

**OFFICE
OF
ADMINISTRATIVE HEARINGS**



**FISCAL YEAR 2018
ANNUAL REPORT**



About the Office of Administrative Hearings

The Office of Administrative Hearings (OAH) is an independent unit within the executive branch of State government created to centralize and improve Maryland's administrative hearing process at a reduced cost to its citizens.

Thomas E. Dewberry is the Chief Administrative Law Judge (CALJ). A ten-member State Advisory Council on Administrative Hearings (Council) meets regularly and advises the CALJ.

Section 9-1604(c) of the State Government Article requires the CALJ to submit an annual report to the Governor and, subject to Section 2-1312 of the State Government Article, to the General Assembly. Section 9-1604(c) also permits OAH to prepare and submit its report in conjunction with the Council. In the interest of government efficiency and economy, OAH and the Council submit their Fiscal Year 2018 (FY18) annual reports jointly.

I. Mission

OAH's mission is to provide due process for any person or business affected by the action or proposed action of State agencies in a prompt and efficient manner.



In Fiscal Year 2018 OAH:

- **Received 41,673 new cases**
- **Accomplished a timeliness rate of approximately 99% for the issuance of written decisions**
- **Conducted 74% of its hearings throughout the State**
- **Provided Community Outreach and Education**
- **Conducted in-depth ALJ Training Sessions**
- **Conducted 1,839 mediations and settlement conferences**
- **Continued to meet with agency personnel**
- **Consistently received a 90% approval rating or higher on surveys sent to the public**

II Highlights

The following are some highlights from FY18:

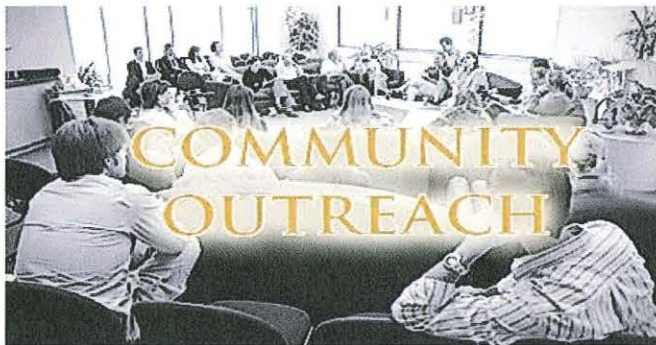
Meetings with Agencies

CALJ Dewberry and the Directors of Operation and Quality Assurance (QA) meet with the new agency heads and these meetings provide an excellent opportunity to explain how OAH operates. In addition to these introductory meetings, OAH met with personnel from the following agencies in FY18:

- Office of the Attorney General (OAG)
- Maryland State Department of Education
- Department of General Services (DGS)
- Department of Health and Mental Hygiene (DHMH)
- Department of Human Services (DHS)
- Department of Labor, Licensing and Regulation (DLLR)
- Maryland Insurance Administration
- Motor Vehicle Administration
- Board of Physicians
- Inmate Grievance Office
- Office of the Public Defender

Maintaining communication with the agencies for which OAH conducts hearings has always been vital to its on-going operation. The attached Operations' Reports provide a list of additional meetings which were held in FY18.¹

Community Outreach and Education



OAH continuously works to increase public awareness so that Maryland's citizens are familiar with OAH and its mission.

ALJs are always available for community outreach and education. The attached QA Reports includes lists of ALJ Speaking Engagements.²

¹ Attached Operations' Reports are dated October 4, 2017, January 25, 2018, and May 7, 2018.

² The Quality Assurance Division Reports are entitled: "Report to the Advisory Council January 2017 (October 2017); "Report to the Advisory Council" (January 2018); and "Report to the Advisory Council" (May 2018).

Particularly,

- ALJ Garland provided a Continuing Legal Education Program to members of the Harford County Bar Association;
- ALJ Murray participated on a Commercial Drivers' License hearings development program as a member of the National Judicial College Faculty;
- ALJ Shaffer gave a "Due Process" presentation to the Council of State Administrators; and
- CALJ Dewberry and ALJ Shaffer's participation in the National Association of Unemployment Insurance Professionals' Annual conference to discuss evidence in administrative hearings.

Decision Portal

In FY18, OAH worked with the Department of Information Technology (DoIT) to build a platform to make decisions available to the public on OAH's website. Throughout the year, decisions were redacted so that, when the project is complete and ready to go live, there will be a good number of decisions available on the website.

