJ Foundation, the Life Mentor and Mentor. The generosity of our members last year allowed us to offer a scholarship to one member from each of our state affiliates to attend the 2009 Annual Conference in Orlando, Florida. We expect to grow the mentor program this year so we can continue to provide scholarship without which many active members would not be able to participate in the conference. I encourage each of you to consider becoming a mentor which requires a modest annual contribution.

Many of our state affiliates have lost members due not only to the uncertainty of jobs in this economy, but to a questioning of why membership is important. While you will hear throughout this year why I believe a strong membership to be vital to the success of NAALJ, I will give a few reasons here. First, the greater our numbers, the greater will be our voice. Thanks to the involvement of many of our members in their state affiliates and NCALJ, the American Bar Association's conference of the administrative judiciary, we should see in the coming year deep discounts to

ABA membership which opens our members up to another world of benefits. Second, the strength of our affiliates is what makes NAALJ truly a national organization. A strong affiliate provides vital education to the judges of that state while also providing a base for hosting one of our annual meetings or mid-year meetings. The solidarity of sharing concerns and issues with judges from other states helps us take back tips and solutions to the issues facing us in our home states. Finally, through increased membership, we will have the resources to provide educational materials from our conferences to our members in the form of audio CDs and video DVDs. We cannot afford to record and disseminate the educational materials without an active contributing membership.

I encourage each of you this year to recruit one new member for your state affiliate. This alone will swell our numbers and give us a greater voice at the national level. Please join with me in adding to the strength and viability of our great organization in 2010. I wish you all a new year filled with good health, professional and personal enrichment, and continued employment!

Bob Cohen

FROM THE SUNSHINE STATE TO THE GOLDEN STATE! THE 2010 NAALJ ANNUAL CONFERENCE



Maggie Anderson and Greg Ogden, hosts of the 2010 Annual Conference in Malibu.

NAALJ AND THE PEPPERDINE SCHOOL OF LAW



WILL PRESENT

**“EXCELLENCE IN ADMINISTRATIVE JUSTICE:
DELIVERING DUE PROCESS”**

**OCTOBER 10 TO 14, 2010
PEPPERDINE UNIVERSITY CAMPUS, MALIBU**

**CO-CHAIRS: PROF. GREGORY OGDEN AND
HON. MARY-MARGARET ANDERSON**

**INFORMATION WILL BE POSTED AT NAALJ.ORG AND
LAW.PEPPERDINE.EDU/NAALJ**

REGISTRATION OPENS IN JUNE

NEWS FROM STATE AFFILIATES

District of Columbia Affiliate News

By Melissa Lin Klemens
& Joan Davenport

On November 18, 2009, the newly incorporated District of Columbia Association of Administrative Law Judiciary sponsored its first educational lecture. The event featured the Honorable Inez Smith Reid of the D.C. Court of Appeals who expressed gratitude to administrative law adjudicators for the role they play in assisting the Court to understand specialized areas of substantive and procedural law.

To further advance that role, Judge Reid offered three suggestions to adjudicators. Before issuing your decision ask:

1. Is my decision understandable to me? If you cannot understand what you have written or explain why you have written it as you have, you leave to agency outsiders the untenable task of interpreting your unclear or even unspoken thoughts. As a trained professional, you are far better suited to express your own rational and reasonable thoughts.
2. Will the Court understand my decision? As an administrative adjudicator, you are an expert in your particular area of law. The Court needs your assistance to understand the work, mission, and functioning of your agency.
3. Have I examined my decision in light of the scope of review? Write

like a hearing adjudicator while thinking like an appellate judge because the Court is required to accept facts supported by substantial evidence and conclusions logically flowing from a proper application of the law to those facts. When you review your own work from an appellate perspective, you may find the gaps that could require a remand if not addressed.

Judge Reid proposes that administrative adjudicators use these suggestions to help the Court help them. In other words, use your written decisions to flag issues:

- Point out deficiencies in law or policy that restrict you;
- Highlight contradictory decisions that have addressed a particular issue;
- Emphasize practical difficulties you encounter as a result of specific rulings.

