



FY12 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	FY 2008 Actual	FY 2009 Actual	FY 2010 Actual	FY 2011 Actual
Number of Cases Filed	22,213	19,749	25,834	21,647
Number of Hearings Held	5,554	4,471	6,166	6,523
Number of Final Orders Issued	14,540	22,618	22,347	13,648
Number of Appeals to DC Court of Appeals (by Calendar Year)	165	190	165	167
Number of Cases Dismissed (including voluntary dismissals)	--	--	14,486	8,023
Percentage of NOI/NOV Cases in which District Prevails	--	--	79.8%	51.3%

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. As part of its procedural rules overhaul in FY10-11, OAH revised its mediation rules to include the possibility of sanctions for those who fail to appear for scheduled mediations without good cause. In FY11-12, 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, OAH is leasing an entire suite at One Judiciary Square, designated the "OAH Mediation Center," which is 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 FY11-12, 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. In addition, in FY11 OAH launched its e-filing pilot program for cases within the Unemployment Insurance Appeals jurisdiction. In FY12, OAH will expand this e-filing initiative to all jurisdictions and promulgate procedural rules to facilitate this expansion. The expected 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 FY12 and beyond through, among other things, restructuring data field definitions to reduce inaccurate data entry; 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 FY12, the expected outcome will be increased efficiency in managing cases and improved user-friendly access for 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 hosted 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 worked closely with Professor Mullen on this project, and during her fellowship, made 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. Toward that end, in FY11 OAH launched its Resource Center in its new facility, and hired a Resource Center Coordinator specifically to work closely with the public advocacy community and local law schools in meeting the needs of self-represented litigants at OAH. In FY12, 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 (KPIs)

Measure	FY 2010 Actual	FY 2011 Actual	FY 2012 Projection	FY 2013 Projection	FY 2014 Projection
Percentage of unemployment insurance cases resolved within 90 days of filing ¹	93%	91%	95%	95%	95%
Percentage of hearings reduced due to mediation	2.0%	4.3%	2.5%	3.5%	5%
Percentage of non-unemployment insurance cases resolved within 120 days of filing	--	45% ²	50%	55%	60%
Percentage of consumer satisfaction surveys with a rating of at least “Agree” regarding the level of quality of OAH’s service	92%	96%	93%	95%	97%

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

² Reflects OAH’s highly successful efforts to clear backlogged cases (greater than 120 days old) through the FY10-11 Operation Clean Slate initiative.