DoIT, the QA Division and the Director of IT developed a keyword searchable function for searching specific case types. To address confidentiality concerns, OAH undertook a careful review of laws that relate to the confidentiality of information in each case type of decision that it issues and is handling decisions accordingly. While some decisions will be released in their entirety, some decisions will be redacted to remove confidential information, and others will be held completely. Determinations as to which decision types fall into each category will be made based upon the confidentiality laws at issue and the Public Information Act's requirement that severable non-confidential information be released to the public. As part of these determinations, OAH gathered input from state agencies and other interested stakeholders regarding specific confidentiality concerns.

By the end of FY18, OAH had a database of over 300 decisions decided after September 1, 2017 from the following agencies: the Departments of Agriculture, Education, Environment, Health, Housing and Community Development, Natural Resources, Public Safety and Correctional Services, Transportation, the Health Benefit Exchange and the Insurance Administration.

Implementation of HB 628 - Secretaries of Principal Departments - Supervision and Review of Decisions by Units Within Departments

This bill passed in the 2017 Legislative Session and was effective on June 1, 2017. The bill generally requires the Secretary of each principal department

to supervise each unit of State government within the Secretary's jurisdiction that is composed, in whole or in part, of individuals participating in the occupation or profession regulated by the unit in order to (1) prevent unreasonable anticompetitive actions by the unit and (2) determine whether the decisions and actions of the unit further a clearly articulated State policy to displace competition in the regulated market. The OAH must review a decision or action of a board or commission within the DHMH, in accordance with regulations adopted by the Secretary DHMH and OAH. OAH, in conjunction with the OAG, must establish a process for such review. Each board or commission within DHMH is responsible for the costs associated with OAH's review.

The bill required that DHMH and OAH convene at least two stakeholder meetings at least six months before proposing the required regulations and must submit the proposed regulations by June 1, 2018.

OAH created an in-house workgroup for drafting regulations, developing processes and training ALJs. OAH worked with DHMH and the OAG, convened two stakeholders' public meetings and drafted regulations. The regulations, submitted jointly by DHMH and OAH, detailed how the boards and commissions will send cases to OAH. The regulations were published as final on April 9, 2018. On February 9, 2018, ALJs received training on this new case type. As of May 16, 2018, OAH received two cases which were Cease and Desist Orders on unlicensed practitioners.

New ALJ Hires

Four new ALJs were hired in FY18 beginning in January and March of 2018.

As reported in previous years' reports, a Hiring Committee, comprised of five OAH employees, namely, the Deputy Directors of Operations and QA, the Chief Clerk, and two ALJs selected by the CALJ that included a racial minority and a recent hire, reviewed all of the resumes that were received and conducted interviews. The Hiring Committee then developed a short list for the CALJ and Directors of Operations and QA to conduct second interviews and make selections.

All OAH new ALJs are cross trained to conduct hearings for over 30 State agencies and are required to master the substantive and procedural law for over 500 different types of hearings. The training process takes over a year to complete.

January 13, 2018 ALJ Training

Former ALJs, who have been appointed to the Judiciary, returned to OAH for the January 13, 2018 ALJ Training Session. Judges Yolanda Curtin, Wayne

Brooks, Marina Sabett, Nichole Pastore Klein, Joan Gordon and Zuberi Williams participated on a panel discussion entitled: "The Nuts and Bolts of Judging."

Security

OAH's Director of Finance and Administration worked with DGS on a security personnel contract for the Hunt Valley building. OAH continually maintains the importance of having a uniformed police officer in the building as there have been several incidents where it has been evident an off-duty police officer maintain a presence in the building.

OAH also worked to purchase new security equipment. Both the security personnel contract and the purchase of new security equipment are handled by DGS.

The Director and Deputy Director of Operations and the Chief of the Mental Health Division of the Office of the Public met with hospitals throughout FY18 to ensure that safety measures are in place at Involuntary Admissions hearings. Meetings were held with staff from the following: Bon Secours Hospital; Clifton T. Perkins Hospital; Eastern Shore Hospital Center; Springfield Hospital Center; and Spring Grove Hospital Center.

Visiting Delegation from the Country of Georgia

On October 27, 2017, U. S. District Court Federal Judge Richard Bennett arranged for a site visit of an Open World Delegation of Georgia Administrative Law Judges to the Office of Administrative Hearings. Six Georgian ALJs visited the OAH, toured the building and observed hearings throughout the day. The judges considered the day at OAH extremely worthwhile.