The D.C. Court of Appeals relies upon administrative law adjudicators to provide reasonable and realistic interpretations of agency rules and regulations. When you issue a logical and well-written decision, you provide the foundation for creating precedent in the District of Columbia.

DCAALJ is one of the co-sponsors for the upcoming ABA Judicial Division Lawyer's Conference Perceptions of Justice program, a town hall dialogue on color, ethnicity, and the courts. The program will be held at One Judiciary

Square in Washington, DC on Tuesday, April 20, 2010 from 3:00 p.m. - 6:30 p.m. The purpose of the program is to bring together members of the legal profession and local and diverse communities to talk, reflect, and seek solutions regarding the divide between the reality and perception of fairness in our justice system. Join us for a frank and vital discussion, focusing on solutions. Moderators for the program are Professor F. MICHAEL HIGGINBOTHAM, author of the book *Race Law: Cases, Commentary, and Questions* (Durham: Carolina Academic Press, 2001) now in its second edition. *Race Law* is widely used in colleges and law schools throughout the United States; and The Honorable ALLEN J WEBSTER, JR., Judge of the Los Angeles Superior Court and an Assistant Supervising Judge of the South Central Judicial District. He has previously served on the American Bar Association's Council on Racial and Ethnic Justice. Please feel free to contact David Simmons at david.simmons@dc.gov or Joan Davenport at joan.davenport@dc.gov for additional information.

DCAALJ's membership totals 47 members from various agencies, including the U. S. Department of Health and Human Services, the D.C. Commission on Human Rights, the U. S. Department of the Interior, D.C. Department of Employment Services, and the D.C. Office of Administrative Hearings.



Judge Inez Smith Reid at the educational lecture series



NEWS FROM STATE AFFILIATES

Georgia Affiliate News

By Kim Schroer

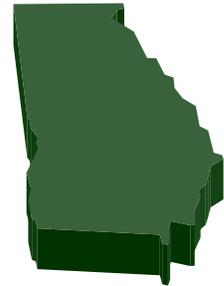
The past few months have been busy ones for the Georgia Association of Administrative Judiciary. In August, GAAJ members and their families gathered at beautiful Lake Rabun in the north Georgia Mountains for lunch, hiking, and boating. The more adventurous of our group also tried some inner tubing and jet skiing, with mixed success! In September, GAAJ sponsored a lunch-and-learn seminar for ALJs and lawyers on administrative decision writing presented by Kendall Kerew, a Legal Writing Professor at Georgia State University School of Law.

In early November, GAAJ

President Kim Schroer and GAAJ Treasurer Kristin Miller attended the 35th Annual NAALJ Conference in Orlando, Florida. Judge Miller was elected treasurer of NAALJ and continues to serve on the NAALJ Membership Committee. In late November 2009, GAAJ hosted a seminar on evidentiary issues in the administrative context. The seminar was presented by Paul Milich, Professor of Law at Georgia State University School of Law and the author of several books on Georgia evidence. The seminar was attended by Georgia administrative law judges, as well as hearing officers and lawyers from numerous state agencies, and was video-recorded for

GAAJ members who were unable to attend.

At the start of 2010, GAAJ has begun planning its upcoming year of educational programming for its members. Seminar topics under consideration include the use of mediation in administrative disputes and using kinesics as a tool in evaluating witness credibility. In addition, GAAJ members are preparing a presentation for local high school students relating to the ramifications of truancy and alcohol and drug use on their privileges to drive in Georgia.



Louisiana Affiliate News

By Vivian B. Guillory,
President-Elect

LAALJ held its 17th Annual Fall CLE on December 11, 2009, at the Bayou Bistro in downtown Baton Rouge. The Honorable Steven Wise, immediate Past-President of the National Association of Administrative Law Judiciary (NAALJ) was guest speaker. He made a presentation on the value of membership in the National Association and also conducted an hour long legal ethics presentation that was very well received.

