



FY 2014 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.

PERFORMANCE PLAN DIVISIONS

- Executive¹
- Judicial
- Court Counsel
- Clerk of Court

AGENCY WORKLOAD MEASURES

MEASURE	FY 2011 Actual	FY 2012 Actual	FY 2013 YTD ²
Number of Cases Filed	21,647	16,064	17,927
Number of Hearings Held	6,523	6,642	5,170
Number of Final Orders Issued	13,648	20,762	14,341
Number of Appeals to DC Court of Appeals (by Calendar Year)	167	193	58
Number of Cases Dismissed (including voluntary dismissals)	8,023	3,057	2,076
Percentage of Notice of Infraction/Notice of Violation cases in which District prevails	51.3%	76.6%	45.6%

¹ The Executive Division also includes the following budget divisions (1000) Agency Management and (100F) Agency Financial Operations.

² Data is accurate as of June 30, 2013.



*Executive*³

SUMMARY OF SERVICES

The Executive program includes Agency Management and Agency Financial Operations. The program provides administrative and operational support as well as the required tools to achieve programmatic results. This program is standard for all performance-based budgeting agencies.

OBJECTIVE 1: Oversee and facilitate the coordination of interagency activities and initiatives between OAH and other District agencies.

INTIATIVE 1.1: Ensure the update of OAH’s website to facilitate the payment of Notice of Infraction tickets for DCTC.

The OAH Act gave OAH authority to adjudicate all District of Columbia Taxicab commission (DCTC) cases as of October 1, 2004. See D.C. Official Code § 2-1831.03(b)(3). Despite this authority, only 181 DCTC cases have been filed at OAH since FY05. The vast majority of DCTC cases continued to be heard by Department of Motor Vehicles (DMV) pursuant to a Memorandum of Understanding between DMV and DCTC. In FY13, due to concerns about its on-going authority to adjudicate DCTC cases as well as resource limitations, the OCA directed that all DCTC cases be heard by OAH consistent with the OAH Act. To ensure a smooth transition, OAH will train staff in the use of eTims, the new case management system for these cases. The Office will also update its website in FY14 by placing links to the DMV website for payment of taxicab tickets. In addition, information directing litigants to OAH’s website will be included on the newly printed Notice of Infraction tickets for DCTC. In FY14, the expected outcome will be a reduction in the number of backlogged cases and user friendly access for litigants in the payment of taxicab tickets by way of OAH’s website. Completion date: September 2014.

KEY PERFORMANCE INDICATORS - Executive

Measure	FY 2012 Actual	FY 2013 Target	FY 2013 YTD ⁴	FY 2014 Projection	FY 2015 Projection	FY 2016 Projection
Percentage of OAH staff trained in eTims, the case management system for DCTC cases	NA	NA	NA	5%	10%	15%

³ Executive includes the following budget divisions (1000) Agency Management and (100F) Agency Financial Operations.

⁴ Data is accurate as of June 30, 2013.



Judicial⁵

SUMMARY OF SERVICES

The Judicial program ensures due process while working to improve the quality, efficiency, and efficacy of justice management. This program provides pre-trial management, hearings, appeals, and mediations.

OBJECTIVE 1: To provide fair, balanced, and efficient administrative law services.

INITIATIVE 1.1: Increase the clearance rate of cases disposed.

In FY12, the Performance Measures Committee partnered with the OAH Committee on Case Management to form a Joint Committee. The purpose of this Joint Committee is to review current OAH best practices related to the fair and efficient allocation of cases to OAH's Administrative Law Judges, and, with the adoption of such an allocation model, develop meaningful performance measures with which to fairly gauge both individual and agency-wide productivity. Clearance rate is a new proposed performance measure for OAH in FY14, which has been adopted by the DC Court System. A measure of court efficiency, the clearance rate is the total number of cases disposed divided by the total number of cases added to the caseload (*i.e.* new filings and reinstated) during a given time period. Rates of over 100% indicate that the court disposed of more cases than were added, thereby reducing the pending caseload. In FY14, the expected outcome will be an increase in court efficiency by reducing the pending caseload. Completion date: September 2014.

KEY PERFORMANCE INDICATORS - Judicial

KPI	FY 2012 Actual	FY 2013 Target	FY 2013 YTD⁶	FY 2014 Projection	FY 2015 Projection	FY 2016 Projection
Percentage of the total number of cases disposed	NA	NA	NA	90%	92%	95%
Percentage of unemployment insurance cases resolved within 90 days of filing ⁷	97%	95%	99%	95%	95%	95%
Percentage of hearings reduced due to mediation	8.3%	3.5%	1.3%	4.5%	5.5%	6.5%
Percentage of non-unemployment insurance cases resolved within 120 days of filing	65%	55%	86.5%	60%	65%	70%

⁵ The Judicial Division includes the functions of Trial Appeals and Judicial Management.

⁶ Data is accurate as of June 30, 2013.

⁷ The U.S. Department of Labor industry standard is 95% of cases resolved within 90 days of filing.



Court Counsel⁸

SUMMARY OF SERVICES

The Court Counsel program supports the administrative court's judicial function by assisting judges in legal analysis, research, and drafting orders and notices; ensures agency compliance with applicable laws; assists with tracking of legislative and regulatory initiatives; maintains OAH's Resource Center and law library.

OBJECTIVE 1: Improve the experience of participants who are limited or non-English proficient.

INITIATIVE 1.1: Ensure that participants who are limited or non-English proficient are afforded equal access to information and services provided by OAH.

In FY11, OAH opened a Resource Center to provide self-represented litigants with information and assistance related to their matters before OAH. An Attorney-Advisor serves as the Resource Center Coordinator and oversees OAH's access to justice and language access initiatives. During walk-in interview hours, self-represented litigants can meet with Resource Center staff or supervised volunteers regarding their cases and receive legal information and other informational brochures, many of which are available in multiple languages. In addition, OAH launched its new website with improved access to information, case materials, and forms available in multiple languages, as well as helpful instructional videos covering such topics as what members of the public can expect when they have a hearing. OAH will conclude FY13, by participating in the Website Language Support Project for Language Access. This effort is designed to provide core information about the agency in all 6 of the primary languages listed in the Language Access Act. Translated versions of vital documents will also be available on the appropriate language page, so as to make access to this information easier for LEP/NEP users. In FY14, the expected outcome will be increased understanding of OAH's procedures and increased quality assistance available for LEP/NEP customers in need. In turn, this would lead to an overall increase in customer satisfaction among LEP/NEP customers. Completion date: September 2014.

KEY PERFORMANCE INDICATORS - Court Counsel

Measure	FY 2012 Actual	FY 2013 Target	FY 2013 YTD ⁹	FY 2014 Projection	FY 2015 Projection	FY 2016 Projection
Number of translated versions of vital documents available on website	NA	NA	NA	3	5	7
Percentage of staff trained in Language Access	NA	NA	NA	10%	12%	15%

⁸ The Court Counsel Division includes the functions of Judicial Assistance and Legal Counsel.

⁹ Data is accurate as of June 30, 2013



*Clerk of Court*¹⁰

SUMMARY OF SERVICES

The Court Counsel program provides an efficient intake of cases and supports the agency’s case management system and caseload reporting; maintains forms and documentation; and serves as the primary customer service interface.

OBJECTIVE 1: Improve the experience of participants in administrative hearings through quality customer service.

INITIATIVE 1.1: Roll out specialized customer service training to all Clerk of Court staff who serve as OAH’s primary customer service interface.

In FY12, OAH revised its Customer Service Survey with the goal of measuring the satisfaction of litigants coming before OAH in four general areas: 1) The Hearing Facilities; 2) the Clerk’s Office; 3) The Administrative Law Judge; and 4) The Hearing Process. The Clerk’s Office also renewed its efforts to increase circulation of the updated survey which resulted in a better data capture for that fiscal year. In FY13, OAH experienced a slight decline in the number of Customer Service Surveys received as a result in the decline in the dissemination of the survey. As a result, the clerks received a specialized customer service training session identifying the importance of customer service. Additional changes were also made including: 1) placing signs throughout high traffic areas of the agency encouraging customers to complete a survey; 2) changing the color of the surveys to increase their visibility; and 3) increasing the accessibility of the surveys by placing them in various locations throughout the agency. The renewed effort by the Clerk’s Office to increase the circulation coupled with the changes mentioned above should result in a better data capture for FY14 and beyond. Completion date: September 2014

KEY PERFORMANCE INDICATORS - Clerk of the Court

Measure	FY 2012 Actual	FY 2013 Target	FY 2013 YTD ¹¹	FY 2014 Projection	FY 2015 Projection	FY 2016 Projection
Percentage of consumer satisfaction surveys with a rating of at least “Agree” regarding the level of quality of OAH’s service	92%	92.2%	91%	96%	97%	97%

¹⁰ The Clerk of the Court Division includes the functions of Case Management and Judicial Support.

¹¹ Data is accurate as of June 30, 2013.