Retirement of Director QA and appointment of new Director

In October 2017, Director of QA, ALJ J. Bernard McClellan, announced his plan to retire. Deputy Director of Operations, ALJ Denise Shaffer, was selected to fill that position. ALJ Carter-Jones was selected to fill the Deputy Director of Operations position.

III. Legislative History and Background

OAH was created by Chapter 788 (SB 658) of the Laws of 1989, codified in State Government Article, Title 9, Subtitle 16 of the Annotated Code of Maryland. Chapter 788 incorporated the recommendations of the Governor's Task Force on Administrative Hearing Officers.

Noting the concerns of the business community, the public and members of the bar, the Governor charged the Task Force on Administrative Hearing Officers with examining the then-current administrative hearing system and recommending needed changes. The final report strongly endorsed the creation of a centralized administrative hearing process and identified many problems with the non-centralized system. Hearing officers lacked adequate training opportunities, suffered from poor salaries, often failed to write decisions that would withstand judicial scrutiny, were supervised by the agencies for which they issued decisions and were not subject to uniform procedures or codes of responsibility and ethics.

Following enactment of the legislation, staff from agencies as diverse as MDH, Department of Labor, Licensing and Regulation and the Department of the Environment were consolidated into a central office. ALJs were cross-trained to handle a wide variety of cases and projected operational efficiencies were realized. Uniform Rules of Procedure were promulgated in 1991 and the Code of Ethics modeled on the Judicial Code of Ethics were adopted.

In late 1991, the Commission to Revise the Administrative Procedure Act (APA) was appointed to study and update Maryland's APA to reflect the creation of the OAH. The Commission included former CALJ Hardwicke, two Cabinet Secretaries and representatives of the Judiciary, business community, labor unions, the Maryland State Bar Association and the Attorney General's Office. The Commission's recommended legislation, Chapter 59 of the Laws of 1993, became effective June 1, 1993. In 1994, revisions to OAH's Rules of Procedure, COMAR 28.02.01, were adopted incorporating the revisions to the APA.

IV. Miscellaneous Additional FY18 Activities

A. Administration

1. Personnel

OAH's CALJ is appointed by the Governor for a six-year term. CALJ Dewberry was appointed on May 22, 2002, was re-appointed by Governor O'Malley in January of 2008 and was again re-appointed in January of 2014 for his third six-year term. Executive ALJs serve as the Directors of Quality Assurance and Operations.

The OAH began FY18 on July 1, 2017 with 118.5 authorized positions, 52 of which were ALJ positions. ALJs are appointed by the CALJ. Current qualifications require that ALJs be bar-admitted attorneys with a minimum of five years of experience. As of July 1, 2017, the entry level salary for an ALJ is \$99,549 and the average ALJ salary is \$98,925.

ALJs' work has a significant impact on both public and private interests and requires a high degree of education, skill responsibility and professionalism. The work frequently involves highly complex legal matters, requiring detailed written decisions that must be issued between seven to 90 days after the close of the record.

2. Facilities

OAH's headquarters in Hunt Valley is accessible from I-83 North and provides ample free parking. There are two light rail stations within walking distance of the building and bus service make the building accessible via public transportation.

OAH's Administrative Law Building houses twenty-one hearing rooms, two attorney-client meeting rooms, a clerk's office, public waiting areas, a law library, which is accessible to the public during normal business hours, as well as offices and training rooms for OAH staff.

In addition to the hearings held at OAH's headquarters, ALJs travel throughout the State to conduct hearings in all counties. Hearings are held at various locations around the State, including private hospitals and nursing homes. Other hearings are held in government facilities such as courthouses and agency offices.

OAH operates satellite offices in Cumberland and Salisbury. OAH also has leased hearing space in Kensington and is working with DGS to find new leased space in Rockville. There is also space in each of the Circuit Court buildings for conducting foreclosure mediations.

B. Operations

OAH's Operations Division:

- **schedules and assigns cases**
- **reviews caseload to ensure that backlogs do not develop**
- **ensures expeditious case management**
- **monitors the timeliness of decisions**
- **supervises ALJs, Clerk's Office staff, IT Staff and secretarial staff**
- **monitors legislation**
- **oversees OAH's Telework Program**
- **handles all Public Information Act requests**

OAH conducts fair and timely hearings in contested cases for more than thirty State agencies for over 200 different programs, with over 500 hearing types. Except for entities exempted by statute, a Board, Commission or agency head must hear a contested case personally or must delegate authority to hear the case to OAH or, with the permission of the CALJ, a person not employed by

OAH. Md. Code Ann., State Gov't § 10-205 (Supp. 2006). In FY18, OAH received 41,673 new cases. The caseload statistics are attached.

