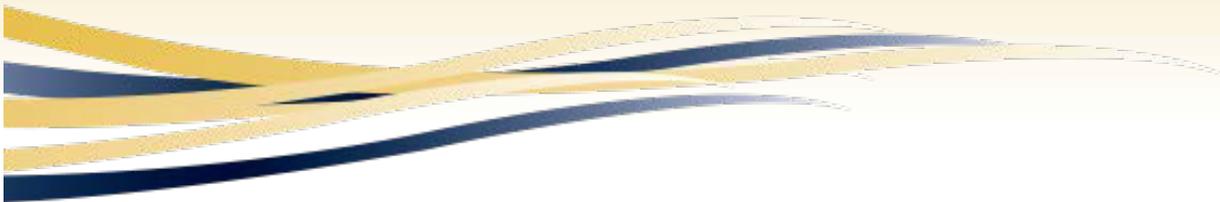




# THE NAALJ NEWS



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## A Message from the President

As current NAALJ President, I want to welcome you to the latest newsletter, and invite you to join our efforts. Although our high visibility projects are our educational conferences (in Salt Lake City, Utah, in September), NAALJ has for over 40 years given administrative law judges at all levels the opportunity to join together to advance professionalism.



I joined NAALJ in 1997. I've been fortunate to work with and learn from some very committed, idealistic and effective volunteers who are willing to give their time to make ALJs at the local, state and federal level more respected and appreciated by all those who take part in administrative hearings. People like John Hardwick, Janet Raider and Larry Craddock were only the first of many waves of volunteers since then. The striking thing about NAALJ's volunteers is they serve first on committees, then on the board and as officers, and then, when those duties are completed, they believe in what NAALJ does enough to continue to serve and volunteer. I want to thank everyone who has joined NAALJ's volunteer efforts. It is making a difference across the country.

NAALJ is a volunteer organization. What we do to advance professionalism, is done by our members, whether it is through advocating for decision-making independence, our administrative law journal, our conferences to provide for better informed decision-makers, our proposed codes of ethics, or our core functioning groups such as our membership committee and our newsletter committee. NAALJ provides you with a unique personal opportunity-your voice, your opinions, and your contributions help shape administrative hearings for years to come. It allows you to ensure that the improvements NAALJ brings about will mesh well with the model of administrative hearings within your state, city, cabinet, or department. It is your voice being heard through your actions. Take the opportunity to make your world a better place by joining NAALJ's volunteer work. Thank you for being a member of NAALJ.

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# The 2016 NAALJ Annual Conference

September 18-21, 2016

Hotel Monaco

Salt Lake City, Utah



## NAALJ Annual Conference September 18-21, 2016 Hotel Monaco – Salt Lake City, Utah PRELIMINARY AGENDA

Sunday, September 18, 2016		
12:00 – 5:30	Registration	2 <sup>nd</sup> Floor
4:00 – 5:30	NAALJ Board Meeting	Tokyo Boardroom, 2 <sup>nd</sup> Floor
6:00 – 8:00	Welcome Reception	Squatters Pub (147 West 300 South/Salt Lake City)

<b>Monday, September 19, 2016</b>		
8:00 – 8:15	Welcome	Bob Layton, NAALJ President (Paris Ballroom A&B)
8:15 – 8:45	Presentation	<b>LexisNexis</b> , Deidre Merwin (Paris Ballroom A&B)
8:45 – 9:45	Session 1	<b>Historical Underpinnings of Administrative Agencies and a Look Behind the Curtain at the Supreme Court</b> (Paris Ballroom A&B) <ul style="list-style-type: none"> <li>• Prof. Aaron Nielson (Brigham Young University Law School)</li> </ul>
9:45 – 10:45	Session 2	<b>Demeanor Evidence and Credibility Determinations</b> (Paris Ballroom A&B) <ul style="list-style-type: none"> <li>• Prof. Gregory L. Ogden (Pepperdine University Law School)</li> </ul>
10:45 – 11:00	Break	
11:00 – 12:00	Session 3	<b>Keeping Control: Sound PreTrial Practices from Seasoned Judges</b> (Paris Ballroom A&B) <ul style="list-style-type: none"> <li>• Judge Michael DiReda (Utah 2<sup>nd</sup> District Court)</li> <li>• Judge Suchada Bazzelle (Utah 4<sup>th</sup> District Juvenile Court)</li> <li>• Commissioner Michelle Blomquist (Utah 3<sup>rd</sup> District Court Commissioner)</li> <li>• Judge Rich McKelvie (Utah 3<sup>rd</sup> District Court)</li> </ul>
12:15 – 12:30	Break	
12:30 – 2:00	Lunch (Session 4)	<b>Foundation Lunch</b> (Paris Ballroom A&B) <b>Judy Parker, “How a Diverse ALJ Field Fosters Longevity and Public Confidence”</b>
2:00 – 3:00	Session 5	<b>More Efficient Courts: How To Actually Do More With Less (Part 1)</b> (Paris Ballroom A&B) <ul style="list-style-type: none"> <li>• Steve Cuthbert (Operational Excellence Consultant, Utah Office of Management &amp; Budget)</li> </ul>
3:00 – 3:15	Break	

