



**FY 2011 PERFORMANCE PLAN**  
**Office of Administrative Hearings**

**MISSION**

The mission of the Office of Administrative Hearings (OAH) is to provide the District of Columbia's citizens and government agencies with a fair, efficient and effective forum to manage and resolve administrative disputes.

**SUMMARY OF SERVICES**

OAH is an impartial, independent agency which adjudicates cases for over 40 District of Columbia agencies, boards and commissions. OAH holds hearings, conducts mediations and provides other adjudication services to resolve disputes arising under the District's laws and regulations.

**AGENCY WORKLOAD MEASURES**

Measure	FY2008 Actual	FY2009 Actual	FY2010 YTD
Number of Cases Filed	22,213	19,749	15,220
Number of Hearings Held	5,554	4,471	2,759
Number of Final Orders Issued	14,540	22,618	20,626
Number of Appeals to DC Court of Appeals (by Calendar Year)	165	190	80
Number of Cases Dismissed (including voluntary dismissals)	Baseline	Baseline	6,363
Percentage of NOI/NOV Cases in which District Prevails	Baseline	Baseline	79.8%

**OBJECTIVE 1: Reduce the time for reaching final disposition.**

**INITIATIVE 1.1: Increase utilization of OAH's mediation alternative to a full administrative hearing.**

In FY 2007, OAH instituted mediation training for all judges to be certified as mediators. While significant progress has been made in the use of mediation since then, this alternative dispute mechanism can be employed more frequently, particularly in complex and multiple infraction/single respondent cases. In FY 2009, OAH piloted a voluntary mediation diversion program in Rental Housing cases which has yielded promising results in resolving disputes without the need for an evidentiary hearing. In FY11, in cooperation with its agency and public stakeholders, OAH will expand its mediation program. Toward this end, OAH has convened a Mediation Committee tasked with formalizing its mediation rules and working closely with the Multi-Door Dispute Resolution Division of the Superior Court of the District of Columbia with



regard to planning and staffing. Further, in FY11 OAH is leasing an entire suite at One Judiciary Square, designated the “OAH Mediation Center,” which will be dedicated to providing additional space for the anticipated increase in mediation activities resulting from this initiative. The expected outcome will be a significant increase in the use of mediation/alternative dispute resolution, which will allow a broader range of litigants to resolve their disputes with greater predictability and efficiency, and with less time and expense than associated with a formal hearing. In turn, this will result in a greater reduction in the number of formal hearings, allowing OAH staff to process those matters which require a formal hearing more efficiently.

**INITIATIVE 1.2: Increase the use of technology to streamline decisions’ issuance.**

A number of the case management orders and other notices generated during the course of OAH’s disposition of a case (from initial intake to post-judgment orders) can be automatically generated to save judges and support staff time. OAH has convened an in-house committee to update the forms currently used and propose additional orders and notices that can be automated. OAH’s new case management system will be a useful tool in these efforts. In FY11, OAH will pilot the use of “bench orders” in high-volume jurisdictions with recurring fact patterns, to be given to litigants at the conclusion of the hearing. The outcome will be a reduction in cycle time between intake and final disposition.

**INITIATIVE 1.3: Fully integrate OAH’s court-oriented case management system.**

OAH’s case management system was implemented in piloted jurisdictions during the first quarter of FY 2010, with the remaining jurisdictions added a month later. This new system is a web-based, automated system that incorporates best practice court functionalities that are more user-friendly. The system also collects data necessary to measure the court’s operational performance. OAH has convened a committee consisting of judges and support staff to ensure that the system meets the current and emerging needs of OAH in FY11 and beyond through, among other things, restructuring data field definitions to reduce inaccurate data entry and produce more accurate reports; developing “one-stop” data tabs for judges and OAH management to monitor individual case calendars and pending lists; and expanding the system’s portal capacity for secured, external access to case data for OAH stakeholders. In FY11, the expected outcome will be a more efficient management of cases and reliable operational statistics available to OAH and its stakeholders.

**OBJECTIVE 2: Improve the experience of participants in administrative hearings through quality customer service.**

**INITIATIVE 2.1: Address access to justice issues for unrepresented parties identified through Bellows Fellowship research.**

In FY 2010-2011 OAH will host Clinical Assistant Professor Faith Mullen of Catholic University Columbus School of Law who was named a 2009 Bellows Scholar by the American Association of Law Schools. Professor Mullen’s winning project is entitled



“Access to Justice and Community Involvement in the D.C. Office of Administrative Hearings.” Members of OAH’s pro bono committee have been working closely with Professor Mullen on this project, and during her fellowship, hope to make strides in improving access to justice for unrepresented litigants who come before OAH. Beginning in April 2009, OAH held a series of facilitated meetings where OAH Staff and members of the community openly discuss issues relevant to improving access for unrepresented parties at OAH. In FY11, Professor Mullen will continue to assist OAH in the development of its public Resource Center to be located at One Judiciary Square, with particular emphasis on the preparation of jurisdictional fact sheets and staffing models for the Resource Center. The OAH Resource Center is expected to be completed in 2QFY11, and will be staffed with volunteers from local law school clinics and law firms who will be available to assist the public with any procedural questions regarding cases at OAH. In FY11, the expected outcome will be increased understanding of OAH’s procedures, increased quality assistance available for customers in need, and, in turn, an overall increase in customer satisfaction.

### PROPOSED KEY PERFORMANCE INDICATORS

Measure	FY2009 Actual	FY2010 Target	FY2010 YTD	FY2011 Projection	FY2012 Projection	FY2013 Projection
Percentage of unemployment insurance cases resolved within 90 days of filing <sup>1</sup>	89%	95%	93%	95%	95%	95%
Percentage of hearings reduced due to mediation	2%	2.5%	2%	2.5%	2.5%	5%
Percentage of non-unemployment insurance cases resolved within 120 days of filing	n/a	80%	81%	80%	80%	85%
Percentage of consumer satisfaction surveys with a rating of at least “Met My Expectations”	95%	93%	92%	93%	93%	93%

<sup>1</sup> The U.S. Department of Labor industry standard is 95% of cases resolved within 90 days of filing.