As previously noted, the attached Operations' Reports for FY18 are attached to this Report.

C. Quality Assurance (QA)

OAH's Quality Assurance Division:

- oversees the quality of written decisions
- has primary responsibility for the hiring of ALJs and other legal staff
- trains new ALJs
- offers mandatory monthly judicial education for ALJs, paralegals and staff attorneys and out-of-office training programs
- oversees OAH's library
- maintains decision and hearing notice boilerplates, Time Frame matrix, Bench Manuals and Case Digests
- supervises staff attorneys, paralegals, librarian and management associate
- is responsible for OAH's Speaker's Bureau
- is responsible to OAH's Managing For Results submission.

As previously noted, the attached QA Reports for FY18 are attached to this report.

V. Conclusions

OAH worked throughout FY18 to implement HB 628 – Secretaries of Principal Departments – Supervision and Review of Decisions by Units Within Departments. We appreciate the collaborative efforts of the OAG and DHMH to implement this legislation. OAH is always ready to assist with new case types and appreciates the opportunity and confidence in our ability handle these anti-trust reviews.

OAH also worked with DoIT on the implementation and installation of a Decision Portal which is in line with OAH's goal for transparency and accessibility to citizens. We expect that the Portal will go live in early FY19 and wish to thank DoIT for their important assistance with this project.

OAH is fortunate to have hired four highly qualified ALJs in early 2018. New ALJs are trained in over 30 case types and the ALJ training program takes approximately one year.

CALJ Dewberry and members of OAH's management staff appreciate working and meeting with agency personnel throughout the year. It is a pleasure to work with members of Governor Hogan's Administration and maintain open communications with the agencies for which it holds hearings.

Operations Report

October 4, 2017

Jana Corn Burch, Director of Operations
Denise Oakes Shaffer, Deputy Director of Operations
Linda Novak, Chief Clerk
Tareq Ibrahim, Director of Information Technology

I. Timeliness and Case Load

OAH's timeliness rate for the issuance of its written decisions for FY17 was 99.58%, reflecting a slight increase, when compared to 99.47% for FY16. OAH remains vigilant in monitoring the timeliness of its written decisions and continually strives for 100% timeliness. That goal is noted in OAH's Managing For Results and each ALJ is evaluated on his/her timeliness. For FY17, ALJs heard 2,074 cases which required written decisions, as compared to 2,567 cases for the same time period in FY16.

In addition to the issuance of written decisions, ALJs rendered 13,649 bench decisions in Motor Vehicle Administration (MVA) hearings in FY17, a decrease from the 15,697 MVA cases heard in the same period of FY16. They also rendered 1,213 bench decisions in Involuntary Admissions (IVA) hearings in FY17, which is a decrease from the 1,331 IVA hearings held in FY16.

In FY17, 2,168 mediations and settlement conferences were conducted versus 2,629 in FY16. In FY17, OAH received 2,569 Foreclosure Mediation (FM) requests which were scheduled versus 3,430 in FY16. OAH received 17 pre-file FMs for FY17 which mirrored the number in FY16.

II. Docketing

In FY17, ALJs, excluding management, heard an average of 46 cases requiring written decisions, which is a decline from 53 cases for FY16.

OAH's Clerk's Office currently has two vacancies for full-time positions. The most recent position was vacated on August 29, 2017 in the MVA docketing unit. The vacancy was advertised and 509 applications were received. OAH's Human Resources Director is currently reviewing, scoring and creating an eligible list of candidates. Interviews will take place in October, 2017.

III. Information Technology

Case Management System Upgrade

On July 25, 2017, Evans delivered its new software package to OAH to install and test. While testing the software in August, OAH realized that Evans had not made previously requested modifications.

On September 26, 2017, Linda Novak, Tareq Ibrahim, Denise Shaffer and Jana Burch participated in a conference call with members of the Evans team. Evans reported that it is in the process of finalizing development on an updated package that will produce the requested results. It has become apparent that Evans miscalculated the time and efforts required to develop OAH's software. OAH requested that Evans produce a new timeline for the project so that OAH is able to hold Evans accountable for any future delay.

Telephone System Replacement

The RFP to replace the current NEC 2400 was released for bid on May 8, 2017. The winning bidder was NEC for a total of \$87,294. The BPO for the project was approved on June 29, 2017 by the Department of Information Technology (DoIT).