3:15 – 4:15	Session 6	<p><b>More Efficient Courts: How To Actually Do More With Less (Part 2)</b> (Paris Ballroom A&amp;B)</p> <ul style="list-style-type: none"> <li>Steve Cuthbert (Operational Excellence Consultant, Utah Office of Management &amp; Budget)</li> </ul>
<b>Tuesday, September 20, 2016</b>		
8:00 – 8:30	Presentation	<b>LexisNexis</b> , , Deidre Merwin (Paris Ballroom A&B)
8:30 – 9:30	Session 7	<p><b>Professionalism: How to Communicate Effectively with Stakeholders, the Press and Legislators</b> (Paris Ballroom A&amp;B)</p> <ul style="list-style-type: none"> <li>Roxeanne Vainuku (PIO, West Valley City)</li> <li>Sam Johnson (West Valley City Director of Strategic Communications)</li> </ul>
9:30 – 10:30	Session 8	<p><b>Common Writing Mistakes that Make Smart Readers Cringe</b></p> <ul style="list-style-type: none"> <li>Judge Gregory Orme (Utah Court of Appeals) (Paris Ballroom A&amp;B)</li> </ul>
10:30 – 10:45	Break	
11:00 – 12:00	Session 9	<p><b>BREAKOUT:</b></p> <p><b>Troubling Trends in Admin Law</b> (Paris Ballroom A)</p> <ul style="list-style-type: none"> <li>Don Buckingham, President, Council of Canadian Administrative Tribunals</li> <li>Judge Deidre Marlowe, ALJ, Utah Labor Commission</li> <li>Georgia Brady, Executive Administrative Law Judge, Deputy Director of Quality Assurance, Maryland Office of Administrative Hearings</li> </ul> <p><b>Role Agencies Play in Drafting Statutes and Rules</b> (Paris Ballroom B)</p> <ul style="list-style-type: none"> <li>Prof. Jarrod Shobe (Brigham Young University Law School)</li> </ul>
12:15 – 1:30	Lunch	<b>On Your Own</b>

1:30 – 2:30	Session 10	<b>Immigration Status as a Defense to Agency Actions</b> (Paris Ballroom A&B) <ul style="list-style-type: none"> <li>• Prof. Carolina Nunez (Brigham Young University Law School)</li> </ul>
2:30 – 2:45	Break	
2:30 – 6:30	Park City Excursion	Meet in Hotel Lobby, 1 <sup>st</sup> Floor <ul style="list-style-type: none"> <li>• Utah Olympic Park</li> <li>• Shopping on Main St</li> <li>• Golf at Mountain Dell</li> </ul>
<b>Wednesday, September 21, 2016</b>		
8:45 – 9:45	Session 11	<b>BREAKOUT:</b> <b>Understanding Mental Illness in Litigants</b> (Paris Ballroom A) <ul style="list-style-type: none"> <li>• Jackie Rendo, National Alliance on Mental Illness</li> </ul> <b>Special Education</b> (Paris Ballroom B) <ul style="list-style-type: none"> <li>• Tammy Pust, Chief Judge, Office of Administrative Hearings, Minnesota</li> </ul>
9:45 – 10:45	Session 12	<b>Innovations and Changes in Legal Education</b> (Paris Ballroom A&B) <ul style="list-style-type: none"> <li>• Dean Bob Adler, University of Utah Law School</li> </ul>
10:45 – 11:00	Break	
11:00 – 12:00	Session 13	<b>Standards for Judicial Review</b> (Paris Ballroom A&B) <ul style="list-style-type: none"> <li>• Prof. Lincoln Davies, University of Utah Law School</li> </ul>
12:00 – 1:15	Lunch	<b>On Your Own</b>
1:15 – 2:15	Session 14	<b>Final Agency Actions and Stays</b> (Paris Ballroom A&B) <ul style="list-style-type: none"> <li>• Prof. Amy Wildermuth, University of Utah Law School</li> </ul>
2:15 – 2:45	Session 15	<b>NAALJ Business Meeting</b>
2:45 – 3:00	Break	

3:00 – 4:00	Session 16	<b>Current Case Law Update</b> (Paris Ballroom A&B) <ul style="list-style-type: none"> <li>• Prof. Robin Craig, University of Utah Law School</li> </ul>
6:00 pm	NAALJ Closing Banquet	(Paris Ballroom A&B)
<b>Thursday, September 22, 2016</b>		
8:00 – 9:30	NAALJ Board Meeting	Tokyo Boardroom, 2 <sup>nd</sup> Floor



Living boldly in downtown Salt Lake City

## Salt Lake City’s Most Dynamic Hotel

the Hotel Monaco believes life is meant to be fully lived with courageous gusto and no-regrets zest, so we’ve provided a dramatic, elegant and comfortable environment in which to do just that. Relax in spirited guest rooms, relish delicious flavors in our restaurant and bar, and mingle in communal spaces that are emphatically eccentric and welcoming to all.

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To book your room for the NAALJ Conference call or click the link below:

Call Reservations at 1 (800) KIMPTON and request a reservation as part of the NAALJ Group Block.  
[or click this link](#)

The special group rate of \$169 expires on August 18, 2016. Please be sure to book before this "cut-off" date to receive a room at the discounted group rate. The group rate is not guaranteed outside of the contracted block dates.

### **Things to do**

Salt Lake City is at the heart of a metropolitan area of more than 2 million residents, located in the foothills of the Wasatch Mountain Range. The Salt Lake Valley is one of the most striking landscapes of any American city, and its close proximity to exceptional wilderness lures people here from all over the globe. Host to the 2002 Winter Olympics, Salt Lake City is only about 45 minutes from some of the best skiing (downhill and cross-country) in the country. The Wasatch Mountains are also home to excellent summer and fall hiking and biking trails, boating and fishing. In contrast, world-famous "red rock country" is only about four hours to the south. NAALJ is planning a half day visit to Park City, home to the world-famous Sundance Film Festival, excellent ski resorts, great restaurants and fun shopping. The Conference will be held in the Hotel Monaco, an award-winning boutique hotel in the heart of Salt Lake City. It's about 2 blocks from the new City Creek shopping mall (home to more than 110 shops and numerous restaurants), and less than a block from Trax, Salt Lake's light rail system.

For more information, visit [www.visitsaltlake.com](http://www.visitsaltlake.com)

## **Utah Area Attractions**

Although you'll need to rent a car to get around, these sites are world-class and well worth the effort.

### **Park City**



In 2008, Park City was named by Forbes Traveler Magazine among one of the 20 "prettiest towns" in the United States. Famous for its ski resorts and the Sundance Film Festival (the country's largest independent film festival), Park City offers visitors breathtaking mountain vistas, hiking trails, fine dining, shopping and more. Park City is about 45 minutes from downtown Salt Lake.

## Moab and Arches National Park



Located about 3½ hours southeast of Salt Lake is Arches National Park. The park has over 2,000 natural stone arches, in addition to hundreds of soaring pinnacles, massive fins and giant balanced rocks. This red rock wonderland will amaze you with its formations, refresh you with its trails, and inspire you with its sunsets. The park is great for backpacking, mountain biking, camping and driving tours. Make sure to bring plenty of water with you.



## Zion National Park

Located in southwestern Utah (about 4 hours from Salt Lake), Zion National Park encompasses some of the most scenic canyon country in the United States. Carved by water and time, Zion National Park is a canyon that invites you to participate in the very forces that created it. In the warm climate of southwestern Utah, step into the Virgin River and see the colorful strata that mark the ages rising for thousands of feet up to a narrow strip of sky, then hike to seemingly impossible places and heights.

Zion National Park's canyons and mesas boast an especially exquisite beauty, even in a state known for dramatic landscapes. Breathtaking Zion Canyon is the centerpiece of this 147,000-acre parkland that protects a spectacular landscape of high plateaus, sheer canyons, and monolithic cliffs.

Opportunities to see and explore Zion National Park abound for people of all ages and abilities, from the scenic byways that slice through the park to the trails that wind through the backcountry. Wildlife watchers can stop at numerous lookouts and search the sky for Zion's more than 200 bird species, while hikers can strap on their boots and venture out on trails ranging from easy interpretive nature walks to lengthy, challenging hikes through narrow slot canyons. Hiking in Zion National Park is major reason why many people visit.

Rock climbers know Zion National Park for its immense rock walls of red and white Navajo sandstone that rise more than 2,000 feet into the sky. If you look closely, you might even spot some climbers carefully making their way upward, mere specs on a vertical landscape. You may be curious but think such a rock climbing and bouldering experience is out of your reach. Not necessarily – several local guiding outfits offer beginner classes and guided climbs in areas near Zion National Park.

### Bryce Canyon



Bryce Canyon National Park, a sprawling reserve in southern Utah, is known for its crimson-colored hoodoos, or spire-shaped rock formations. The park's main road leads past the expansive Bryce Amphitheater, a hoodoo-filled depression lying below the Rim Trail hiking path. It has overlooks at Sunrise Point, Sunset Point, Inspiration Point and Bryce Point. Prime viewing times are around sunup and sundown.

For more information about the 2016 Annual Conference, visit [www.naalj.org](http://www.naalj.org).



## **NAALJ Silent Auction Donations Now Being Accepted!**

Greetings,

Want to have a great time while supporting a great cause? Please consider donating an item to the 2016 National Association of Administrative Law Judiciary (NAALJ) Silent Auction to benefit the National Administrative Law Judiciary Foundation (Foundation). As is customary, the Silent Auction will be held on the last day of our Annual Meeting and Conference in Salt Lake City, on Wednesday evening, September 21, 2016, preceding the NAALJ banquet.

Each year since 2006, the Silent Auction has served as a major source of funding for the Foundation, benefiting and enabling its programs and educational opportunities that enhance learning and provide training to administrative law judges. Let's work together to make this year's Silent Auction a record setter! Donations from NAALJ affiliates are being sought, as well as from Conference attendees and other NAALJ members in general.

All eligible donations are appreciated and are also tax deductible. We encourage you to be creative in choosing your donation. Past auction items have included autographed guitars, crystal gavels, sports memorabilia and unique items from members' cities, states or regions of the country, such as certificates for crab cakes, cheese and cheesecake, or a stay at a member's vacation home. It is important to keep in mind that the best kind of donations are easily transportable to and from the conference. We will also offer the opportunity to mail items ahead if a donor is unable to attend the conference or chooses not to carry the donation to Salt Lake City. Because of Utah's Alcoholic Beverage Control laws, donations of wine or liquor cannot be accepted this year, since with very limited exceptions it is illegal for individuals to bring alcoholic beverages into Utah for any purpose.

Please contact Peter Loomis, Silent Auction Chair, with any questions or concerns, at [psloomisesq@gmail.com](mailto:psloomisesq@gmail.com).

We ask that you complete the donation form as soon as possible, so that we can best prepare to receive your donation. Click here for the form: <http://naalj.memberclicks.net/assets/naalj%20silent%20auction%20donation%20form%202015.pdf>

Hon. Peter Loomis  
[psloomisesq@gmail.com](mailto:psloomisesq@gmail.com)

## Of Interest to All ALJs

# Programs Offered by the National Judicial College



The National Judicial College (NJC), headquartered in Reno, NV, has provided and continues to provide administrative law judges, both state and federal, educational and professional development opportunities. NJC offers courses tailored for ALJs in substantive law, case management and technical skills, and other topics. NJC faculty members include experienced ALJs, trial judges, court administrators, and judicial educators from other disciplines.

Course offerings range from NJC's two-week intensive Administrative Law: Fair Hearing course, highly recommended for newer state and federal administrative law adjudicators, to Judicial Writing to Best Practices in Handling Cases with Self-Represented Litigants.

NJC course offerings for 2016 and 2017 can be found at <http://www.judges.org/courses/courses-by-judge-type/alj/>.

Judges, including ALJs, can earn certificates of judicial development at NJC in many areas, including Administrative Law Adjudication Skills and Dispute Resolution Skills. Information on NJC's certificate programs can be found at <http://judges.org/academic/certificate-program/>. NJC also offers a Master's Degree and PHD in Judicial Studies through the University of Nevada, Reno. <http://www.judges.org/academic/masters-and-ph-d/>

NJC offers both in-person and online courses. In-person courses are held in Reno, NV, as well as locations across the country. Scholarship assistance makes NJC courses affordable for judges. Information about financial assistance to attend NJC programs can be found at <http://www.judges.org/courts/scholarships>.



Est. 1963

## THE NATIONAL JUDICIAL COLLEGE

### 2017 Courses for Administrative Law Judges

- ◆ Administrative Law Advanced [July 24-27; Chicago, Illinois]
- ◆ Administrative Law: Fair Hearing [August 14-24; Reno, Nevada]
- ◆ Evidence Challenges for ALJs [September 18-November 3; via web]
- ◆ Evidence Challenges for ALJs [March 13-April 28; via web]

For more information or to register, visit us at [www.judges.org](http://www.judges.org)

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[www.javs.com/naalj](http://www.javs.com/naalj)

## From the State Affiliates

# IAALJ News



On April 29, 2016, the Governor of Illinois, Bruce Rauner, issued Executive Order 2016-06, a copy of which is included herein, to create within the Department of Central Management Services a Bureau of Administrative Hearings (Bureau). The Bureau is comprised of representatives from up to ten state agencies which are tasked to work with the Bureau's Director in developing a pilot project relating to "an administrative hearing support program." The Bureau is only authorized to make recommendations to the Governor and the General Assembly. The Bureau is patterned after the State of Michigan's Bureau of Administrative Hearings, also created by an executive order.

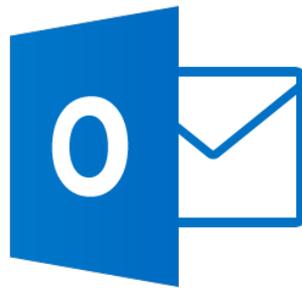
Specifically, the Bureau is charged to complete the following assignments:

1. Investigate and determine whether and to what extent consolidation of adjudicators, administrative hearing and support functions, and associated resources among agencies would result in a more efficient, timely, and responsive administrative hearing system;
2. Reduce and eliminate the backlog of hearing requests by exploring case flows;
3. Explore the creation of a centralized panel of adjudicators to conduct hearing for multiple agencies;
4. Professionalize the Administrative Hearing System by drafting Uniform Rules of Administrative Procedure and Conduct suitable for use across all agencies; and
5. To streamline the administrative hearing process and improve technology and data collection by exploring the use of one unified portal for all administrative hearings. The Bureau is also tasked with drafting a budget for the unified electronic filing and case management system.

To date, four state agencies, the Department of Financial and Professional Regulation, Department of Insurance, Department of Revenue and Department of Public Health, have executed Intergovernmental Agreements to participate on the Committee. Several other agencies, the Department of Human Rights, Department of Labor and Department of Children and Family Services are providing valuable input.

The pilot program officially began June 1, 2016, and is scheduled to conclude May 31, 2017. Upon termination of the program, the Director will compile her findings into a final report and present the same to the Governor by July 1, 2017.

## Is Your Address & Email Up to Date?



It's important to keep your agency name, address information and email address up to date in the NAALJ member database. We can't send you these important updates if we don't have your current information on file. To review and update your information, simply:

- Login at [www.naalj.org](http://www.naalj.org) – click on the Member Login menu on the left
- Enter your Username and Password. Don't worry if you have forgotten either one, there's a link to retrieve your Username and/or Password on the screen.



EXECUTIVE ORDER

2016-06

**EXECUTIVE ORDER TO ELIMINATE THE BACKLOG AND DELAY IN STATE  
ADMINISTRATIVE PROCEEDINGS**

**WHEREAS**, agencies of the State of Illinois make decisions that significantly impact the lives and livelihoods of Illinois residents and businesses – from deciding eligibility for healthcare and family benefits to licensing professionals and businesses, and from determining whether a person has been a victim of discrimination to ensuring that employers pay all wages due to their employees; and

**WHEREAS**, our constitutional, democratic principles require the State to afford due process to people and businesses affected by these decisions; and

**WHEREAS**, State agency decisions are reviewable through administrative hearings conducted under the Administrative Procedures Act; and

**WHEREAS**, more than 100,000 administrative hearings are requested each year, and more requests are expected in years to come; and

**WHEREAS**, each State agency is responsible for conducting its own administrative hearings, and this decentralized approach has resulted in a patchwork system that often is inefficient and unresponsive to the needs of the people and businesses that depend on it; and

**WHEREAS**, State agencies often do not have systems that track the amount of time it takes for cases to be concluded, making it difficult to determine with any sense of certainty where to direct resources and personnel; and

**WHEREAS**, under our current administrative hearing system at some agencies, such as the Departments of Labor and Financial and Professional Regulation, parties can wait up to two years to have their cases adjudicated; and

**WHEREAS**, the Human Rights Commission, which enforces state laws that prohibit discrimination, currently has a backlog of over 1,000 cases that have been pending without a decision for at least 2 years and some as long as 3; and

**WHEREAS**, these backlogs and delays are unacceptable and can illustrate the legal maxim, “justice delayed is justice denied”; and

**WHEREAS**, although a single statute governs State agencies’ administrative hearings, agencies often have different, conflicting, and inconsistent rules of administrative procedure, which confuse parties, impede transparency, and contribute to the backlog and delays; and

**WHEREAS**, administrative law judges and hearing officers generally conduct administrative hearings for the agencies at which they work even when those very agencies are a party in the case, thereby creating at least an appearance of a conflict of interest; and

**WHEREAS**, each State agency now bears responsibility for creating its own procedural rules and its own filing and case management systems, and this arrangement results in redundant and

inconsistent, non-interoperable procedures and systems across State government, with some agencies using electronic filing systems while other agencies do not and with some agencies sending and receiving documents by email while others do not; and

**WHEREAS**, because State agencies use multiple disparate systems, data across the State are isolated in agency-specific applications, and as a result agencies cannot easily share data to more efficiently serve businesses and citizens and save taxpayer resources; and

**WHEREAS**, some State agencies have so little administrative support for their adjudicators that the adjudicators themselves must take time away from conducting hearings and drafting decisions in order to schedule hearings, arrange for interpreters, copy documents and perform similar tasks, all of which increases case backlogs and the amount of time citizens must wait to receive decisions; and

**WHEREAS**, currently, the amount of resources and personnel each State agency with adjudicators expends varies greatly and does not necessarily bear a relation to the number of claims received and adjudicated by that agency; an assessment of State agencies' use of their resources for administrative hearings is required to determine if they are efficiently and effectively providing a high level of service, transparency, accountability, timely resolutions, efficient practices and procedures; and

**WHEREAS**, 30 states have established, either by statute or executive order, some form of a centralized office to preside over the state's administrative hearings and more efficiently manage their large administrative caseloads; and

**WHEREAS**, the purpose of this Executive Order is to initiate a pilot program through which the State will provide some central, uniform administrative support to a limited number of State agencies and to determine whether further consolidation should be considered through a subsequent Executive Order or legislation;

**THEREFORE**, I, Bruce Rauner, Governor of Illinois, by virtue of the executive authority vested in me by Section 11 of Article V of the Constitution of the State of Illinois, do hereby order as follows:

#### **I. DEFINITIONS**

"Adjudicator" means an administrative law judge, hearing officer, hearing referee, or other State employee who conducts hearings on behalf of a State agency under the authority of the Office of the Governor pursuant to the Administrative Procedures Act.

"Bureau" means the CMS Bureau of Administrative Hearings.

"CMS" means the Department of Central Management Services.

"Pilot period" means the period from the effective date of this Executive Order until June 30, 2017, subject to extension by the Office of the Governor.

"State" means the State of Illinois.

#### **II. CREATION OF THE BUREAU OF ADMINISTRATIVE HEARINGS**

The Director of CMS shall create within CMS the Bureau of Administrative Hearings (the "Bureau"). The Director of CMS shall also appoint the Bureau Chief from its existing legal staff. The Bureau shall exist only during the pilot period, unless continued by subsequent Executive Order, administrative rule, or Public Act.

The Bureau shall invite up to ten State agencies (or such other number of State agencies as approved by the Office of the Governor) to participate in an administrative hearing support program during the pilot period. The Bureau shall enter into an interagency contract with each participating State agency, as authorized by the Intergovernmental Cooperation Act and other applicable law. Pursuant to such contract, the Bureau shall develop training programs for adjudicators; improve the process for assigning cases among adjudicators; promote shared resources among participating State agencies; develop uniform rules of procedure and recommend revisions to the agency's administrative rules on administrative hearings; develop a

**FILED**  
**INDEX DEPARTMENT**

APR 29 2016

IN THE OFFICE OF  
SECRETARY OF STATE

standard code of professional conduct for adjudicators; and in cooperation with the Department of Innovation and Technology ("DoIT"), implement modern, uniform filing and case management systems.

As part of their focus on providing excellent customer service, State agencies should actively track case backlogs and workflows. Coordination among State agencies and the Bureau shall ensure efficiency and effectiveness through cooperation in the development of uniform rules of procedure and a standard code of professional conduct and through the sharing of resources and information necessary to determine the efficacy of the pilot program. The Bureau should monitor and seek to eliminate backlogs and inefficiencies wherever they exist, and should identify where these goals are hindered by disconnects in communication, poor or nonexistent electronic case management systems and decentralized operations.

The Bureau shall investigate and determine whether and to what extent the further consolidation of adjudicators, administrative hearing and support functions, and associated resources among State agencies would result in a more efficient, timely, and responsive administrative hearing system. Such consolidation would be accomplished by subsequent Executive Order or Public Act. The Bureau shall consider, without limitation, whether consolidation would enable more efficient administrative procedures, greater customer satisfaction, greater public trust and confidence, reduced backlog of cases, and any cost savings or cost avoidance.

The Bureau Chief shall meet with the Office of the Governor and the Director of CMS by each of June 30, 2016 and December 31, 2016, to report on, and assess the impact of the administrative hearing support program. The Bureau Chief also shall describe the Bureau's investigation and determination with respect to further consolidation, as contemplated above, and include the Bureau's recommendations for any further reforms. By July 30, 2017, the Bureau Chief shall submit a written report to the Governor and the General Assembly and include the Bureau's recommendations for any subsequent reforms.

### III. SAVINGS CLAUSE

1. This Executive Order does not, and shall not be construed to, transfer any rights, powers, duties, functions, property, personnel, or funds from, to, or among State agencies; each State agency continues to have whatever authority is provided to it pursuant to the Intergovernmental Cooperation Act and other applicable law to enter into interagency contracts, which may include permissible transfers.
2. This Executive Order shall not affect any act undertaken, ratified, or cancelled or any right occurring or established or any action or proceeding commenced in an administrative, civil, or criminal case before this Executive Order takes effect, but these actions or proceedings may be prosecuted and continued by the Bureau in cooperation with the State agency, if necessary.
3. This Executive Order shall not affect the legality of any rules in the Illinois Administrative Code that are in force on the effective date of this Executive Order, which rules have been duly adopted by the pertinent agencies. If necessary, however, the affected agencies shall propose, adopt, or repeal rules, rule amendments, and rule recodifications as appropriate to effectuate this Executive Order.
4. This Executive Order does not contravene, and shall not be construed to contravene, any federal law, State statute, or collective bargaining agreement.

### IV. PRIOR EXECUTIVE ORDERS

This Executive Order supersedes any contrary provision of any other prior Executive Order.

### V. SEVERABILITY CLAUSE

If any part of this Executive Order is found invalid by a court of competent jurisdiction, the remaining provisions shall remain in full force and effect. The provisions of this Executive Order are severable.

**FILED**  
**INDEX DEPARTMENT**

APR 29 2016

**IN THE OFFICE OF**  
**SECRETARY OF STATE**

**VL EFFECTIVE DATE**

This Executive Order shall take effect upon filing with the Secretary of State.

  
Bruce Rauner, Governor

Issued by the Governor: April 29, 2016

Filed with Secretary of State: April 29, 2016

**FILED**  
**INDEX DEPARTMENT**  
APR 29 2016  
**IN THE OFFICE OF**  
**SECRETARY OF STATE**

# Join or Renew Your NAALJ Membership!

NAALJ membership is open to federal, state and local attorney and non-attorney hearing officers, administrative law judges, administrative judges, referees, trial examiners, agency chairs and commissioners, as well as higher level appellate authorities.

Member benefits include subscriptions to the *Journal* and newsletter, discounts on NAALJ educational conference registration fees, as well as networking and volunteer opportunities.

Annual dues are \$85, or \$100 for sustaining membership.

To join or learn more about NAALJ, visit our website at [www.naalj.org](http://www.naalj.org), or e-mail us at [naalj@naalj.org](mailto:naalj@naalj.org).

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