A unique judicial professionalism presentation was led by a panel of administrative law judges from the various agencies represented by our membership. The panelists lead the discussion, with interaction from the audience, using responses LAALJ has received to a "Judicial Professionalism Survey" mailed to approximately 200 attorneys who practice before Louisiana ALJs. Judge Valerie Meiners, of the Louisiana Public Service Commission acted as moderator for the discus-

sion. Other panel members included Judge Sam Lowery, of the Louisiana Workforce Commission; Judge Prentiss Stevens, of the Louisiana Workforce Commission; Judge Vivian Guillory, of the Division of Administrative Law; and Judge Michael Distefano, of the Louisiana Department of Health and Hospitals.

The Bayou Bistro proved to be an elegant and warm setting for the seminar and the food was delicious! But, isn't it always that way, in Louisiana?



NEWS FROM STATE AFFILIATES

Maryland Affiliate News

“NEW” MARYLAND AFFILIATE IS UP AND RUNNING

Jim Murray, President



MAALJ members dining



MAALJ Board Members
(from left) Tom Dewberry,
Mary Shock, and
Ron Framton



The “new” Maryland NAALJ affiliate, the Maryland Association of Administrative Law Judiciary (MAALJ) held its first official membership meeting on September 21, 2009. At that meeting new by-laws were adopted, permanent officers and board members were elected, and a NAALJ Mentor Challenge Grant recipient was chosen. Jim Murray, Charter Member of the original Maryland affiliate and last president of the Maryland and District of Columbia Association of Administrative Adjudicators (MDCAAA), is MAALJ’s President; Scott Oakley is the President Elect; Denise Shafer is the Secretary; and Bob McGowan, Charter Member of the original Maryland affiliate and a past president, is the Treasurer. Board members are Tom Dewberry, Ron Frampton and Mary Shock. Scott, Denise and Tom were all



MAALJ Officers: (from left) Denise Shaffer, Secretary; Jim Murray, President; Bob McGowan, Treasurer; and Scott Oakley, President Elect

members of MDCAAA. The new affiliate has 18 charter members, which is more than double the number of Maryland members that belonged to MDCAAA in 2008. Besides being a new NAALJ member and a board member of MAALJ, Mary Shock was also selected as the Challenge Grant recipient in a random drawing.

MAALJ’s mid-year meeting was held on January 27, 2010. Douglas R.M. Nazarian, Chairman of the Maryland Public Service Commission, which has been featured prominently in the news in recent times, was the featured speaker at our dinner meeting. A main purpose of the meeting was to attract more members. Now that that MAALJ is up

and running, we are hoping to be able to schedule our meetings well in advance and to develop a calendar of meetings and relevant events.

On a sadder note, Maryland lost one of its leaders in administrative law on Christmas Eve with the death of former Chief Administrative Law Judge John Hardwicke. We in Maryland, and I am sure around the country, greatly mourn his passing.

Challenge Grant Recipients Reap Reward of Mentor Program

The reality of re-activating the Challenge Grant Program was realized for the 2009 NAALJ Conference in Orlando. As a result of the successful fundraising for the Life Mentor and Mentor Program of the National Administrative Law Judiciary Foundation (NALJF), twelve state affiliates sent members to the Orlando conference. Their registration fees were waived by NAALJ and each affiliate recipient received a \$500 check from the Foundation, with most affiliates also contributing to their recipient's expenses.

The Challenge Grant Program was initiated at the 2003 NAALJ Conference and had not been available again until 2009. The Foundation fundraising, which began in late 2008 with the Life Mentor and Mentor Program, made it possible to again offer this benefit to state affiliates.

The Challenge Grant recipients at the 2009 conference were: Reva Bauch, IL; John Bonham II, WV; Nicholas Cobbs, DC; Richard Davis, OR; Lynette Donner, IA; Ruth Kraft, NY; Bob Layton, KY; Sam Lowery, LA; David Mackey, AR; Robert O'Neal, VA; Kim Schroer, GA; Mary Shock, MD; and Denise Wilson-Taylor, DC. (The DC affiliate gave the registration waiver to one affiliate member and the \$500 check to another affiliate member.)

A luncheon was held at the Orlando conference to honor the Challenge Grant recipients and for presentation of the Vic Roskopf Achievement Award to Judge Larry Craddock. Charter Life Mentors and Charter Mentors were seated with Challenge Grant recipients to encourage sharing of

the benefits of membership and leadership in NAALJ.

Many conference attendees chose to become Charter Life Mentors and Charter Mentors! This has greatly swelled the ranks of the Life Mentors and Mentors!! See the current list at right. (Please let Janet Raider know about errors in the list. Janet.Raider@gmail.com).

The Challenge Grant Program can only be sustained by the generosity of donations to the Life Mentor and Mentor Program. Mentors are persons or other legal entities that make an annual contribution of not less than \$100. Life Mentors are persons or other legal entities that make a one-time, lump sum contribution of not less than \$1,000 or make an initial contribution of \$300 and a written pledge to contribute an additional \$900 over the next three years.

Many Charter Life Mentors and Charter Mentors are choosing to make yearly donations in addition to their initial donations!! A special thanks to those who are doing so.

Go to http://data.memberclicks.com/site/naalj/Mentor_Form.pdf to join in supporting this project by filling in the contribution form and returning it

Charter Life Mentors:

Mary-Margaret Anderson (CA)
 Abigail Bernhardt (NY)
 David Brunke (TX)
 Tyrone Butler (DC)
 John Hardwicke (MD)
 Ana-Beatriz Pasion Kidd Kennedy (GA)
 E. Savannah Little (VA)
 Barbara Lundin (KS)
 Bryan McDaniel (DC)
 R. Bruce McKibben (FL)
 June McKinney (FL)
 Julian Mann (NC)
 Janet and Jerry Raider (KY)
 Edward Schoenbaum (IL)
 Steven and Debra Wise (IA)
 Marc Zylberberg (NY)

and your check to: NAALJ, 1001 Office Park Road, Suite 105, West Des Moines, Iowa 50265.

(Charter Life Mentor and Charter Mentor membership was available only through 2009. However, membership as a 2010 Life Mentor and 2010 Mentor is available and new donors are encouraged!)

Charter Mentors:

Richard Goodwin (CA)	Scott Oakley (MD)
Ruth Astle (CA)	Patricia Hart (FL)
Phyllis Carter (WV)	Carolyn Holifield (FL)
Sammie Chess (NC)	Laura King (WA)
Nicholas Cobbs (DC)	Ruth Kraft (NY)
Robert Cohen (FL)	Bob Layton (KY)
Larry Craddock (TX)	Peter Loomis (NY)
Lynette Donner (IA)	David Mackey (AR)
John Farrell (NY)	Maryland Affiliate
Sallie Farrow (NY)	Kristin Miller (GA)
Camela Gardner (IL)	Anne Murphy (NY)
John Gedid (PA)	Jim Murray (MD)
	Greg Ogden (CA)
	Felicia Orth (NM)
	Robert O'Neal (VA)
	Rebecca Pauli (AK)
	Peter Plummer (MI)
	Errol Powell (FL)
	Jordan Rossen (NY)
	Robert Sharkey (DC)
	Denise Wilson-Taylor (DC)
	Ann Marshall Young (DC)

Hon. John W. Hardwicke, A Giant In Administrative Law And Mentor To Us All, Is Laid To Rest



By Jim Murray, et al. – with special thanks to Bernice Verner

John W. Hardwicke, Maryland's first Chief Ad-

ministrative Law Judge of the Maryland Office of Administrative Hearings (OAH) died of pulmonary fibrosis on Christmas Eve in Harford County, MD, where he was a long-time resident. Judge Hardwicke was buried on December 29, 2009 in Harford County.

Judge Hardwicke was born in Winston-Salem, North Carolina on April 10, 1927 and, as his good friends Chief Administrative Law Judge Julian Mann of North Carolina and Marvin "Buddy" Kittrell former Chief Administrative Law Judge of South Carolina, can attest, always had a fondness for the home of his youth. To his colleagues in NAALJ and throughout the national administrative law arena, Judge Hardwicke was known as giant in administrative law; however, his true calling was that of a teacher. Education in general, and teaching in particular, were at the center of Judge Hardwicke's service and "key to the man," according to Buddy Kittrell who recalled many hours spent in debate amid Judge Hardwicke's extensive library of books and music.

After graduating from UNC in 1945, Judge Hardwicke taught school in North Carolina until 1950. Upon obtaining his L.L.B. from George Washington University in 1953, he began practicing law, but by 1955 had become an Adjunct Professor at Johns Hopkins University. Through-

out his illustrious career Judge Hardwicke continued to teach at Johns Hopkins. In 1987 he co-authored a business law text book. In 1998 he received the Johns Hopkins University Excellence in Teaching Award, and that same year, he was honored for over forty years of outstanding contributions to various undergraduate programs at Johns Hopkins. As anyone who knew him could attest, he loved teaching. Judge Hardwicke was described as a "mentor for all of us," by Larry Craddock, head of the Texas Finance Commission Agencies, and "a true Renaissance man."

Judge Hardwicke also had a distinguished career as a lawyer and legislator. He served a term in the Maryland House of Delegates, was a member of Maryland's Constitutional Convention and was a Councilman-At-Large and President of the Harford County Council. First elected to the Council in 1972, Judge Hardwicke served three successive terms as its president (1978-1990). He was also a prolific writer and sought-after speaker. Fortunately for those of us in administrative law, particularly those of us in Maryland, Judge Hardwicke was appointed the first Chief Administrative Law Judge of the OAH in 1989 for a three-year term and undertook the daunting task of creating a central panel agency with few resources and little knowledge of the intricacies of state administrative law. Yet, early on, Judge Hardwicke convinced the legislature to increase his term to six years. He had found a new niche. From Judge Hardwicke's perspective, the true gauge of an administrative adjudicator's worth was how he or she conducted an administrative hearing; great expertise in a particular subject matter area, albeit important, was secondary. Also of great importance

to him was the administrative adjudicator's independence. To those ends, Judge Hardwicke strived to create a central panel agency of generalist administrative adjudicators. To achieve this goal, Judge Hardwicke harnessed the combined knowledge and expertise of his new employees along with guidance from the ten central panel states that had preceded Maryland, particularly New Jersey.

Several Maryland agencies were vehemently opposed to the idea of an OAH and any attempt to limit their fiefdoms. They lobbied for a veto of the OAH bill and complained bitterly about the OAH during its early years. Nevertheless, synthesizing a framework from existing central panel jurisdictions and using committees made up of all classes of employees, from secretaries to judges, Judge Hardwicke created an effective and efficient central panel hearing agency. By 1991 the Baltimore Sun praised the concept of the OAH, but several agencies remained unconvinced.

The budget crisis of 1991 -1992 was difficult for the OAH. This was compounded by the fact that Maryland's Administrative Procedure Act (APA) had not yet been recodified to reflect the existence of the OAH. Despite the loss of about 15% of its staff, including about fifteen judges, the OAH persevered and even flourished. In fact, in 1992 the OAH's jurisdiction was increased by 1,200 cases (without an increase in funding). In 1993 a new APA was enacted and, in order to conserve scarce resources, Judge Hardwicke began a reorganization of the OAH. First, all "civilian" managers of the judges were replaced with judges, then the Deputy Chief Judge position was eliminated. By now, all of the

Hon. John W. Hardwicke

Continued from page 8

judges had been cross-trained. With these adjustments, the OAH soared. In less than five years, Judge Hardwicke had transformed the OAH from a fledgling experiment into what was widely recognized as the best central panel agency in the country.

By the conclusion of his tenure in 2002, Judge Hardwicke was recognized as the foremost authority on state administrative law in the US, having effectively created a model for a vital state agency that was adapted throughout the United States. Judge Hardwicke served for over 12 years and retired in 2002. However, with the tracks that Judge Hardwicke laid in the early years, Chief Judge Dewberry, who succeeded Judge Hardwicke in 2002 as Chief Administrative Law Judge, has maintained the OAH's pre-eminence as a central panel agency.

Chief Judge Dewberry called Judge Hardwicke the "founding father for administrative law" in Maryland, "respected all across the country." "A giant in the field," agreed Buddy Kittrell. "Someone who knocked down the walls that separated us people," said Julian Mann. "Before you knew it, he was inside your wall."

In 2003, the NAALJ Board of Governors awarded Judge Hardwicke its highest honor for significant contributions to the field of administrative adjudication, the Victor J. Roskopf award; and in June, 2009, the Maryland State Bar Association, Administrative Law Section, awarded him the first Annual John W. Hardwicke Award for leadership and vision and for invaluable contributions to the field of administrative law both in Maryland and throughout the coun-

try. A fellow of the American Bar Association (and Officer, including Chair, of the ABA Judicial Division's National Conference of the Administrative Law Judiciary), Judge Hardwicke served as President of the National Association of Administrative Law Judiciary (NAALJ), 1995-1996 and Executive Director for NAALJ, 2003 to 2006. At the time of his death, Judge Hardwicke was working on an article on the Magna Carta and its significance to the American legal system.

Judge Hardwicke will be sorely missed. In the interest of honoring John's memory, the NAALJ Past Presidents Committee unanimously approved renaming the NAALJ Foundation Mentor Program the "John Hardwicke Mentor Program" to honor John's years of service to the administrative law judiciary and to NAALJ. As you know, NAALJ uses a portion of those funds to offer the Challenge Grants that allow

members to attend our annual conference. Bob Cohen, NAALJ President, strongly believes that John's name will attract generous contributions from anyone who is aware of John's service, which will help to maximize fundraising under the mentor program.

Perhaps President Cohen summed it up best when he notified the NAALJ membership of Judge Hardwicke's passing. "A true friend and mentor from NAALJ, John W. Hardwicke, passed away on Christmas Eve in Maryland. John's contributions and accomplishments are numerous. Suffice it to say that John has been instrumental in making NAALJ the respected organization it is today. John was a good friend, an excellent mentor, a dedicated public servant, and an excellent teacher. He will be greatly missed by every person whose path he crossed."

Mentor Program Named in Honor of John Hardwicke

In honor of John Hardwicke, the Mentor Program of the National Administrative Law Judiciary Foundation is being named the "John Hardwicke Mentor Program".

Judge Hardwicke served as a mentor to countless administrative law judges throughout his many years of leadership in NAALJ and NCALJ, as well as during his tenure as Maryland's inaugural Chief Administrative Law Judge for the State of Maryland's Office of Administrative Hearings.

He served as honorary chair of the Mentor Program, a fundraising drive for the Foundation, in 2008 and 2009 which successfully raised funds to make it possible to re-activate the Challenge Grant Program for the 2009 NAALJ Conference in Orlando.

In his honor, the John Hardwicke Mentor Program will strive to encourage donors to make it possible to continue the Challenge Grant Program which serves to mentor administrative law judges in their professional lives and strengthen NAALJ.

Orlando, Florida - 2009 Annual Conference Photos



Bob Cohen, current NAALJ president, recognizes Steve Wise, outgoing president for his service and dedication as president of NAALJ for the last year.



Ed Schoenbaum presents Larry Craddock the Victor J. Rosskopf award to honor his tireless advocacy and work on behalf of the administrative judiciary.



The new NAALJ board is sworn into office



Breakout Sessions



Steve Wise presents a plaque to Thomas E. Dewberry for distinguished service on the Board of Governors for the years 2005-2009. Janet Raider and David Brunke were also thanked for their years of service on the board.

Orlando - 2009 Annual Conference

By Richard Boulanger

I'm sitting here typing up this report and trying to figure out the logic that led me to dance on the table in a Greek restaurant in Orlando. Enduring memory or nightmare? Whatever your reaction, the 2009 NAALJ Annual Meeting in Orlando Florida was a study in contrasts, beginning with the idea of holding a conference designed to address due process during a recession - doing more with less - on International Drive in Orlando, Florida, land of ostentation and excess.

The conference organizers definitely had a daunting task. After all, how can anybody hope to come up with a conference program able to compete with all of the distractions available, such as Disney, Universal Studios, International Drive, etc? Wisely, they chose to add an extra day in order to build in some free time for attendees to head out and stimulate the local economy. Good move! I admit to leaving this conference with a better appreciation for just how difficult it must be to put together a program designed to attract and hold attendee interest in a city such as Orlando, one of America's elite party towns.

The theme of the conference, "Ensuring Due Process in Recessionary times" certainly got one's attention. And while this was not the most heavily attended conference in recent years, those who did attend were provided a pleasant setting. Bob Cohen, his staff, and the Florida affiliate were, as expected, excellent hosts throughout the conference. The conference accommodations provided by the Rosen Plaza Hotel were fine, with the food and the conference rooms up to standard. I did not stay at the Rosen, but did observe that

those attendees I interacted with seemed to have had a good experience.

Errol Powell and Ed Schoenbaum immediately set the tone for the conference on day one, Wednesday, in their two-part presentation "Act Like a Judge." Covering a variety of topics, they drove home the message that although courts are being forced to close and judges required to accept pay cuts and layoffs, we need to continue to give citizens what they expect; an honest, professional judiciary committed to honoring the public's trust by performing our jobs as best we can, removing stereotypes, and focusing on things that we can impact - a theme repeated throughout the conference's presentations. Later sessions that day dwelt on judicial independence and community involvement, tips on dealing with pro-se litigants, evidence issues, and opinion writing.

Thursday morning's sessions consisted of break-out presentations on special topics such as complex litigation, special education, video conferencing, legal research tools, and the paperless office, providing attendees with information and tips on how to do more with less using the latest technologies as well as common sense. My favorite was a presentation by John Priester - intended for motor vehicle caseload hearing officers no less. On Friday, the third day of the conference, attendees were treated in the morning to a stimulating two-part interactive session on judicial bias ably presented by Maggie Anderson and Gregory Ogden and an intriguing presentation on judicial evaluation and customer surveys by Susan B. Harrell and J. Bernard McClellan. The conference sessions closed with

a panel on "Hot Topics in Administrative Law", moderated by Robert S. Cohen.

Perhaps the most memorable conference highlight was the presentation of the Rosskopf award to deserving longtime NAALJ member Larry Craddock. Ruth Astle delivered her NAALJ Foundation Fellowship presentation, "Ethics and Integrity in Administrative Adjudication: Issues and Solutions". Also worth mentioning: past NAALJ President Bryan McDaniel, in his capacity as Chair for the ABA's National Conference of the Administrative Law Judiciary (NCALJ), appeared and briefly addressed the conference.

No Orlando conference report would be complete without a description of some of the varied social activities enjoyed by attendees, ranging from viewing wildlife from an airboat to patronizing International Drive's many stores and boutiques. Rarely have so few seen and sampled so much. Me? Well, I indulged at the International Food and Wine Festival at Epcot, danced on a restaurant tabletop (if Ed Schoenbaum can do it, so can I), spent an afternoon driving a car full of female judges about the area on an impromptu windshield survey of classic and contemporary central Florida architecture, sensibly decided not to crash a high school reunion in the adjoining ballroom on Friday, and played tourist by visiting Gatorland on Saturday. Not too shabby for a flat-footed, pot bellied hearing examiner, Eh!

Orlando, Florida - 2009 Annual Conference Photos



NAALJ Board of Directors



Panelists: Christine Traskos, Peter Plummer, Bob Layton



NAALJ Past Presidents: Julian Mann, Ed Schoenbaum, Steve Wise, Larry Craddock, Janet Raider, and Barbara Lundin



NAALJ Past Presidents: Steve Wise, David Brunke, Janet Raider, Larry Craddock, Bryan McDaniel, Ed Schoenbaum, and Barbara Lundin



Opening night reception



2010 NALJF Fellowship Competition

The National Administrative Law Judiciary Foundation (NALJF) is the public interest arm of the **National Association of Administrative Law Judiciary (NAALJ)**. One of the Foundation's major purposes is to promote the study and research of administrative law and distribute this knowledge to the administrative judiciary and the public. To further this purpose, a Fellowship was endowed to encourage research and scholarship for improving administrative justice.

NALJF is currently requesting applications for the 2010 Fellowship. The topic for the 2010 Fellowship is **"Transparency in Government in the Context of Administrative Adjudication."** The proposed article may be a general overview of this topic or a more focused approach. The author can address the meaning of transparency and the implications of the issue, with a point of view for or against "transparency" as defined by the author. The proposed article can include discussion of practical implications and/or the philosophical principles or social policies at stake. Examples of sub-topics could include but are not limited to any of the following sub-categories: ex parte communications, including between adjudicator and agency personnel; confidentiality and privacy issues; national security issues; and criminal investigations.

As an alternative to the above topic, an applicant may submit a topic of the applicant's choosing. To be considered, such a submission should propose, for approval by the Fellowship Committee, a scholarly review of the law on an issue relevant to executive-branch adjudication at any level of government.

All applications for the 2010 Fellowship must be in electronic format (*WORD format preferred*) and must include the following documents: (1) an abstract or an introduction to the proposed article, (2) a detailed outline for the proposed article, (3) a writing sample, (4) curriculum vitae, and (5) a list of publications. All submissions must be sent by e-mail to naalj@naalj.org, with a CC to jfarrell.nysalja@yahoo.com. **The deadline for all submissions is April 30, 2010.**

The Fellowship Committee will review the submissions and select the Fellowship Winner by May 30, 2010.

The Fellow will prepare an original article for publication in the Journal of the National Association of Administrative Law Judiciary, and will deliver a fifty-minute oral presentation at the 2010 NAALJ Annual Conference in California in October, 2010. The final draft of the paper will be due January 1, 2011.

The Fellow will receive a \$1500.00 cash stipend, as well as transportation, accommodations, and meals, at the 2010 NAALJ Annual Meeting and Educational Conference in California in October of 2010.

Applications and inquiries regarding the Fellowship should be submitted by e-mail to naalj@naalj.org, with CC to jfarrell.nysalja@yahoo.com

Check Out Our New NAALJ Website!



The NAALJ website, www.naalj.org, serves as our association's primary point of contact with our members and the public. To more effectively serve our members and the public, NAALJ has **upgraded its website** as of January 1, 2010. Our previous website served us well, but lacked the modern features our association needed. Our new website will allow us to: (1) maintain our membership directory online and allow members to update their member profiles to make sure the contact information we have for each member is current, (2) provide an events calendar for conferences and affiliate events, (3) have dues payments made online securely, (4) register conference attendees online, (5) maintain a bulletin board for members to discuss issues of importance to administrative adjudication, (6) provide a members-only area for educational opportunities and other benefits, and (7) easily add content and make changes to our website to keep it current.

Very soon all current members will receive an email with your username and password to log in to the website and explore all the areas of the website. We welcome your comments and hope you enjoy our new communication tool.

Website Committee

Steve Wise (IA)

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jfh01@health.state.ny.us**Education Committee**

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