NEC has been preparing the phone system for installation at its headquarters and is ready to commence delivery of the hardware. A project kickoff meeting was held with NEC and OAH on September 18, 2017 to discuss the project plan and expectations.

Delivery, installation, and testing of the hardware will begin the first week of October and continue through the month of November. The project completion date is November 15, 2017.

Online Payment Processing

DoIT's master contract with NIC allows for it to provide services to OAH including design, development, hosting, operation, maintenance and marketing.

OAH's Finance and IT Departments have outlined the project for NIC to develop the software necessary to achieve online payment processing. OAH is working to identify the best way for users to submit an on-line fee and required documentation to obtain a hearing.

An initial project meeting was held on September 26, 2017 and involved Dennis Krysiak, Danara Harvell, Allison Alston, Tareq Ibrahim and Nancy Schmitt. The scope of the meeting was to establish OAH's needs and explain the current payment process to NIC.

A follow-up meeting will be held on October 11, 2017 to identify specific requirements and discuss potential risks.

Based on the conversations with NIC, the project target date for implementation is still expected to be in December 2017.

IV. Meetings

- ❖ On May 1, 2017, J. Bernard McClellan and Jana Burch attended the Maryland State Department of Education (MSDE) quarterly meeting to discuss issues surrounding OAH's Special Education hearings.
- ❖ On May 2, May 18, June 6, July 18, and September 8, 2017, Denise Shaffer attended stakeholder meetings for the Outpatient Civil Commitment Pilot Program.
- ❖ On June 12, 2017, Jana Burch, Denise Shaffer, Harriet Helfand, ALJs Robert Levin and John Leidig and counsel to MDH Health Occupations Boards and the Securities' Division participated in meetings to review draft regulations, which Denise Shaffer drafted and which will implement *NC Dental* legislation.
- ❖ On June 15, 2017, Jana Burch and a representative from the Office of the Public Defender (OPD) participated in a security meeting/training with members of Bon Secours Hospital staff.
- ❖ On July 24, 2017, Denise Shaffer convened a stakeholders' public meeting at OAH, which Chief ALJ Dewberry and OAH's *NC Dental* workgroup members attended.
- ❖ On July 12, 13 and 14, 2017, Denise Shaffer and numerous members of OAH's ALJs attended the IDEA Conference.
- ❖ On July 20, 2017, Jana Burch and J. Bernard McClellan attended a MSDE quarterly meeting.
- ❖ On August 8, 2017, Jana Burch participated in a MIA conference call to discuss MIA's proposed electronic pilot project.
- ❖ On August 10, 2017, Jana Burch, J. Bernard McClellan and Linda Novak attended a MVA meeting to discuss issues involved in its hearings.
- ❖ On August 15, 2017, Jana Burch, Denise Shaffer and Linda Novak participated in a meeting with the Deputy Secretary of the Department of Labor, Licensing and Regulation.
- ❖ On August 21, 2017, Jana Burch, J. Bernard McClellan and Harriet Helfand

participated in a quarterly meeting with members of the Maryland Board of Physicians staff to discuss issues relating to its hearings.

- ❖ On August 21, 2017, Denise Shaffer attended the MDSE Office of Child Care Disability Discrimination workgroup meeting.
- ❖ On September 7, 2017, Jana Burch, Harriet Helfand and a representative from the OPD participated in a security meeting/training with members of Clifton T. Perkins Hospital's staff.
- ❖ On September 7, 2017, Denise Shaffer attended a meeting with the new Director of the MD Legal Aid foreclosure program.
- ❖ On September 18, 2017, Jana Burch, Harriet Helfand and a representative from the OPD participated in a security meeting/training with members of Spring Grove Hospital Center's staff.
- ❖ On September 19, 2017, Jana Burch, Denise Shaffer, Linda Novak, and OAH's Clerk's Office staff participated in a conference call with David Lapp, counsel to the Maryland Department of Health (MDH), and MDH staff members to follow-up on previous discussions regarding how to move its cases forward in a more expeditious manner.
- ❖ On September 20, 2017, Jana Burch, Denise Shaffer and Harriet Helfand attended a meeting at the Department of Human Services (DHS) to discuss issues with DHS counsel concerning its hearings.
- ❖ On September 21, 2017, Jana Burch participated in a security meeting/training with members of Springfield Hospital Center's staff.

Operations Report

January 25, 2018

Jana Corn Burch, Director of Operations
Jennifer Carter-Jones, Deputy Director of Operations
Linda Novak, Chief Clerk
Tareq Ibrahim, Director of Information Technology

I. Timeliness and Case Load

OAH's timeliness rate for the issuance of its written decisions for the first five months of FY18 was 99.43%, reflecting a slight decrease, when compared to 99.66% for the same period in FY17. OAH remains vigilant in monitoring the timeliness of its written decisions and continually strives for 100% timeliness. That goal is noted in OAH's Managing For Results and each ALJ is evaluated on his/her timeliness. For the first half of FY18, ALJs heard 1,108 cases which required written decisions, as compared to 1,039 cases for the same time period in FY17.

In addition to the issuance of written decisions, ALJs rendered 6,966 bench decisions in Motor Vehicle Administration (MVA) hearings in the first five months of FY18, an increase from the 5,695 MVA cases heard in the same period of FY17. They also rendered 532 bench decisions in Involuntary Admissions (IVA) hearings in the first five months of FY18, which is an increase from the 459 IVA hearings held during the same period in FY17.

In the first five months of FY18, 783 mediations and settlement conferences were conducted versus 1,029 for the same period in FY17. In the first five months of FY18, OAH received 957 Foreclosure Mediation (FM) requests which were scheduled versus 1,187 for the same period in FY17. OAH received 8 pre-file FMs in the first five months of FY18, versus four (4) in the same period for FY17.

II. Docketing

In the first half of FY18, ALJs, excluding management, heard an average of 22 cases requiring written decisions, which is the same number of decisions per ALJ for the same period in FY17.

OAH's Clerk's Office currently has one vacancy for a full-time position. One new employee began employment in our MVA unit on January 3, 2018 and is doing well. Another new employee was scheduled to start on January 17, 2018, but was a "no show." The Clerk's Office will begin anew the hiring process in the near future.

III. Information Technology

Case Management System Upgrade

On January 2, 2018, Evans delivered its new software package to OAH in order to install and test. The new package was to address issues presented by OAH during meetings held from October to December 2017.

The new package was installed and configured on January 17, 2018. Further testing will be done in January and February with the Clerk's Office and Finance to determine if any additional change requests need to be made.

Telephone System Replacement

OAH successfully upgraded from the NEC 2400 to the latest NEC 9500 on January 11, 2018. The NEC 9500 is a Voice over IP system that brings the latest telecommunications technology to OAH.

A few key features include:

- The NEC 9500 was installed with full redundancy in the event of a hardware failure. If the main PBX fails it will automatically switch to a backup phone system.
- The new system is fully integrated with the OAH data network and allows for the users to receive their voicemails to their email boxes. This is a vast improvement from the previous system where users needed to dial into the phone system to check their voicemails.
- The system also improves the ability to detect and respond to 911 calls made in Hunt Valley. When a 911 call is placed, an alert is sent to Administration who can identify the person making the call and then listen in on the conversation.

Court Recording Software Procurement

OAH has issued an RFP for the purchase of new audio recording software to replace VIQ's Encompass. The current software lacks the reliability and functionality that OAH is looking for in a software suite. The schedule for the RFP is listed below:

January 22, 2018 - RFP issue date

February 6, 2018 - Site visit scheduled at 10:30am

February 7, 2018 - Pre Proposal Conference at 10:30am

February 13, 2018 -Questions Due

March 5, 2018 - Proposals Due

Publish Decisions/OAH Document Portal

OAH has been working with the Department of Information Technology for over thirteen months to create an online document portal in order to publish decisions on OAH's website. The new portal is scheduled to go live on March 1, 2018.

Online Payment Processing

OAH continues to work with NIC on creating a payment portal that will allow appellants to submit payments and associated paperwork electronically to the Finance Department.

December 19, 2017 – A conference call with Sam Chacko of NIC, Linda Novak, Saubhagya Budhathoki, Danara Harvell, and Tareq Ibrahim was held to go over some questions regarding the online portal.

January 5, 2017 – Sam-Chacko requested some additional information from Finance that he received on January 5th. Sam stated that he has all of the information that he needs to create a work order proposal. Once the proposal is signed off on and the project begins, we will need to have several meetings with NIC to fully define the scope of the project.

IV. Meetings

- ❖ On October 19, 2017, Cristo Rey meeting
- ❖ On October 27, 2017, Visiting Delegation from the country of Georgia
- ❖ On November 15, 2017, Jana Burch and Denise Shaffer attended the Maryland State Department of Education's quarterly meeting to discuss issues surrounding OAH's Special Education hearings.
- ❖ On November 30, 2017, Jana Burch, Denise Shaffer, Jennifer Carter-Jones and Claire Pearson attended an informative MSBA sponsored conference on the ins and outs of the PIA
- ❖ On January, 19, 2018, Jana Burch and Jennifer Carter-Jones attended a meeting with the Office of the Public Defender to discuss IVA hearings

Operations Report

May 7, 2018

Jana Corn Burch, Director of Operations
Jennifer Carter-Jones, Deputy Director of Operations
Linda Novak, Chief Clerk
Tareq Ibrahim, Director of Information Technology

I. Timeliness and Case Load

OAH's timeliness rate for the issuance of its written decisions for the first nine months of FY18 was 99.39%, reflecting a slight decrease when compared to 99.57% for the same period in FY17. OAH remains vigilant in monitoring the timeliness of its written decisions and continually strives for 100% timeliness. That goal is noted in OAH's Managing For Results and each ALJ is evaluated on his/her timeliness. For the first nine months of FY18, ALJs heard 1,662 cases which required written decisions, as compared to 1,645 cases for the same time period in FY17.

In addition to the issuance of written decisions, ALJs rendered 11,934 bench decisions in Motor Vehicle Administration (MVA) hearings in the first nine months of FY18, a significant increase from the 9,839 MVA cases heard in the same period of FY17. They also rendered 952 bench decisions in Involuntary Admissions (IVA) hearings in the first nine months of FY18, which is an increase from the 888 IVA hearings held during the same period in FY17.

In the first nine months of FY18, 1,373 mediations and settlement conferences were conducted versus 1,699 for the same period in FY17. In the first nine months of FY18, OAH received 1,724 Foreclosure Mediation (FM) requests which were scheduled versus 2,005 for the same period in FY17. OAH received 19 pre-file FMs in the first nine months of FY18, versus 12 for the same period in FY17.

II. Docketing

In the first nine months of FY18, ALJs, excluding management, heard an average of 34 cases requiring written decisions, which is approximately the same number of decisions per ALJ for the same period in FY17.

OAH's Clerk's Office currently has one vacancy for a full-time position and is in the process of setting up interviews. Two new employees began employment in our MVA unit on January 3, 2018 and March 14, 2018. A third employee began employment in our MDH unit on March 28, 2018. All three new employees are doing exceptionally well.

The upgrade to our case management system has made significant progress over the past months. OAH's Chief Clerk, Linda Novak, developed an implementation plan that includes:

1. Developing a training guide and group testing;
2. Testing and training for tables, forms and reports;
3. Making final modifications to forms and reports; and
4. Training of staff.

Barring any unforeseen obstacles, the final database conversion and full implementation is slated for November 2018.

III. Information Technology

Case Management System Upgrade

Significant progress has been made in this project as OAH works with Evans to modify the software to meet its needs. OAH is testing and developing documentation in order to ensure the cutover process does not impact operations. Testing is scheduled to be completed by the end of September with training following thereafter. The new system is currently scheduled to go live in November 2018.

Court Recording Software Procurement

Oral presentations were held in Hunt Valley on the week of April 16th with seven vendors participating. Technical features of the software packages were evaluated to identify the best package for OAH. Vendor references are currently being contacted and a meeting with Department of Information Technology (DoIT) is scheduled on May 16th to go over the final steps of the procurement.

Publish Decisions/OAH Document Portal

OAH has been working with the DoIT to create an on-line document portal in order to publish decisions on OAH's website. The new portal was published to OAH's website in March 2018. Users are now able to search for decisions by agency, unit, case type, or date of issuance. A keyword search option has been developed and will be deployed when testing is complete.

On-line Payment Processing

OAH continues to work with NIC on creating a payment portal that will allow appellants to submit payments and associated paperwork electronically to the OAH's finance department. A number of meetings and conference calls were held between February and April 2018 to help NIC identify OAH's current business processes for payment

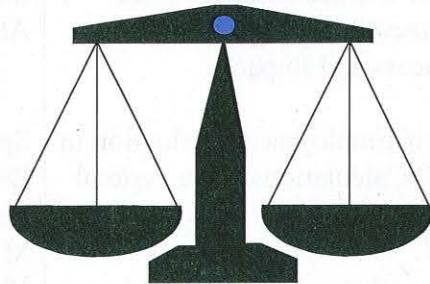
intake. The information gathering sessions were conducted to assist NIC develop a portal that meets OAH's needs. The portal is currently in development with NIC with testing to begin in July 2018.

IV. Meetings

- ❖ On October 19, 2017, members of OAH's staff met with a representative from Cristo Rey concerning the performance of students at OAH.
- ❖ On October 27, 2017, a delegation from the country of Georgia visited OAH.
- ❖ On November 15, 2017, Jana Burch and Denise Shaffer attended the Maryland State Department of Education (MSDE) quarterly meeting to discuss issues surrounding OAH's Special Education hearings.
- ❖ On November 30, 2017, Jana Burch, Denise Shaffer, Jennifer Carter-Jones and Claire Pearson attended an informative MSBA-sponsored conference on the ins and outs of the Public Information Act.
- ❖ On January, 19, 2018, Jana Burch and Jennifer Carter-Jones attended a meeting with the Office of the Public Defender to discuss IVA hearings.
- ❖ On February 8 and 12, 2018, members of OAH's management staff attended OAH's budget hearings.
- ❖ On February 20, 2018, Jana Burch and Denise Shaffer attended a MSDE quarterly meeting to discuss issues surrounding OAH's Special Education hearings.
- ❖ On April 11, 2018, members of OAH's staff with a representative from Cristo Rey concerning the performance of students at OAH.
- ❖ On April 24, 2018, Jana Burch and Jennifer Carter-Jones traveled to the Eastern Shore Hospital Center to discuss security measures at IVA hearings.
- ❖ On May 2, 2018, Jana Burch and Jennifer Carter-Jones attended the National Instant Criminal Background Check System meeting at the Department of Public Safety and Correctional Services.

**OFFICE OF
ADMINISTRATIVE HEARINGS**

**QUALITY ASSURANCE DIVISION
REPORT TO THE ADVISORY COUNCIL
JANUARY 2017-OCTOBER 2017**



I. Continuing Judicial Education

Continuing judicial education seminars are held monthly and attendance at these training programs is mandatory for judges, staff attorneys, and paralegals. If a judge, staff attorney, or paralegal is unable to attend, the individual is required to watch the video recording of the training. Training is recorded digitally and is downloaded onto the OAH's main server for viewing at any time from any office computer. Continuing education seminars cover a wide variety of topics; the schedule for January 13, 2017 through October 4, 2017 is as follows:

Judicial Training Date	Topic/Agenda	Presenter(s)
January 13, 2017	<p>Subject Matter Updates:</p> <p>Timeliness of Disciplinary Actions: Personnel Hearings;</p> <p>IVA and Clinical Review Panel Hearings; updates on impact of the <i>Allmond</i> decision; Transfer</p> <p>Hearings; Role of the Nurse Practitioner in IVA hearings;</p> <p>DHR Benefits: Impact of Self-Employment in FSP hearings; Conciliation and Sanctions in FSP/TCA Intentional Program Violation Hearings</p> <p>Supervisory Conference 'Defaults'</p>	<p>Administrative Law Judges Latonya Dargan, Michael Osborn, Joy Phillips, Rachael Barnett, Michelle Cole, Laurie Bennett, Kimberly Farrell, Una Perez, Marina Sabett, Michael Wallace, Susan Sinrod, Steven Adler, Tameika Lunn-Exinor, Harriet Helfand, Douglas Koteen; Staff Attorney Therese Kurtze; Staff Attorney Alice Johnson, Deputy Director, Quality Assurance Georgia Brady</p>

	<p>in CAN hearings;</p> <p>Handling Adjustment Hearing Recordings in IGO appeals;</p> <p>Retirement and Pension System Decisions: Change from Proposed to Final;</p> <p>Discussion on Motions to Vacate Default Orders and Motions to Dismiss for Untimely Appeals</p>	
February 10, 2017	<p>"The Unsubstantiated Child Abuse/Child Neglect Finding: Process and Impact"</p> <p>"Self-Employment Deduction in FSP Calculations: The Federal and State View" and "Conciliation in TCA cases - Practical Applications" (Ms. Ware and Ms. Madaio)</p> <p>"A Closer Look at Noah's Law" and "Special Education Hearings and the 'Right' to a Hearing Within 45 Days"</p>	<p>Sandra Barnes, Assistant Attorney General</p> <p>Speakers: Ann Ware, Esq., Department of Human Resources; Michelle Solomon Madaio, Esq., