



The NAALJ News

Volume 14, Number 2

The Newsletter of the National Association Of Administrative Law Judges

August 2003

BUTLER NAMED CHIEF ALJ FOR WASHINGTON D.C.

Ann Breen-Greco



The Mayor of Washington D.C. has announced the appointment of NAALJ Treasurer Tyrone Butler to the position of Chief Administrative Law Judge of the District of Columbia Office of Administrative Hearings. Prior to the appointment, Judge Butler served as the Chief Administrative Law Judge and Director of the Bureau of Adjudication, Division of Legal Affairs, New York State Department of Health, since 1991. He has held appointments as an Administrative Law Judge in the New York State Department of Health, an Assistant District Attorney in Dutchess County, New York State General Counsel to the Connecticut Inspector General's Office, Inspector General, New York City Corrections Department and Lieutenant, New York City Police Department. He currently serves as the Treasurer of the National Association of Administrative Law Judges (NAALJ). He was the NAALJ's, "Year 2000" Annual Conference organizer and Chairperson; the conference was held in Albany, New York, October 14, 2000 to October 18, 2000 and hosted over 300 participants from the United States and Canada.

Judge Butler also serves as Vice Chair of the Committee on Attorneys in Public Service, New York State Bar Association and is a past President of the New York State Administrative Law Judges Association. He has been elected a Fellow of the American Bar Foundation. Judge Butler has recently been elected to serve in the House of Delegates of the New York State Bar Association, and as a delegate to the ABA House of Delegates. His

two-year term began after the 2002 ABA Annual meeting in Washington, D.C. Judge Butler also served as an alternate in the 2002 ABA House.

Judge Butler is a graduate of John Jay College of Criminal Justice, 1977, Summa Cum Laude, with a BA in English and received his JD from New York Law School in 1981. He was admitted to the New York State Bar in 1981, and to the United States District Court for the Southern and Eastern Districts in 1982. Judge Butler has just relocated to Washington D.C. and began his new duties June 16, 2003.

BUTLER RETIREMENT FESTIVITIES

Marc Zylberberg (NY)



Judge Butler accepts a plaque from NYSALJA President-Elect Catherine Bennett

On Friday, July 11, 2003, friends and colleagues of Tyrone Butler gathered to honor him at the Century House in Latham, New York. Judge Butler, a former President of NYSALJA, has resigned as Chief Administrative Law Judge of the New York State Department of Health to accept a position as the Chief Administrative Law Judge of the recently created Office of Administrative Hearings in Washington, D.C. This new agency will hold administrative hearings for over 25 District of Columbia agencies. Judge Butler served fifteen years with the Health Department, the last eleven as Chief Administrative Law Judge.

Judge Butler received gifts and mementos in recognition of his service in many

capacities. Lorraine Power Tharp, Esq., immediate Past President of the New York State Bar Association, made a presentation in recognition of Judge Butler's service as Vice Chair of the Association's Committee on Attorneys in Public Service. Administrative Law Judge Catherine M. Bennett, the President Elect of NYSALJA, presented a gift memorializing Judge Butler's contributions to our organization.

Presentations on behalf of the Health Department were made by Health Department General Counsel Donald P. Berens, Jr., by immediate Past President of NYSALJA and Acting Health Department Chief ALJ James F. Horan, and by Health Department secretary Doris Hoffay.

The culmination of the ceremony was the singing of a song parody about Judge Butler. General Counsel Berens wrote the lyrics and was lead singer. Several of Judge Butler's former Health Department colleagues served as backup singers. The singing made up in earnestness what it lacked in technical competence. Despite this struggle with pitch and tempo, a good time was had by all.

(Editors note: We sincerely hope that we will be entertained with arousing rendition of this ditty at the "No Talent Show" in Orlando)

NEWS FLASH !!!!!!!

WE HAVE JUST LEARNED THAT THE HON. TYRONE BUTLER HAS BEEN ELECTED AS THE CHAIR OF THE NATIONAL CONFERENCE OF THE ADMINISTRATIVE LAW JUDICIARY (FORMERLY THE NATIONAL CONFERENCE OF ADMINISTRATIVE LAW JUDGES ("NCALJ")).

IN ADDITION TO JUDGE BUTLER, HON. CHRISTOPHER GRAHAM, WHO IS THE INCOMING PRESIDENT OF NAALJ, WAS ELECTED AS VICE-CHAIR. HON. LARRY CRADDOCK, HON. R. BRYAN MCDANIEL, AND HON. ERROL POWELL WERE ELECTED TO THE EXECUTIVE COMMITTEE. THE EDITORS AND NEWSLETTER STAFF CONGRATULATE ALL OF THESE MEMBERS AND WISH THEM THE BEST OF LUCK.

THE PRESIDENT'S COLUMN JANET THOMPSON (KY)

Hello All!

As I predicted in my first column as president, this year is indeed shaping up as a year of challenges and new visions!



The Mediation for ALJs, held for the first time this spring at the National Judicial College in Reno, NV, in a partnership joining NJC, NAALJ and NCALJ, received excellent evaluations!

Thanks to our dedicated faculty, Albert Harberson, Nancy Lynch, Phyllis Reha and Marshall Snider. Although this year's class was not as large as desired, we expect that improved marketing efforts for next spring, when the program moves to Atlanta, will result in more participants. See the article about scholarships for this superb program

Next, hopefully you did not miss our midyear in Chicago, which was hosted by the Illinois affiliate. IAALJ President Ann Breen-Greco and her colleagues deserve the praise they received for putting together a program which featured a day devoted to Decision Writing for ALJs and also a day and a half focusing on the Relationship Between ALJs and the Agency. In selecting the faculty for this program, IAALJ reached out to Chicago law schools as well as to both the federal and state judiciary. The result was a well-balanced program which brought together professionals devoted to working to enhance public confidence in administrative adjudication. Kudos to IAALJ!

We now turn our attention to the 2003 Annual Meeting and Conference in Orlando - scheduled for October 10-15 at the Gaylord Palms Resort and Convention Center! The theme for this year's conference, hosted by the Florida Division of Administrative Hearings, the Administrative Law Section of the Florida Bar, and the Florida Bar, is "Building A Better Administrative Process". A terrific program is planned featuring Florida jurists and law school professors, as well as administrative adjudicators from around the country. Ten affiliates are participating in the LexisNexis Challenge Grant Program which will enable an affiliate member to attend the conference courtesy of challenge grant funds, affiliate funds, and registration waiver by NAALJ. Read about more conference details in this newsletter - and make plans to attend!

Now, turn your attention to NAALJ and its future. I never knew NAALJ had so many dreamers in its midst! But that is what I am learning from committee members working on revising the Strategic Plan first presented at the 2001 midyear conference. NAALJ's officers

and Board of Governors will meet during the annual conference in Florida in a special session to consider proposals regarding the future direction of the organization. NAALJ's leaders are committed to supporting the growth of this organization by providing the infrastructure necessary for creating new programs designed to further the mission of NAALJ - increasing professionalism in administrative adjudication.

Welcome to NAALJ's newest affiliate - Arkansas!! The resolution of the Arkansas Association of Administrative Adjudicators was approved at the midyear meeting of the NAALJ Board.

Last - but not least - a BIG thank you to a couple of real workhorses in this organization - Bob Layton and Mike Nolan. Bob has worked very hard to compile a database for promoting NAALJ's conferences. This database is essential to the success of our programs. Mike not only does the layout for our electronic newsletter, but he also established our new monthly, electronic Cork Board and (in his spare time..!!) has worked diligently to establish the new (first) regional affiliate - the Maryland and District of Columbia Association of Administrative Adjudicators. Kudos to these workhorses!

And a very heartfelt thank you and a sad farewell (but not goodbye!) to outgoing board members, Susie Bargo (KY), Larry Craddock (TX), and Steve Mihalchik (MN). Susie is my very dear friend who has been beside me through thick and thin (and lots of laughs!), Larry has given me wise counsel and many good ideas, and Steve has always been quick to offer help whenever I asked. You three will be sorely missed on the board!

I look forward to seeing many of you at the Annual Meeting and Conference in Florida! In the meantime, let me hear your concerns and comments, Janet.Thompson@mail.state.ky.us or 502-564-7312.

INTERNATIONAL ADMINISTRATIVE LAW CONFERENCE IN TORONTO

Tyrone Butler, Ed Felter, Bryan McDaniel

We again ask each of you to mark your calendars for the Third International Administrative Justice Conference in Toronto from June 20, 2004 to June 23, 2004. The theme of the conference is "Bringing Administrative Justice to the People of the World." It will be co-sponsored by our organization and the ABA/NCALJ. The conference will be headquartered at Toronto's fabled and historic landmark hotel, the Fairmont Royal York. To be placed on the conference mailing list, contact any one of these Exploration Committee members:

- Judge Tyrone T. Butler
(TTB001@aol.com)

- Judge Bryan McDaniel
(bmcdaniel@adminlaw.state.la.us)
- Judge Ed Felter
(ed.felter@state.co.us)

Questions concerning the hotel, its facilities and accommodations may be directed to:

Fairmont Royal York Hotel
100 Front Street West
Toronto, Ontario, Canada M5J 1E3
Tel. (416) 368-2511
FAX: (416) 368-9040
E-mail: royalyorkhotel@fairmont.com

FOUR HALF-TUITION SCHOLARSHIPS FOR 2004 ALJ MEDIATION TRAINING OFFERED TO NAALJ AND NCALJ MEMBERS

Larry Craddock, Ed Felter, Lois Oakley

The National Judicial College is offering two one-half tuition scholarships, and possibly one full tuition scholarship, for NAALJ members to attend the 2004 Mediation Training, which will most likely be held in Atlanta in Spring 2004. The same number and type of scholarships are also being offered to NCALJ members. A minimum of four, and possibly six scholarships will be offered. The criteria for scholarship awards are: (1) membership in NAALJ or NCALJ, respectively; (2) financial need, including a certification from the applicant's appointing authority that his/her organization will not pay tuition expenses; (3) a certification from the appointing authority that the applicant's organization furnishes, or will imminently furnish official mediation services and the applicant will be deployed, in part, as a mediator; (4) the applicant's contributions to NAALJ or NCALJ, respectively; and, (5) academic and professional credentials.

The Scholarship Screening Committee consists of Judge Lois Oakley of Georgia, Judge Larry Craddock of Texas and Judge Ed Felter of Colorado. The deadline for applications is December 1, 2003. Please send the application (composed by the applicant and illustrating how the above criteria have been met) to Judge Ed Felter at:

Edwin L. Felter, Jr.
Senior Administrative Law Judge
Colorado Division of Administrative
Hearings
1120 Lincoln Street, Suite 1400
Denver, Colorado 80203
Direct Line: 9303) 764-1417
Fax: (303) 764-1401
E-Mail: ed.felter@state.co.us



NAALJ, NCALJ AND NJC PLAN ACADEMIC STUDY

Larry Craddock (TX)

The National Association of Administrative Law Judges (NAALJ), the National Conference of the Administrative Law Judiciary (NCALJ) of the American Bar Association Judicial Division, and the National Judicial College (NJC) plan to cosponsor an academic study. The study will develop a comprehensive profile of state and local ALJs and other administrative adjudicators. It will focus on such issues as how many there are; where they are located; their working conditions; what types of case loads they handle; what education and skills they bring to their jobs; what continuing education and other resources they have available; what additional resources they need to improve their working conditions and job performance; the most feasible way in which those resources could be delivered to them; and similar related issues.

To conduct the study, NAALJ, NCALJ, and NJC plan to contract with the Lyndon Baines Johnson School of Public Affairs ("LBJ School") at the University of Texas at Austin. The LBJ School has a highly-regarded graduate degree program in public affairs. The school requires each graduate degree candidate to complete a "policy research project." The policy research project is a year-long course which involves a team of 10 to 20 graduate students led by a faculty member with a strong background in both government affairs and academic research. Some of the students will be "joint degree program candidates" who on graduation will receive degrees from both the LBJ School and the University of Texas School of Law.

The study will generate large amounts of original data through mail and telephone surveys. The study will supplement these surveys with in-depth, face-to-face student interviews with administrative adjudicators. There will also be interviews with others with whom the administrative adjudicators interact. The students will conduct these interviews, for the most part, in the home locations of the interviewees and at training meetings and conferences. By using random sample data analysis techniques, the study will create a statistically accurate sample profile of the administrative adjudicator community. The students will prepare a report regarding the results of their study and their recommendations for addressing the problems and needs identified. The LBJ School will publish and disseminate the report and the NAALJ Journal will also disseminate the report results.

The sponsoring organizations will use the data and reports to improve their services. Funding for the project is being sought through grant applications. The grant search effort is being led by NJC President Bill Dressel and his staff.

Project details are still tentative and subject to revision. Organization representatives who have done the preliminary planning for the project are NJC President Dressel, Judges Ed Felter and Larry Craddock of NAALJ and NCALJ, and Professor Richard L. Schott of the LBJ School. Plans are to conduct the study in the 2004-2005 academic year. We need volunteers to collect addresses of state and local adjudicators to build a complete list of addresses for the project surveys as is practicable. To volunteer to collect this information in your area or to pose questions or offer suggestions related to this project please contact either Judge Felter, Judge Craddock, or President Dressel.

2003 ROSSKOPF LIFETIME ACHIEVEMENT AWARD

Willie C. Thompson, Jr. (VA)

The Rosskopf Award selection committee is soliciting nominations for 2003 award. If you have not submitted your nomination, there is still time.

The award is given to an individual who has made significant contributions to the administrative judiciary and the field of administrative law. The deadline for nominations is September 15, 2003. Please submit the name and a brief statement explaining why you believe the nominee should receive the award.

Nominations should be submitted to me or any member of the committee: Charlotte Rutherford, Oregon; James Reilly, Illinois; Bill Dorsey, California.

LEXIS/NEXIS CHALLENGE GRANT UPDATE

Lori Eisele (KY)

The following state affiliates are participating in the **2003 LexisNexis Challenge Grant Program**: Alaska; Arkansas; Georgia; Illinois; Kentucky; Maryland - District of Columbia; New York; Oregon; Texas; and Virginia. Lexis/Nexis has allocated \$3000 for this program. A scholarship recipient from each participating state affiliate will receive \$300 and one free registration to the 2003 NAALJ Annual Conference in Orlando.

Affiliates are developing selection criteria for scholarship eligibility and are raising the affiliate share of the contribution to cover remaining expenses. Scholarship winners will be recognized

and presented a check from NAALJ for \$300 at the Annual Conference Banquet. Contact: Lori Payne Eisele, LexisNexis Program Coordinator, (502) 564-6621 or Lori.Eisele@mail.state.ky.us.

AN EDUCATIONAL COLLABORATION

Lois Oakley (GA)

The states comprising the southeastern region of the United States lead the nation in alcohol related vehicular fatalities. One factor contributing to this dubious distinction is the negative perception of law enforcement regarding the administrative license suspension process. The relatively low participation of the law enforcement community in administrative license suspension adjudications results in a large incidence of license suspension reversals.

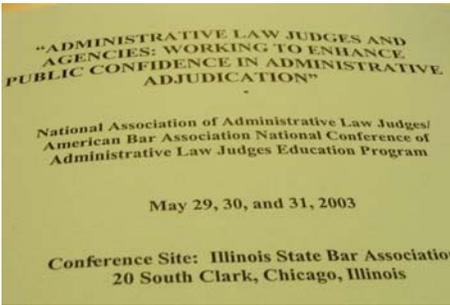
This problem has spawned an unusual collaborative effort in the State of Georgia. The Georgia Office of State Administrative Hearings invited each of the stakeholders in the adjudication of impaired drivers to deliberate upon solutions. The ABA National Highway Traffic Safety Administration Judicial Fellow facilitated these discussions. Participants in this roundtable included representatives of the agency issuing drivers permits (the Department of Motor Vehicle Safety), the legal advisor to the issuing agency (the Office of the Attorney General), the prosecutor of the corollary criminal proceedings (the Prosecuting Attorney's Council), the National Highway Traffic Safety Administration, and the Governor's Office of Highway Safety.

The group's discussions explored the challenges of courtroom management in administrative license suspension cases and the benefits of facilitated judicial discussion about these challenges. As a result of the discussions, experienced Georgia Administrative Law Judges developed scenarios illustrating case management challenges in administrative license suspension adjudications. Faculty from the National Judicial College, assisted by the ABA Judicial Fellow, will use these scenarios to facilitate discussions with Georgia ALJs. The success of this educational collaboration will be measured by the degree to which the Georgia law enforcement community increases its participation in administrative license suspension adjudications.



CHICAGO MID-YEAR MEETING PHOTOGRAPHS

THE NAALJ MID-YEAR MEETING WAS A ROUSING SUCCESS, BOTH EDUCATIONALLY AND SOCIALLY. ALL IN ATTENDANCE WERE REWARDED WITH A WELL-PREPARED EDUCATIONAL EXPERIENCE, WITH A DISTINGUISHED PANEL OF JURISTS, EDUCATORS, AND OTHERS SKILLED IN THE FIELD OF ADMINISTRATIVE LAW. HERE ARE SOME SCENES FROM THE CONFERENCE:



THE NAME OF THE GAME



ATTENDEES PAY CLOSE ATTENTION



THE PALMER HOUSE- HILTON PROVIDED AN ELEGANT HOME AWAY FROM HOME



LORI EISELE TALKS ABOUT THE LEXIS SCHOLARSHIP PROGRAM



ANN BREEN-GRECO PRESENTS A CERTIFICATE TO JUDGE PALLMYER



IAALJ PRESIDENT AND CONFERENCE CHAIR ANN BREEN-GRECO



IAALJ OFFICERS ARE SWORN IN



JUSTICE MARY ANN McMORROW OF THE ILLINOIS SUPREME COURT



SEVERAL OF THE GROUP WENT TO THE CHICAGO BLUES FESTIVAL



NAALJ PRESIDENT JANET THOMPSON



PROFESSOR ALICE NOBLE-ALLGIRE SPOKE ABOUT EFFECTIVE DECISION WRITING FOR ADMINISTRATIVE LAW JUDGES



A SPECTACULAR SHOW !!!!

NAALJ/ABA-NCALJ MID-YEAR CONFERENCE A RESOUNDING SUCCESS

Ann Breen-Greco (IL)

The National Association of Administrative Law Judges and the American Bar Association National Conference of the Administrative Law Judiciary Mid Year Education Program, "ADMINISTRATIVE LAW JUDGES AND AGENCIES: WORKING TO ENHANCE PUBLIC CONFIDENCE IN ADMINISTRATIVE ADJUDICATION," was a very successful event, both in terms of content and turnout.

The event took place in Chicago May 29, 30, and 31, 2003, at the Illinois State Bar Association (ISBA). ISBA has long been a supporter and site for educational programs for the administrative judiciary. Our Co-Sponsors--Chicago Bar Association Administrative Law Judge Committee, Illinois State Bar Association Administrative Law Section, ABA Section on Administrative Law and Regulatory Practice, National Bar Association Administrative Law Section, Women's Bar Association of Illinois, and Government Bar Association--also contributed to the success of the event, through publicity, services, and scholarships for attendees.

Despite the fact that virtually every state has a budget deficit and many states, including our host state of Illinois, have just recently elected new governors who appointed new agency heads, the program was supported by members of the administrative judiciary from around the country, a number of whom had to pay their own way. Their approval of the conference content was reflected by comments and the evaluation forms, for the faculty and writing materials.

From the opening ceremony on Thursday to closing on Saturday, the conference featured members of the bench, bar, administrative judiciary, and law school faculty. The highlight of our opening ceremony was an appearance by Illinois' first female Supreme Court Justice and currently first female Chief Supreme Court Justice, Mary Anne McMorrow, who received a standing ovation and graciously praised and supported the administrative judiciary. Chicago Corporation Counsel Mara Georges accepted our Certificate of Appreciation to Mayor Richard M. Daley for establishing the Chicago City Central Hearings Panel. And NAALJ President Janet Thompson and NCALJ Chair-Elect/NAALJ Treasurer Tyrone Butler (the newly appointed Chief of Washington's, D.C. central panel) also offered greetings. Our first Writing panel, moderated by ALJ LaVerne Rolle Saunders was followed by the writing presentation of Southern Illinois University Law School's Professor Alice Noble Algire. The writing session concluded with a panel on the administrative review of ALJ decisions, moderated by the Illinois Association of Administrative Law Judges'

(IAALJ) Treasurer Chief ALJ Stanley Cygan, with Illinois Appellate Court Justices Alan Greiman and Leslie South, and Federal Northern District Judge Blanche Manning, who also swore in the newly elected IAALJ officers and board. Chicago Kent College of Law Dean Harold Krent concluded our first day with comments on the function of ALJs and the relationship to agencies, as a transition to the second day's program. A number of us then "adjourned" to Chicago's Grant Park for a night at the Blues festival, an international annual concert.

Our second day on the ALJ-Agency Relationship opened with keynote speaker Federal Northern District Judge Rebecca Pallmeyer discussing the most recent cases on the role of the ALJ (her remarks will be posted on the NAALJ, NCALJ, and IAALJ websites). Panels throughout the day, with a concluding panel moderated by Minnesota Chief Justice Edward Toussaint, focused on diversity and how we can best work together to fulfill the public's expectation for a fair and impartial administrative judiciary. Forty attendees then dined sumptuously at the Italian Village on a five course meal. Our Saturday wrap up session, conducted by former Maryland Central Panel Chief Judge John Hardwicke, was an excellent conclusion for the conference.

EVERYONE COME TO ORLANDO !!!!!

Errol Powell (FL)

Orlando, Florida is the place where you can have stimulating and educational presentations, obtain continuing legal education credit, and have fun at the same time. If you want to do all of these things, come to the 2003 National Association of Administrative Law Judges (NAALJ) Annual Conference and Meeting in Orlando, Florida on October 10-15, 2003, at the Gaylord Palms Resort and Convention Center.

The presentations of this year's Conference are designed to address some of the legal concerns that have been expressed during recent years and during the budget situations in which states find themselves. You will also learn about Florida's Administrative Procedures Act, which continues to develop. A majority of the presentations are also designed for your active participation, and you are invited to provide your input during the presentations. Sharing your thoughts and experiences is a learning process which is welcome.

Remember, the Conference is not all meetings. The Conference will be held in the heart of Florida's tourist area, Orlando, so please come prepared to learn, but to also have fun. Anyone who can is strongly encouraged to bring your family. The Gaylord Palms is an exquisite, premier hotel. We will be located in the Emerald Bay section of the hotel; you can

view the hotel at its web site, www.gaylordhotels.com/gaylordpalms. By the time you receive this newsletter, you should have received your brochure for the Conference. You can also access the brochure on the web sites of NAALJ (www.naalj.org) and the Division of Administrative Hearings (www.doah.state.fl.us). The details and schedule are also included with this newsletter, and include a registration form. The websites also contain details about the special events occurring on Saturday, October 11, 2003. Please remember to check the deadlines for registration and hotel rooms.

This conference offers something for everyone. For anyone who only wants to register for certain days of the Convention and not the entire Convention, we have a pro-rated registration fee available which is as follows: Sunday, October 12, 2003--\$75; Monday, October 13, 2003--\$125; Tuesday, October 14, 2003--\$125; Wednesday, October 15, 2003--\$75. If you choose this pro-rated option, please, clearly identify it on your registration form for the Convention and the day(s) and the fee for each day that you have chosen.

WE ARE ANXIOUSLY LOOKING FORWARD TO SEEING YOU IN ORLANDO. COME ON DOWN !!!!!

NATIONAL ADMINISTRATIVE LAW JUDGE FOUNDATION FELLOWSHIP - 2004

Ed Felter (CO)

The National Administrative Law Judge Foundation, the public interest arm of the National Association of Administrative Law Judges, is requesting applications for the 2004 Fellowship. The Fellowship was endowed to encourage research and scholarship for improving administrative justice.

The topic for the 2004 Fellowship is "The Relationship of the Administrative Law Adjudicator to the Agency Head." This is basically the same topic as the 2003 topic for which there were no timely submissions.

The Fellowship will offer the successful candidate the opportunity to analyze a range of issues concerning the relationship of the administrative law adjudicator to the agency head, and the respective roles of each. Current issues include governmental authority to act versus due process when national security and public safety are threatened. Candidates may address issues of decisional independence of adjudicators, agency policy and rule-making processes, transparency in government, separation of functions, bias and conflicts of interest, ex parte communications, decision-making ethics, and the judicial model versus the "institutional model" for agency decision-making.

The Fellow will prepare an original article for publication in the Journal of the National Association of Administrative Law Judges, and will deliver a fifty-minute oral

presentation at the annual meeting in the fall of 2004. Besides the \$1,000.00 cash stipend, the Fellow will receive air transportation, accommodations, and meals at the annual meeting and educational program in Saint Louis, Missouri in the fall of 2004. The final draft of the paper will be due December 31, 2004.

Applicants for the 2004 Fellowship should submit two copies of a detailed outline for the proposed article, an abstract or an introduction to the paper, with a writing sample, curriculum vitae, and a list of publications, by February 1, 2004. The Fellowship Committee will review the submissions and select a Fellow by March 30, 2004. Applications and inquiries should be addressed to the Chair of the Fellowship Committee:

EDWIN L. FELTER, JR.
SR. ADMINISTRATIVE LAW JUDGE
COLORADO DIVISION OF
ADMINISTRATIVE HEARINGS
1120 LINCOLN STREET, SUITE 1400
DENVER, COLORADO 80203
TEL: (303) 764-1417
FAX: (303) 764-1401

EMAIL: ED.FELTER@STATE.CO.US

**ANOTHER NAALJ SUCCESS:
2003 MEDIATION TRAINING FOR
ADMINISTRATIVE LAW JUDGES**

Lynda Lee Moser (GA)

The word is out! No praise is too fine for this new course at the National Judicial College (NJC). Offered in cooperation with the National Association of Administrative Law Judges (NAALJ) and the National Conference of Administrative Law Judges (NCALJ), the course was designed to equip ALJs to be effective mediators. Completion of the course also allowed ALJs to meet eligibility requirements in those states that require a 40-hour initial education program for becoming a mediator.

The course was offered by the NJC at its campus on the University of Nevada in Reno from March 30 through April 4, 2003. During the orientation session, NJC President, William Dressel, welcomed participants. Joining Judge Dressel in this welcome were academic director, William Brunson, and program attorney, Sylvia Edgar. Mr. Brunson, who is distinguished by his humorous wit, bolstered his comments with an enthusiastic power point presentation about Reno and the surrounding area that is best known for Lake Tahoe. Maybe it was Mr. Brunson's enthusiasm about the 15 premiere ski resorts in the area or just Mother Nature at work in the Rocky Mountains, but NJC made sure the participants were treated to a spring snow.

Faculty for this course drew rave reviews. The "fab four" were: Bert Harberson, Director of National Policy and

Assistant General Council for the Council of State Government in Lexington, Kentucky; Nancy Lynch, ALJ at the State Office of Administrative Hearings in Austin, Texas, and former ADR coordinator for that office; Phyllis Reha, Commissioner of the Minnesota Public Utilities Commission in St. Paul, Minnesota, and former ALJ; and Marshall Snider, Chief ALJ for the Colorado Division of Administrative Hearings in Denver, Colorado. This short introduction only begins to showcase the tremendous experience and talent of such a stellar faculty. The four worked together in obvious harmony to deliver a program of the highest quality. Participants were grateful, indeed, for the tireless professionalism and vast knowledge of this remarkable faculty.

The list of participants was also dazzling. They came from all over the United States. Especially welcomed were Ramon ("Ray") Dela Cruz and Henry Hofschneider who came all the way from Saipan in the Northern Mariana Islands to attend. Participants included state and federal ALJs and hearing officers who work in a variety of areas including employment, transportation, public utilities, labor, public lands, Social Security, and industrial insurance. Mediation experience of these participants varied. The range extended from novices like Ray and Henry who were just learning how to mediate to veterans like Pete Rader from Oregon and Chuck McCullough and Sally Carpenter from Washington who are experienced mediators. With the oversight of NJC program attorney Sylvia Edgar, course curriculum was logical and comprehensive. Curriculum-wise, the days were long and longer! Some felt like they'd been dispatched to mediation boot camp. But reward came with perseverance.

Essentially, participants learned how to conduct the essential stages of the mediation session. Special attention was focused on making the opening statement, engaging the parties in caucus, and drafting a mediation agreement. Participants were generally acquainted with negotiation theory and the conflict resolution process. Specifically, they received tips on how to prevent and break impasse during a mediation session, and how to facilitate decision-making within the mediation process. Participants were also introduced to ethical and confidentiality concerns that arise in the mediation process, as well as to the importance of maintaining one's neutrality as a mediator. Comparisons were made between sitting as a hearing officer or ALJ and conducting a mediation. Without a doubt, no participant - novice or veteran mediator - completed the course without enhancing his or her skills and knowledge about mediation in the administrative law setting.

A resounding "thank you" goes to the NJC and its superb faculty and staff for offering ALJs such a rewarding opportunity to learn about mediation. This course ranked an A-plus!

DO YOU SING LIKE A BIRD?????

**CAN YOU PLAY PIANO LIKE
LIBERACE?????**

**ARE YOU THE NEXT ROBERT
REDFORD?????**

If the answer to any of these questions is yes, then, quite frankly, we are not interested. If, however, you are one of us mere mortals, with a level of talent equal to that given to a rock or tree stump, then you are *NEEDED*.

On Monday evening, October 13, 2003, the National Association of Administrative Law Judges is proud to present its second annual "No-Talent" show.

If last year's event is any indication, this will be the most talked about part of the conference!!!! We found talents that even those who had them did not know they had. From the Soggy Diaper Boys, through Maryland's award-winning teleconferencing skit, and the New York delegations' rousing rendition of New York, New York (led by our treasurer Tyrone Butler, complete with high kicks).

The conference committee retained the services of an excellent disk jockey / Karaoke director who kept thing moving at a steady pace. There was plenty of liquid refreshment available to "grease the wheels" and the entire evening was a blast. Please join us!!!!

**SOME SCENES FROM
LAST YEAR'S SHOW**



The victorious Maryland Delegation



New York, New York



Phil Jackson belts one out

BIOGRAPHY OF HON. ERROL POWELL



Errol H. Powell is an Administrative Law Judge with the Florida Division of Administrative Hearings (DOAH). He has been a Judge with DOAH since February 1993.

Judge Powell received his B.A. degree from the University of North Carolina at Chapel Hill (Chapel Hill, North Carolina) in 1973 and his J.D. degree from Florida State University, College of Law (Tallahassee, Florida) in 1978. Judge Powell was admitted to The Florida Bar in 1979 and is certified to practice before the U.S. District Court, Northern District of Florida.

Prior to becoming an Administrative Law Judge, Judge Powell was counsel to the Speaker of the Florida House of Representatives, Staff Director of the House Ethics and Elections Committee, and Special Master for the Florida House of Representatives. During the first year that Judge Powell was the Staff Director for the House Ethics and Elections Committee, the Florida Legislature passed a major reform ethics law.

Judge Powell was no stranger to the political process. In 1988, he was a candidate for County Judge in Leon County, Florida. Additionally, he has been in the final selection for appointment by Florida's Governor to judicial positions in the county and circuit courts.

Also, prior to becoming an Administrative Law Judge, Judge Powell was prosecuting attorney for the Department of Professional Regulation, now the Department of Business and Professional Regulation, and managing attorney with Legal Services of North Florida, Inc. Judge Powell began his practice of law assisting the poor through Legal Services.

Judge Powell is active in The Florida Bar. He has been appointed by the President of The Florida Bar to serve on the Committee on Professionalism and a member of the Administrative Law Section and Government Lawyer Section. Judge Powell is past Chair of the Judicial Nominating Procedures Committee and of the Professional Stress Committee of The Florida Bar and a former member of the Grievance Committee of the Second Judicial Circuit of Florida.

Judge Powell's professional associations include membership in the American Bar Association (ABA) and, within the ABA, in the Judicial Division, National Conference of Administrative Law Judges in which he serves on the Executive Committee (Member), and the Courts and Community Committee (Co-Chair), and previously served on the State Administrative Law Committee (Member), the Education Committee (Member), and the Long Range Planning Committee (Member); in the

National Association of Administrative Law Judges in which he serves on the Board of Governors; in the National Bar Association in which he is a member of the Judicial Council and Administrative Law Section; in the Virgil Hawkins Florida Chapter of the National Bar Association; in the Tallahassee Barristers Association in which he is the Historian and past President, Vice-President, and Treasurer; in the Tallahassee Bar Association of which he is past Treasurer, and a former member of the Legal Aid Foundation Board; in the Florida Government Bar Association of which he is past President and Treasurer; and in the Tallahassee Women Lawyers.

Judge Powell has spoken on numerous occasions and participated on numerous panels involving the legal profession. He is a member of The Florida Bar's Speakers' Bureau and has spoken on merit selection and retention of judges. Judge Powell has spoken on and participated on panels addressing improving public trust and confidence in the judiciary. He has also been a presenter at CLEs involving professionalism, practical hints of practicing before the agency with whom he is employed (Division of Administrative Hearings), and Florida's administrative hearing process involving disputed issues of material fact.

Judge Powell has been continuously involved in providing *pro bono* legal service to the community prior to becoming an administrative law judge, which prohibits him from providing *pro bono* legal service. He is also continuously involved in educating the community regarding the legal profession. Additionally, at least twice a year, Judge Powell speaks to middle school students about the legal profession.

Judge Powell's involvement in community organizations has been wide and varied. He is currently Vice President of the Tallahassee Area Chapter, 100 Black Men of America; member of the Board of Big Brothers Big Sisters of the Big Bend; and a life member of the NAACP. Judge Powell was on the Board of the Tallahassee Urban League of which he was the Parliamentarian, has assisted The College Fund/The United Negro College Fund (UNCF) in its fund raising, and was President of the C. K. Steele Jaycees.

Judge Powell has received numerous awards and recognitions for his community service and leadership roles in the legal profession, including the Tallahassee Barristers Association President's Award for outstanding service and contribution of time; the Tallahassee Barristers Association award for dedicated service to the legal profession and the community; the Private Bar Involvement distinguished service award; National Women of Achievement, Inc. Award for outstanding service, leadership, and achievement; and an award from The College Fund/UNCF for serving as Chairperson for The College Fund in the Big Bend Area.

Due to his unavailability, the Editors were unable to present Judge Powell's biography with those of the other newly elected Board Members in our prior issue

NOMINATIONS FOR OFFICE FOR THE YEAR 2003 - 2004

Larry Craddock (TX)

The NAALJ 2003 nominating committee is pleased to announce the recommended slate of new officers and board members for next year. (Those elected will take office at the conclusion of the annual meeting in Florida).

The nominees are as follows:

Officers:

Chris Graham (Missouri), President (by automatic succession from his current office as president-elect);

Tyrone Butler (Washington D.C.), President-elect;

Lois Oakley (Georgia), Secretary;

Bill Dorsey (U.S. Department of Labor), Treasurer;

Janet Thompson (Kentucky), immediate past-president (by automatic succession from her current office as president);

Board of Governors:

Mike Nolan (Maryland),
Ken Nickolai (Minnesota);
Tom Stovall (Tennessee); and
Bob Layton (Kentucky).

If elected, these nominees will join hold-over board members

David Marcus (Oregon);
David Brunke (Texas);
Errol Powell (Florida); and
Jacqueline Watts (Louisiana) to form next year's board.

**NOMINATIONS WILL ALSO BE ACCEPTED FROM
THE FLOOR AT THE ANNUAL MEETING ON
OCTOBER 13, 2003**

The committee thanks everyone who participated in the nominating process this year and congratulates the nominees.

Respectfully submitted,

The 2003 NAALJ Nominating Committee
Larry Craddock (Texas), Chair
Susie Bargo (Kentucky), Vice Chair
Chris Graham (Missouri), Member
Peter Loomis (New York), Member

NEWS FROM THE STATES



**Georgia
GAALJHO
News**
Steve Teate,
President

The Georgia affiliate continues to focus on local news since the last newsletter includes: (1) a trip to the mid-year NAALJ conference in Chicago for Steve Teate (GAALJHO president) and Lois Oakley (OSAH Chief Judge & NAALJ board member) (2) a reception and luncheon at OSAH for current and prospective members, and (4) fund-raising events for the annual NAALJ conference in Orlando that have included monthly bake sales and an auction. Future bake sales and auctions are contemplated as GAALJHO tries to send as many members to Orlando as possible. Joe Baird was a wonderful auctioneer and will repeat his performance in August and possibly September. Fortunately, GAALJHO is participating in the Lexis/Nexis grant that helps defer some cost. Upcoming events also include "brown bag" luncheon speeches, the development of GAALJHO law student section with a goal of awarding a financial prize for an administrative law paper, and coordination of efforts with the Administrative Law Section of the State Bar of Georgia to plan a future seminar and to work with that section to further legislative and administrative changes that may improve the administrative justice system.

Non-GAALJHO related member news includes: the birth of a son (Micah) to Ronit Walker with a wonderful bris to celebrate the occurrence; Ana Kennedy's swearing-in ceremony and speech at the Latin American Association; newspaper quotes and television coverage of a large administrative paternity calendar for Jessy Lall and Steve Teate (clearly as judges, not litigants); Jessy Lall's Bali and Costa Rican trips; Phillip Jackson's participation in a Legal Runaround race for scholarships for children of police officers killed or injured in the line of duty; Lynda Moser's attendance for mediation training for ALJ's at the Judicial College in Reno; Mark Dickerson's church-building trip to rural Mexico; and Michael Malih's and Lois's Oakley's Seattle trip for special ed training at the University of Seattle.



PRESIDENT STEVE TEATE ADDRESSES A RECENT GATHERING

If you're ever in Atlanta, give us a call. If you visit on a first Tuesday of the month, you may have an opportunity to buy baked goods or get a bargain at one of our auctions.



SOME OF THE AUCTION GOODIES



**KENTUCKY
KAAA
NEWS**

Nancy S. Alexander

THE Kentucky Association of Administrative Adjudicators held its annual conference and meeting on May 16, 2003. Officers were elected and an outstanding workshop, *Opinion Writing for Administrative Law Judges*, was presented by Ronald R. Hofer, Professor with The National Judicial College.

Professor Hofer is the district staff attorney for the Wisconsin Court of Appeals, District II, in Waukesha, Wisconsin. Mr. Hofer holds an H.B.A. and J.D. from Marquette University and an M.A. from the University of Virginia, where he was a Danforth Fellow. He currently teaches appellate advocacy at Marquette University Law School and is a frequent speaker for the American Bar Association's Appellate Judges Seminar Series. Mr. Hofer contributed to the writing of the American Bar Association Judicial Opinion Writing Manual (West, 1991). He has served on the faculty of the National Judicial College since 1994.

With his great sense of humor and quick wit, Mr. Hofer led workshop participants through the steps necessary to become a more skillful and effective opinion writer. Until this workshop, the group had no idea that English grammar, syntax, and semantics could be so much fun!

A brief business meeting was conducted and officers for the coming year were elected. Those installed were Robert Layton, President; Nathan Goldman, President Elect; Nancy Alexander, Vice President; James Bailey, Secretary; Shaun Orme, Treasurer; Janet Hall, Board Member at Large, and Henry Curtis, Board Member at Large. Janet Thompson is Ex Officio- Liaison NAALJ.

Susie Bargo is immediate Past President. A delicious lunch was served to 50 participants.

KAAA will host a complimentary luncheon meeting for members and prospective members on August 8, 2003 in Frankfort, Ky. Extensive outreach efforts are being made to introduce other administrative law judges to the benefits of membership in KAAA and NAALJ. KAAA also plans a competitive writing contest for law school students on the topic of administrative law. The winner will get free registration for the annual conference and the winning articles will be distributed with conference materials. The objective is to promote awareness of administrative law career opportunities and to provide new articles on Kentucky administrative law for KAAA members.



**NEW YORK
NYSALJA
NEWS**

Marc Zylberberg,
President

The Nominating Committee of the New York State Administrative Law Judges Association (NYSALJA) has proposed the following slate of candidates for consideration by the NYSALJA membership for officer positions for the period October 1, 2003 through September 30, 2004, and Board positions for the 2 year period ending September 30, 2005:

President: **Hon. Catherine M. Bennett**

President-Elect: **Hon. Michael Danziger**

Vice-President: **Hon. Christine C. Traskos**

Secretary: **Hon. Anne W. Murphy**

Treasurer: **Hon. Marc P. Zylberberg***

NAALJ Liaison through 9/30/05:
Hon. Abigail S. Bernhardt

Board Member through 9/30/05:
Hon. Sue Novick Wasko

Board Member through 9/30/05:
Hon. James Hinds

* Hon. Marc P. Zylberberg will also automatically become Immediate Past President and, therefore, a Board Member in that capacity. The Board therefore would be reduced by one person for the period 10/01/03-9/30/04.

In accordance with NYSALJA's Constitution and By-Laws all past Presidents who remain members of the Association continue to serve on the Board.

**2003 ADMINISTRATIVE LAW JUDGE
INSTITUTE - ALBANY, NEW YORK**

Building on a relationship which began with the Albany 2000 NAALJ Conference, the New York State Administrative Law Judges Association (NYSALJA) recently partnered with the Government Law Center at Albany Law School in co-sponsoring the 2003 Administrative Law Judge Institute, which took place on June 17, 18 and 19, 2003 in Albany, New York. The program attracted Administrative Law Judges and per diem Hearing Officers from both the upstate and New York City areas, and provided a variety of educational tracks running simultaneously over the three days. This was the first of what is hoped to develop into a full week annual session devoted to training exclusively for neutrals in New York administrative hearings. Members of NYSALJA formed an Advisory Committee which assisted the law school in suggesting topics of discussion and planning the Conference, and several current officers of the Association also participated as speakers. Those speaking included Past Presidents Jim Horan and Peter Loomis; current President Marc Zylberberg; and President-Elect Cathy Bennett.

Professor Michael J. Hutter, an expert in the areas of evidence and expert testimony, as well as being a frequent presenter to Administrative Law Judges and Article VI Judges (the Judicial Branch identified in the New York State Constitution), provided an excellent program on June 17th. Professor Hutter was awarded Honorary membership in the New York State Administrative Law Judges Association.



**TEXAS
(TAPAA)
NEWS**

Marc Burns, President

TAPAA (Texas Association of Professional Administrative Adjudicators), the Texas chapter of NAALJ, is coming off a year of turmoil, during which the membership withstood a somewhat divisive debate over whether to remain affiliated with NAALJ. Although some members were quite passionate about the NAALJ-affiliation issue, others were not interested in the debate or particularly invested in the outcome. Even this difference in the level of involvement in the affiliation issue contributed to some disaffection among the members.

Nonetheless, TAPAA's 2002 board provided leadership that allowed for differences of opinion and for the resolution of the issue by the membership. Throughout the process, Lea Ann Burnett organized excellent and well-attended trainings.

The new year has brought more challenges for TAPAA. The new president of TAPAA was part of a Reduction In Force

(state employment-speak for laid off) in February and TAPAA's president-elect and vice president resigned from the TAPAA board shortly thereafter.

However, all is not lost. First, Cathie Parsley, general counsel and an administrative law judge at the Texas State Office of Administrative Hearings has agreed to assume the position of TAPAA vice president, and the board is talking to "volunteers" for the remaining board vacancy. Second, the TAPAA board is surveying the membership to help ascertain how to better and more vitally serve TAPAA's membership. Third, TAPAA is planning a series of trainings with an emphasis on presiding skills and approaches.

According to Marc Burns, president of TAPAA and one of its founders, the somewhat awkward and cumbersome name for TAPAA was chosen to help ensure the association would be inclusive of those who preside in capacities other than as administrative law judges. "In Texas, the role of an administrative law judge is performed by people with a variety of titles, and we wanted them all to know that they are welcome." Consistent with the inclusive philosophy that is to blame for TAPAA's name, the new training is aimed at least in part at extending the educational opportunities TAPAA provides to those with little or no other training opportunities as presiders, including those who conduct arbitrations in Texas under the Federal Telecommunications Act. The presiding trainings will be coupled with and balanced against segments addressed to more advanced topics. For example, a segment on managing complex multi-party contested cases is planned for an upcoming training.

TAPAA takes this opportunity to express its appreciation to David Brunke for his many services to TAPAA and to NAALJ, including his commitment to serve on NAALJ's board. TAPAA also invites other chapters and other NAALJ members to share with us your experiences and insights regarding ways in which TAPAA might better serve its members.



**ALASKA
AAALJ**

Ed Hein, Secretary

A bill to create a statewide central panel was introduced in the Alaska Legislature this year. Senate Bill 203 would establish the Office of Administrative Hearings, with a chief administrative hearing officer appointed by the governor for up to three five-year terms. The OAH would issue proposed decisions in some 50 state programs, including occupational licensing, child support enforcement, personnel act and ethics act cases, and Alaska permanent fund dividend cases. Hearing officers must have been licensed to practice law in Alaska for at least two years. The chief administrative hearing

officer would adopt a code of conduct governing all hearing officers in the state, not just OAH hearing officers. Legislative and executive branch employees are specifically prohibited from improperly attempting to influence the outcome of administrative hearings.

The bill is in the Senate Judiciary Committee. Sponsors say they are confident the bill will become law next year because it has bi-partisan support in the legislature, as well as support by the governor and his administration. The full text of the bill can be found on the Alaska Legislature's website: <http://w3.legis.state.ak.us/home.htm> From the main page, click on "Bill Search" and enter SB203. The latest version is CSSB203(STA).



**Oregon
OALJ
News**

Tom Ewing

On May 22, 2003, Governor Ted Kulongoski signed into law House Bill 2526. This bill made Oregon's central panel permanent. Among other things, it changed the panel's name from "Hearing Officer Panel" to "Office of Administrative Hearings." It replaced the name "hearing officer" with "administrative law judge," headed by a "chief administrative law judge." The chief ALJ, while still an appointee of the director of the Employment Department, now serves a four-year term, and may be fired only for specific causes.

It was by no means certain that the Legislature and Governor would take this step. Like other states, Oregon is experiencing a serious budgetary crisis. But Oregon's is one of the worst in the nation, with a 20 percent shortfall. This was not the time to ask state leaders to approve another government program.

However, in the three years of its existence as a pilot, the OAH had proven itself. There was wide agreement among agencies that the quality of work had significantly improved. Legislators expressed satisfaction with OAH's performance. Moreover, the cost efficiencies of a central panel over separate hearings units were amply demonstrated in these last three years. Under the skillful leadership of Rep. Lane Shetterly, HB 2526 sailed through both chambers of the legislature with overwhelming support.





MARYLAND & THE DISTRICT OF COLUMBIA
A. Michael Nolan
President

The Maryland and District of Columbia Association of Administrative Adjudicators recently held its first elections as NAALJ's first, and only regional affiliate. The meeting was well attended. We were honored to have as a guest speaker, the Hon. W. Michael Gillette, Associate Justice of the Oregon Supreme Court. Justice Gillette gave a stimulating lecture regarding judicial impartiality, and it's importance in the administrative adjudicatory field. Also visiting for the meeting was Hon. Toni Boone, a hearing officer with the Arkansas Department of Driver Control.



The Officers and Members of the Board of Governors elected for the 2003 – 2004 year are as follows:

Officers:

President

A. Michael Nolan, (MD-OAH)

President Elect

Lewis W. Steinwedel, (MD-DLLR)

Vice-President

Marvin N. Robbins (MD-SCB)

Secretary

Charles Morrison (MD-DLLR)

Treasurer

Robert E. Sharkey (DC-OAH),

Board Members:

Dennis L. Sober (MD-PSC)

Mark Poindexter (DC-OAH)

Joan Davenport (DC-HRC)

Lisa Coleman (DC-OAH)

Thomas E. Dewberry (MD-OAH)



The first meeting of the Board was held on July 17 2003 with all officers and Board members present, either in person or electronically. There was much discussion

about the logistics of the formation of the new association, involving selection of a new Acronym, creation of a committee structure, and other related topics. The Association is participating in the Lexis/Nexis scholarship program. The Board decided that the selection of a scholarship recipient should be handled by a three-member selection committee. Board members and officers were excluded from eligibility for the award. There were four applicants for the scholarship. The Association will pay all hotel expenses for 4 nights. Added to the \$300.00 grant from Lexis/Nexis and the NAALJ conference fee waiver, this is essentially an all expenses paid effort.

The Education Committee advised that they are preparing for the first annual essay competition for law students from the Maryland and DC law schools. It is hoped that this competition will increase the understanding of the field of administrative law. Plans are well underway, and details should be available for our next newsletter. In addition, there will be an increased effort to increase the membership in the Association by contacting the other agencies in our jurisdiction and making presentations regarding membership benefits. We also hope to have a cruise during the late Summer/early Fall.

NEWS !!!!!

At the recent Mid-Year meeting of the NAALJ Board of Governors, the Board considered, and accepted, the following resolution:

RESOLUTION

WHEREAS, the goals and objectives of the Arkansas Association of Administrative Adjudicators (ARKAAA) are consistent with the objectives of the National Association of Administrative Law Judges; and

WHEREAS, the effectiveness of the Arkansas Association of Administrative Adjudicators (ARKAA) in achieving its goals and objectives, would be significantly enhanced by affiliating with and becoming a state chapter of the National Association of Administrative Law Judges;

BE IT RESOLVED that the Arkansas Association of Administrative Adjudicators (ARKAA) hereby notifies the NAALJ Board of Governors of its desire and intention to be affiliated with the NAALJ for the purpose of furthering the goals and objectives of both the Arkansas Association of Administrative Adjudicators (ARKAA) and the NAALJ.

A copy of the Constitution and By-laws of the Arkansas Association of Administrative Adjudicators (ARKAA) is attached and the Arkansas Association of Administrative Adjudicators (ARKAA) hereby petitions the NAALJ for a charter as a state chapter; and,

BE IT FURTHER RESOLVED that upon the approval of the NAALJ Board of Governors, and the issuance of a charter, the Arkansas Association of Administrative Adjudicators (ARKAA) shall immediately submit to the NAALJ a complete list of its members, including contact information for each, along with payment of affiliate dues for each.

LADIES AND GENTLEMEN OF NAALJ, WE PROUDLY PRESENT OUR NEWEST AFFILIATE:



ARKANSAS (ARKAAA)
Sue Stolzer

The Arkansas affiliate of NAALJ began its formation on November 15, 2002, when the Office of Appeals and Hearings of the Arkansas Department of Human Services conducted an education workshop. The conference was titled *Law and Justice: The Administrative Hearing*. There were six different workshops relating to administrative hearings, including presentations by the Honorable Ellen Brantley, Chancellor for the Sixth Judicial District of Arkansas; the Honorable David Greenbaum, Chief Administrative Law Judge with the Arkansas Workers' Compensation Commission; Ranko Oliver, Associate Professor of Law at the University of Arkansas at Little Rock; and Professor Morell (Gene) Mullins, author of the Manual for Administrative Law Judges on the NAALJ website. The NAALJ sent the Honorable Willie C. Thompson, Jr., Administrative Law Judge, Virginia Employment Commission, Administrative Law Division, Office of Commission Appeals, as a representative. Judge Thompson brought information about NAALJ and helped get our association started.

In December 2002 we began meeting monthly and in March 2003 the Arkansas Association of Administrative Adjudicators (ArkAAA) was incorporated. We now have sixteen members and are actively recruiting new members. We are planning our fall conference and annual meeting for November 19-21, 2003. We are expanding the conference to 12 sessions over a two-day period. We would appreciate any suggestions from other state affiliates about speakers for our conference or any tips on programs for training for administrative adjudicators and participants. ArkAAA is participating in the LexisNexis Challenge Grant and will be sending a representative to the NAALJ annual conference in October 2003 in Orlando, Florida.

COMMITTEE REPORTS

NAALJ ADR COMMITTEE CHANGES TO SERVE YOU BETTER!

Lynda Lee Moser (GA)

As you might recall from the annual conference in Austin, NAALJ split its ADR committee into a training committee and, what else (!), but a non-training committee. With the split, Beverly Nash agreed to chair the non-training committee, and Marshall Snider agreed to chair the training committee. The training committee helped score a big success for NAALJ with the 2003 Mediation Training for ALJs at the National Judicial College. (See separate article, "NAALJ Scores Another Success") Meanwhile, the non-training committee is working slowly but steadily to clarify its role with the split.

After the annual conference in Lexington, Lynda Moser agreed to chair the non-training committee. Its members are: Phyllis Carter (WV); Elizabeth Crum (PA); Susan Durant (KY); Ann Breen-Greco (IL); Noreen Lynch (MD); Lynda McDaniel (TN); David Marcus (OR); Judith "Jody" Plymyer (MD); and Robert Sharkey (DC). This dynamic group will not have an opportunity to meet personally until the annual conference in Orlando. It has been working by email to make preliminary inroads to clarify its role.

First, to better differentiate its role from the training committee, the non-training committee voted to change its name to the ADR Resource Committee. Much better, don't you think! And second, to better comport with what the committee now offers NAALJ, the ADR Resource Committee also voted to amend its mission statement as follows: "To promote the role of ADR in the administrative law forum by offering resource support to the ADR Training Committee and acting as liaison to the NAALJ Education Committee; to further promote the role of ADR in the administrative forum by acting as a resource to provide ADR materials and information to ALJs individually and to central panels generally."

In conjunction with its new mission statement, the ADR Resource Committee has agreed upon three goals for itself:

- 1) establish an ADR resource subsite on the NAALJ website that includes the following: a bibliography of ADR-related publications; posting of new case law impacting ADR; ethics updates and general trends in ADR; and a resource director for central panels wanting to implement ADR units;
- 2) conduct a utilization survey to identify how ADR is presently formally structured in the central panel states and the NAALJ affiliate states; and

- 3) participate in the annual conference in Florida by having a formal committee meeting and host a resource table and one-hour breakout sessions.

The ADR Resource Committee will indeed, have a resource table at the annual conference in Orlando. We'll be sharing a table with the subcommittee on Law School Outreach. And the ADR Training Committee will try to include a presence at the table if the National Judicial College has flyers printed by then about the 2004 Mediation Training for ALJs. The ADR Resource Committee expects the materials compiled for the resource table to become the first sources of information for posting to a sub-site on the NAALJ website.

NAALJ is offering an ADR breakout session at the conference in Orlando on Monday, October 13, 2003 from 1:30 to 3:00 PM. The annual conference committee has appointed the Florida Conflict Resolution Consortium to head the breakout session. The ADR Resource Committee is working with Bob Jones from the Consortium to help with this session. Preliminary talks with him promise an interesting session.

The ADR Resource Committee will further define its goals at a committee meeting during the annual conference in Orlando. Lynda has agreed to continue chairing the Committee under incoming NAALJ President Chris Graham. She hopes the other members of the Committee will also agree to continue. Many thanks to them for their hard work and for their enthusiasm for ADR in administrative law!

TECHNOLOGY COMMITTEE

A. Michael Nolan. (MD)

Our Committee has been involved with the following activities:

NAALJ HOMEPAGE

- I The URL (Uniform Resource Locator aka: web page address) of the NAALJ has been changed to <http://www.NAALJ.org>, an address fitting the purposes of this organization. Anyone with ideas regarding items for inclusion on the page, or information to be included thereon should forward same to the committee c/o mnolan@oah.state.md.us.
- II The page is updated continuously, on at least a monthly basis. We may experiment this year with providing daily updates to the web-page directly from mid-year meeting. This was not generally announced, as it is, at this time, serving as a feasibility study to consider potential complications. If it succeeds, the concept

will be further developed and announced for the annual meeting in Orlando.

- III A significant improvement of the web-page is the recent addition of "*The CorkBoard*" which serves as an electronic meeting place for individuals who have information they wish disseminated to the membership which cannot wait for the next issue of the newsletter. The CorkBoard has served to inform the membership of local affiliate functions, programs, and conferences, and also includes announcements regarding recent significant happenings in the lives of the members. The CorkBoard also serves as a media for information requests from the membership. The CorkBoard is updated on the first of every month. Information can be sent to mnolan@oah.state.md.us
- IV. We plan to offer web-space any of the NAALJ committees, as well as to the state affiliate chapters on the same server where the NAALJ page is maintained. As an experiment, we recently have moved the Maryland and DC Association page to the NAALJ page. This has been successful, and we hope more affiliates will consider inclusion.

E-MAIL PROJECT

With the advent of the electronic newsletter and other needs for communication with the membership, the accuracy and completeness of the NAALJ e-mail mailing list has become paramount among this committee's concerns. Through the intense efforts of Committee co-chair Bob Layton and Laura Bierman, we have developed a working e-mail notification system. In our last mailing, however, we had 64 e-mail addresses which were "bouncebacks" due to a variety of reasons. The committee has received authorization to purchase a telephone "calling card". With this card, we anticipate being able to contact the members whose addresses have proven incorrect and make corrections, deletions as necessary. This will be time-consuming, but should resolve much of the problem. In this issue of the NAALJ News, the Committee is asking the membership to advise us of any members who are not receiving the e-mailings, and of their e-mail address so they can be added to the list. In addition, as members pay their dues for the 2003-2004 membership year, we will receive many updates and additions. Laura has been in contact with the committee members, and provided updates as she receives them.

LISTSERVER

The NAALJ listserver is active, with 71 members as of this writing. It is infrequently used, however, and we plan to advertise its existence and the potential for usefulness in

the upcoming newsletter. The most recent postings led to the collection of surveys used by the various states to assist in development of similar surveys by one of the member's agency.

This is a discussion mailing list which is open to all members of the National Association of Administrative Law Judges, and also to non-members who are involved as decision makers or fact finders in matters of administrative adjudication at all levels of government. The list also welcomes subscribers who are involved in legal academia. Subscription information can be found at <http://www.yahoo.groups/NAALJ>.

REPORT OF THE BYLAWS, PROCEDURES AND RESOLUTIONS COMMITTEE

Lois Oakley(GA)

The NAALJ Board of Governors considered several proposals from the Bylaws, Procedures and Resolutions Committee at its Mid-Year meeting. Several proposals were approved by the Board for submission at the Membership Meeting held during the annual meeting and conference in Orlando, Florida, scheduled for 3:15 p.m., Monday, October 13, 2003. These proposals include a substantive resolution in support of the proposed Illinois Central Panel and an amendment to Article X of the Bylaws regarding Proposal and Notice of Amendments.

Each NAALJ member will receive notification of these proposals by mail.

SUBSTANTIVE RESOLUTION

The substantive resolution in support of the proposed Illinois Central Panel is as follows:

Whereas, the Illinois House of Representatives, by unanimous vote in March, 2003, authorized the establishment of a central panel tribunal for the State of Illinois; and

Whereas, the Senate of the State of Illinois is deliberating the legislation authorizing the establishment of a central panel tribunal for the State of Illinois;

NOW THEREFORE, BE IT RESOLVED THAT the National Association of Administrative Law Judges endorses the establishment of a central panel tribunal for the State of Illinois.

PROPOSED AMENDMENT

The proposed amendment to Article X, Section 1(a) and (b) of the Association Bylaws would provide requirements for: (1) proposing adoption of a substantive resolution; (2) allowing an affiliate to propose an amendment or substantive resolution; and (3) giving member notification of proposed substantive

resolutions and amendments by e-mail. The proposed amendment would alter the language of Article X, Section 1 (a) and (b) of the Bylaws as indicated in the following:

Article X Amendments and Substantive Resolutions

SECTION 1. PROPOSAL AND NOTICE

(a) An amendment to the Constitution and Bylaws of this Association or a substantive resolution of this Association may be proposed by:

1. Obtaining the signature to a petition of fifteen active members in good standing for an amendment; or five active members in good standing for a substantive resolution, or
2. Motion of the Board of Governors,
- or
3. A majority vote of active members voting at any regular or special meeting, or
4. An affiliate of this Association.

(b) Proposals to amend the Constitution and Bylaws or to adopt a substantive resolution shall be submitted by the Board of Governors to the membership in writing via publication of the Association's electronic newsletter for ratification but not later than 30 days before the start of the Annual Meeting. Notification via the Association's newsletter shall not constitute notification of those members who have made an affirmative request of the Association for receipt of such notification via alternative means. A two-thirds majority of active members shall be required for ratification in the event of a mail ballot. A majority of the active members voting at an annual membership or special meeting shall be required for ratification.

The Committee will chair a "Resolutions Roundtable" prior to the annual membership meeting. Please plan to attend this open discussion for the purpose of contributing your suggestions about the Illinois Central Panel resolution, the proposed amendment to the Association Bylaws, and any other proposals for the Committee's consideration.

COMPLEX LITIGATION

By Dennis Moss (WA),
Chair, Complex Litigation Committee

Recent communications among the committee members show a strong interest in continuing our committee's historic practice of preparing a mock hearing program for presentation at the NAALJ annual meeting in

Orlando. Unfortunately, budget constraints in several member States are such that it appears that attendance by committee members at the annual meeting will be very limited. So far, only one member can firmly commit to attend and participate in a presentation. Our usual presentation format requires five presenters. Accordingly, our plans vis-à-vis the annual meeting remain tentative at this time.

The committee will continue to work on preparing materials for presentation in the hope that a sufficient number of presenters can commit to participate in time to be included in the October program. If we are unable to muster the number required for Orlando,, we will plan to use the materials in a future year.

NAALJ MEDIATION SUBCOMMITTEE REPORT

Marshall Snider, (CO)

The fifth *Mediation for Administrative Law Judges* 40-hour training course was conducted on March 30 to April 4, 2003 in Reno, Nevada. This year, for the first time, the National Judicial College ("NJC") was a co-sponsor of the course, along with NAALJ and NCALJ. NJC provided considerable administrative and logistical support to the faculty, both before and during the course. This support was very helpful and greatly appreciated. Fourteen ALJ's, hearing officers, and other administrative adjudicators took part in the training. These participants came from nine States, the District of Columbia, and the Northern Mariana Islands.

From all accounts the training was well received. The faculty consisted of Bert Harberson from the Council of State Governments in Lexington, KY; Administrative Law Judges Nancy Lynch from the State Office of Administrative Hearings in Austin, TX.; Minnesota Public Utilities Commissioner (and former ALJ) Phyllis Reha; and Chief ALJ Marshall Snider from the Colorado Division of Administrative Hearings.

In earlier presentations of the program, the faculty was unable to meet in person for planning purposes until immediately before the program started. This year, the NJC sponsored a Faculty Retreat in January, at which the faculty was able to spend 2 full days planning this training. In addition, NJC provided training to the faculty in teaching methodologies and preparing materials. Although the absence of these resources did not affect the overall quality of past courses, the availability of the faculty retreat and training this year resulted in a more organized and coherent effort than in the past.

We have previously agreed that for some period of time future programs will be held away from the NJC Reno site, but with the same cooperative arrangement with the college. NJC president Bill Dressel agrees with this approach. We suggest that NAALJ and NJC identify central panels or other agencies in a state or region that would commit to sending ten or fifteen people to the training.

From this core, along with earlier and more aggressive promotion, it should be possible to recruit a larger class. NAALJ should also look at conducting the training in areas of the country in which this program has not yet been offered (the faculty suggests Hawaii).

EDUCATION COMMITTEE

by
David Marcus, Chair

The Education Committee initially developed a mission statement, which has been adopted as follows:

1. To serve as a resource in the development of NAALJ mid-year seminars and annual conferences, including site selection and coordination of co-sponsorships;
2. To develop and promote new educational programs for ALJs, including collaborating with NJC, and including computer-based training and preparation of training packages for use at the local level, that benefit and educate the administrative judiciary on issues of timely importance to both state and federal ALJs;
3. To develop and recommend outreach initiatives in the public educational system (at the middle school and high school level) aimed at integrating education about the administrative justice system into our public education system;
4. To develop and recommend outreach initiatives to law schools, aimed at promoting the study of administrative law, including issues of state administrative law; develop at least one demonstration project within the coming year;
5. To develop and recommend public education initiatives, to be carried out by the Association or by its affiliates, aimed at improving public understanding and acceptance of, and confidence in, the administrative judiciary.

To establish and achieve short-term objectives and to develop long-term goals, the Education Committee has been structured into four subcommittees, with membership and activities to date as described below:

SUBCOMMITTEE ON CONFERENCES & SEMINARS

The focus of this subcommittee is to provide assistance and support, as requested, to the planners and organizers of conferences and seminars sponsored or co-sponsored by NAALJ (principally the mid-year conference with NCALJ and the annual conference). We have coordinated with Ann Breen-Greco and responded to requests as they were made in planning and coordinating the 2003 Mid-year conference.

Contact has also been made with Errol Powell as principal coordinator of the Annual Conference, and the subcommittee is available to provide any requested assistance with the development of the program, or with handling some details to help assure its success.

SUBCOMMITTEE ON ALJ TRAINING INITIATIVES,

This subcommittee has the most significant charge in the Education Committee, and has been communicating to develop a statement of goals and objectives, which will necessarily be long-term and involve coordination with other internal NAALJ committees as well as other institutions and organizations. The statement of goals and objectives for the subcommittee is as follows:

- 1) Establish criteria (courses and content) for the education/training of the new ALJ and for the continuing education of the seasoned ALJ:
 - a) Cooperate with academic research projects (such as the Proposed State Administrative Adjudication Research and Documentation Project at the LBJ School of Public Affairs, under the joint sponsorship of NCALJ, NAALJ and NJC).
 - b) Partner with one or more law schools in developing course content for a continuing education program (such as the recent Willamette University College of Law / the Oregon Association of Administrative Law Judges program).
- 2) Develop a model to meet these criteria:
 - a) Identify and publicize programs/materials offered by NJC, law schools, NAALJ, NCALJ, and others, including online programs, such as those offered by the ABA, West Legal Ed Center, etc. in connection with the criteria.
 - b) Suggest/develop relevant NAALJ programs to be taped in connection with the criteria.
 - c) Develop materials for "in-house" training/continuing education by NAALJ affiliates and central panels.

- 3) Consider certification programs for ALJs and ALJ trainers.

The subcommittee anticipates that several of its members will be attending the annual meeting, and plans to utilize the opportunity for in-person discussions to establish specific achievable objectives for this year.

SUBCOMMITTEE ON PUBLIC EDUCATION

This subcommittee is exploring ways to develop outreach programs to introduce administrative law processes at the middle and high school level, which is a primary focus this year. The subcommittee will also explore workable ways to approach public education generally, in order to promote public understanding of and respect for the administrative justice system. The committee will further explore what successful efforts are already occurring or have occurred, in order to make recommendations for affiliate activities and/or national level outreach programs. For instance, the Maryland-D.C. affiliate is working on an essay contest for high school students, and Chair McNeill will be obtaining more information from Judge Errol Powell regarding his outreach efforts with the public



schools in Florida.

SUBCOMMITTEE ON LAW SCHOOL OUTREACH

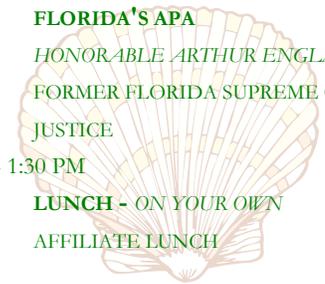
The objective of this subcommittee is to increase the amount of attention administrative law (especially state administrative law) receives in our law schools. The Committee requests that anyone who has experience with outreach to law students should contact Jody Plymyer at jplymyer@oah.state.md.us. The plan at this time is to gather information from NAALJ affiliates and state central hearing offices to find out what efforts are currently being made, and to compile that information into a report to publicize and promote such efforts, along with a guide and recommendations for affiliate organizations to develop specific outreach programs with law schools in their state. For instance, the Maryland-D.C. affiliate has recently received an award for its student outreach program with the University of Baltimore School of Law and the Administrative Law Section Council of the Maryland State Bar Association. This program, with additional input, will serve as a model for the guide to be made available to NAALJ affiliates. In addition, efforts are underway to develop an Administrative Law Day at the Willamette University College of Law in Oregon during the Fall term.

PROGRAM EVENTS

"BUILDING A BETTER ADMINISTRATIVE PROCESS"



<p><u>FRIDAY, OCTOBER 10, 2003</u> 5:00 - 9:00 PM NAALJ BOARD MEETING</p>	<p>3:30 - 4:30 PM CENTRAL PANEL REPORT <i>TOM DEWBERRY</i>, CHIEF JUDGE, MARYLAND OFFICE OF ADMINISTRATIVE HEARINGS</p>	<p>12:00 - 1:30 PM LUNCH - ON YOUR OWN 1:30 - 3:00 PM RESOLUTION ROUNDTABLE <i>HONORABLE LOIS OAKLEY</i>, CHIEF JUDGE, GEORGIA OFFICE OF STATE ADMINISTRATIVE HEARINGS; <i>HONORABLE JULLAN MANN</i>, CHIEF JUDGE, NORTH CAROLINA OFFICE OF ADMINISTRATIVE HEARINGS</p>
<p><u>SATURDAY, OCTOBER 11, 2003</u> 9:00 AM WALT DISNEY WORLD GOLF OUTING SHOPPING SPREE *PLEASE SEE NAALJ AND DOAH WEBSITES FOR EVENT REGISTRATION INFORMATION. **HOTEL WEBSITE CONTAINS LINKS TO AREA ATTRACTIONS. 5:00 - 7:00 PM REGISTRATION OPEN 5:30 - 7:30 PM COMMITTEE MEETINGS 9:00 - 11:00 PM HOSPITALITY SUITE</p>	<p>5:30 - 9:00 PM SUNDAY EVENING RECEPTION & BUFFET 9:00 - 11:00 PM HOSPITALITY SUITE</p>	<p>ALTERNATIVE DISPUTE RESOLUTION <i>FLORIDA CONFLICT RESOLUTION CONSORTIUM</i> 3:00 - 3:15 PM BREAK 3:15 - 5:00 PM NAALJ MEMBERSHIP MEETING 8:00 - 11:00 PM "NO TALENT SHOW"</p>
<p><u>SUNDAY, OCTOBER 12, 2003</u> 9:00 AM REGISTRATION OPEN COMMITTEE MEETINGS 1:00 - 1:30 PM WELCOME; OPENING REMARKS & ANNOUNCEMENTS <i>NAALJ'S PRESIDENT; DOAH'S INTERIM CHIEF JUDGE; PRESIDENT, NATIONAL JUDICIAL COLLEGE</i> 1:30 - 2:30 PM THE CHANGING ROLE OF AN ADMINISTRATIVE LAW JUDGE <i>BILL DRESSEL</i>, PRESIDENT NATIONAL JUDICIAL COLLEGE 2:30 - 3:30 PM MODERN TECHNOLOGY FOR ADMINISTRATIVE ADJUDICATION <i>SUSAN BROWN</i> M.I.S. DIRECTOR, FLORIDA DIVISION OF ADMINISTRATIVE HEARINGS</p>	<p><u>MONDAY, OCTOBER 13, 2003</u> 8:00 AM REGISTRATION OPEN 8:30 - 9:00 AM WELCOME; OPENING REMARKS & ANNOUNCEMENTS 9:00 - 10:45 AM ROUNDTABLE ON COMPLEX ADJUDICATION & CONTROLLING OUT OF CONTROL LITIGANTS AND/OR ATTORNEYS AND/OR REPRESENTATIVES <i>HONORABLE EMERSON THOMPSON</i>, CHIEF JUDGE, FLORIDA'S FIFTH DISTRICT COURT OF APPEAL; <i>HONORABLE NIKKI CLARK</i>, CIRCUIT JUDGE, FLORIDA'S SECOND JUDICIAL CIRCUIT; <i>HONORABLE MICHAEL PARRISH</i>, <i>ALJ</i>, FLORIDA DIVISION OF ADMINISTRATIVE HEARINGS; <i>HONORABLE LAWRENCE JOHNSTON</i>, <i>ALJ</i>, FLORIDA DIVISION OF ADMINISTRATIVE HEARINGS 10:45 - 11:00 AM BREAK 11:00 - 11:55 AM EVIDENCE UPDATE <i>PROFESSOR CHARLES EHRHARDT</i>, FLORIDA STATE UNIVERSITY COLLEGE OF LAW</p>	<p><u>TUESDAY, OCTOBER 14, 2003</u> 8:00 AM REGISTRATION OPEN 8:30 - 8:45 AM WELCOME; OPENING REMARKS & ANNOUNCEMENTS 8:45 - 10:45 AM PROFESSIONALISM <i>BLAN TEAGLE</i> THE FLORIDA BAR 10:45 - 11:00 AM BREAK 11:00 - 11:55 AM A COMPARATIVE HISTORY OF FLORIDA'S APA <i>HONORABLE ARTHUR ENGLAND</i>, FORMER FLORIDA SUPREME COURT JUSTICE 12:00 - 1:30 PM LUNCH - ON YOUR OWN AFFILIATE LUNCH</p>



1:30 - 3:15 PM

DEVELOPMENTS IN STATE AND FEDERAL ADMINISTRATIVE LAW

PROFESSOR GREGORY OGDEN
PEPPERDINE UNIVERSITY,
SCHOOL OF LAW; SCOTT BOYD,
ESQUIRE, JOINT
ADMINISTRATIVE PROCEDURES
COMMITTEE, THE FLORIDA
LEGISLATURE

3:15 - 3:30 PM

BREAK

3:30 - 4:10 PM

TECHNOLOGY TIPS

LEXIS-NEXIS REPRESENTATIVE

4:10 - 4:50 PM

TECHNOLOGY TIPS

WEST GROUP REPRESENTATIVE

6:15 - 7:00 PM

COCKTAIL HOUR

CASH BAR

7:00 - 8:30 PM

BANQUET

FLORIDA'S CHIEF JUSTICE HARRY
ANSTEAD
INSTALLATION OF NAALJ
OFFICERS, SPECIAL
RECOGNITIONS, & AWARDS

9:00 - 11:00 PM

HOSPITALITY SUITE

WEDNESDAY, OCTOBER 15, 2003

8:00 AM

REGISTRATION OPEN

8:30 - 8:45 AM

WELCOMING REMARKS

NAALJ PRESIDENT

8:45 - 9:45 AM

COMPARISON OF STATE & FEDERAL RULEMAKING

CATHY SELLERS, ESQUIRE,
MOYLE, FLANIGAN & KATZ;
PROFESSOR MARK SEIDENFELD,
FLORIDA STATE UNIVERSITY,
COLLEGE OF LAW

SPECIAL EDUCATION DECISION MAKING

HONORABLE JULLAN MANN, CHIEF
JUDGE, NORTH CAROLINA OFFICE
OF ADMINISTRATIVE HEARINGS

9:45 - 10:45 AM

ASSURING QUALITY ALJ SERVICES IN THE FACE OF STATE BUDGET CUTS

HONORABLE KEN NICKOLAI, CHIEF
JUDGE, MINNESOTA OFFICE OF
ADMINISTRATIVE HEARINGS;
HONORABLE LOIS OAKLEY, CHIEF
JUDGE, GEORGIA OFFICE OF
STATE ADMINISTRATIVE
HEARINGS; HONORABLE SCOTT
STEPHENS, INTERIM CHIEF JUDGE,
FLORIDA DIVISION OF
ADMINISTRATIVE HEARINGS;
HONORABLE TOM STOVALL,
ASSISTANT DIRECTOR,
ADMINISTRATIVE PROCEDURES
DIVISION, TENNESSEE SECRETARY
OF STATE

10:45 - 11:00 AM

BREAK

11:00 - 12:00 NOON

ETHICS FOR ADMINISTRATIVE LAW JUDGES

HONORABLE CHARLES J. KAHN,
JR., JUDGE, FLORIDA'S FIRST
DISTRICT COURT OF APPEAL

12:00 NOON

CONFERENCE ADJOURNS

12:15 - 4:00 PM

NAALJ BOARD MEETING

DISCOUNT AIRFARE

Delta is offering special rates which will allow you a 5% discount off published fares within the continental U.S. You or your travel agent must call the Meeting Network at 800-241-6760, weekdays 8:00 a.m. - 11:00 p.m. eastern time, and reference Delta File No. 195285A.

GROUND TRANSPORTATION

Taxi
Mears Transportation (most economical of the two)
Rental Car: Avis is offering special rates for our Convention, even if you wish to drive from your home state. Call Avis at 800-331-1600 and reference Avis Worldwide Discount (AWD) No. DO86176.

THE CONFERENCE HOTEL

The Gaylord Palms Resort and Convention Center, the conference hotel, is a new resort located within minutes of hundreds of fantastic attractions for all ages. The Gaylord Palms is located at 6000 W. Osceola Parkway, Kissimmee, Florida. For more information about the hotel and its amenities, please log onto www.gaylordhotels.com/gaylordpalms.

The Conference rate at the Gaylord Palms is as follows:

\$129.00 single/double; \$20.00 for each additional person over 18 years of age; 12% tax; and \$10.00 resort fee, per room, per night (resort fee includes complimentary transportation to Walt Disney World; high speed internet access; unlimited use of the fitness center; once a day coffee, orange juice, and bottled water; daily newspaper; and first 20 minutes complimentary for 800 & local calls and credit card access calls). The Conference rate is available 3 days prior to and following the Conference dates.

Make your reservations today by calling 407-586-2000 and indicating that you are registering for the **NAALJ 2003 Annual Meeting and Conference**. To receive the Conference rate, reservations must be made no later than **September 10, 2003**. Reservations must be accompanied by a last night's deposit, plus tax, or guaranteed by a major credit card.

For further information about the 2003 NAALJ conference, visit the NAALJ website at www.naalj.org; us at our website: www.doah.state.fl.us; or contact: Lawana Douglass at 850-488-9675 ext. 244 or Lawana_Douglass@doah.state.fl.us for Judge Errol Powell

REGISTRATION FORM
2003 NAALJ ANNUAL MEETING AND CONFERENCE

(Please type or print clearly. Register one person per form. This form may be photocopied.)

Name: _____ Title: _____
 Name of Organization: _____
 Address: _____
 City: _____ State: _____ Zip: _____
 Telephone: (____) _____ Fax: (____) _____ Email: _____
 In case of an emergency, contact:
 Name: _____
 Daytime Telephone: (____) _____ Evening Telephone: (____) _____

Registration Fees

	<u>Member</u>	<u>Non-member</u>
Early (Postmarked by August 31, 2003)	_____ \$300 (code 100)	_____ \$350 (code 101)
Regular (After August 31, 2003)	_____ \$350 (code 200)	_____ \$400 (code 201)

We also offer a pro-rated daily registration option. The rates are: Sunday, October 12, 2003--\$75; Monday, October 13, 2003--\$125; Tuesday, October 14, 2003--\$125; Wednesday, October 15, 2003--\$75. Be sure to clearly note the date you wish to attend on your registration form.

Guest Meals

Reception # Tickets _____ \$35.00 (code 400) Banquet # Tickets _____ \$40.00 (code 501)
 Registration fee includes reception, banquet, and program materials. Costs of special events are not included in the registration fee.

Registration Total \$ _____ Guest Ticket Total \$ _____ Total Amount Due \$ _____

Method of Payment

Return completed form and payment to:

**The Florida Bar, ATTN: Ricky Libbert
 651 East Jefferson Street
 Tallahassee, Florida 32399-2300**

Faxed Registration MUST be paid by credit card. FAX NUMBER: (850)561-5612

Please check one:

- Check Enclosed (check #) _____ *(Made payable to THE FLORIDA BAR/NAALJ)*
- Credit Card (check one)
 - MasterCard
 - Visa

Card No. _____ Expiration Date _____/_____
 Name on Card (Please Print) _____
 Signature (credit card registrants only)
 X _____

CANCELLATION POLICY: FULL REFUND IF CANCELLATION IS RECEIVED BY SEPTEMBER 10, 2003. IF RECEIVED AFTER SEPTEMBER 10TH, BUT BEFORE SEPTEMBER 30, 2003, 50% REFUND, WITH CONFERENCE MATERIALS PROVIDED. AFTER SEPTEMBER 30, 2003, NO REFUND, BUT SUBSTITUTION OF AN ATTENDEE IS PERMITTED.

ABOUT THE NATIONAL ASSOCIATION OF ADMINISTRATIVE LAW JUDGES

Education of Administrative Law Judges is a fundamental part of the mission of NAALJ. The educational programs it sponsors are not only top quality but are also unique because they provide training specifically aimed at the needs of ALJs in contrast to other state and national programs that focus on the needs of all types of judges or practicing attorneys. Thus, NAALJ educational programs are one of the few places an ALJ can obtain training aimed directly at his or her needs specific needs.

MEMBERSHIP BENEFITS

Educational conferences are held each fall in conjunction with NAALJ's annual meeting, with discounted registration fees for members. Recent conferences included NAALJ's Silver Anniversary Conference (September, 1999, Asheville, NC) and Administrative Law in the New Millennium: Challenges and Opportunities (October, 2000, Albany, NY), and Communication and Technology: Challenges and Opportunities in Administrative Law. (November, 2001, Austin, TX). The 2002 annual educational conference will be held in October in Lexington, Kentucky, and is titled "When Winning Isn't Everything - Resolving Disputes With Justice for All". Mid-year educational seminars are held each spring, (discounted registration fees for members). Recent mid-year seminars focused on the practical fundamentals of judging, mediation training, writing skills, and evidence.

The NAALJ Newsletter reports on board, committee, and membership activities, and on administrative law developments.

The NAALJ Journal is published semi-annually by Pepperdine University School of Law. It is widely recognized as the finest and most scholarly publication exclusively focusing on developments affecting the administrative judiciary.

NAALJ is a nonprofit organization whose officers and board of governors reflect racial and gender diversity and represent all sections of the country, all types of jurisdictions, and both lawyers and non-lawyers. The officers and members of the board also serve as trustees of the public interest arm of the organization, the National Administrative Law Judges Foundation (NALJF).

NALJF sponsors an annual fellowship competition for the best research paper on an issue of current interest. The fellowship recipient prepares an original article for publication in the Journal and delivers an oral presentation at the annual meeting. In addition to a \$1,000 stipend, the fellowship recipient receives an expense paid trip to the annual

meeting. The Foundation also provides scholarships to the National Judicial College. Many states have established state affiliates of NAALJ, including but not limited to Alaska, Arkansas, Georgia, Illinois, Kentucky, Louisiana, Maryland & the District of Columbia, New York, Oregon, Virginia, Michigan, and Texas. NAALJ membership fee discounts are available to members of an affiliate. NAALJ also works closely with the National Conference of Administrative Law Judges (NCALJ), part of the Judicial Division of the American Bar Association, and with other organizations that share its objective of improving the administrative justice system.

COMMITTEE STRUCTURE

A strong committee system forms the structure of the organization. These are a few of the issues being studied ...

- Alternative dispute resolution in the administrative law arena;
- Complex litigation issues in administrative adjudication;
- Issues relating to women and minorities in the profession;
- Judicial ethics, judicial independence, and judicial accountability in an administrative law context;
- Special needs of non-lawyer administrative law judges;
- Various issues relating to specialized areas of practice, including environmental law, workers' compensation, professional licensing, social services, and many more.

NAALJ committee accomplishments include the completion of a broad survey of states on the compensation of state administrative adjudicators on a jurisdiction-by-jurisdiction basis, the drafting of a Model Act for the Creation of a State Central Hearing Agency, and the drafting of Standards for the Training and Education of Administrative Law Judges, in conjunction with the ABA National Conference of Administrative Law Judiciary (NCALJ).

In addition to the above activities, NAALJ operates an e-mail listserv for members to exchange information electronically. In addition, we are developing as complete a list as possible of e-mail addresses to facilitate communication between the Organization and the membership. NAALJ also sponsors a website at <http://www.naalj.org>

OFFICERS AND BOARD MEMBERS 2002 - 2003

President:

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President Elect:

Christopher Graham (MO)

Secretary:

Donna (Susie) Bargo (KY)

Treasurer:

Tyrone T. Butler (DC)

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JACQUELYN WATTS (LA)

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DAVID MARCUS (OR)

Wyoming, Montana, Idaho, Oregon, Washington, Alaska.

BILL DORSEY (CA)

Arizona, Utah, California, Nevada, Hawaii

DO YOU KNOW OF ANY MEMBERS WHO ARE NOT RECEIVING THIS PUBLICATION VIA E-MAIL???

We are asking the membership to advise us of any members who are not receiving the e-mailings, and of their e-mail address so they can be added to our list. Send the information to:

Robert.Layton@mail.state.ky.us

Or

mnolan@oah.state.md.us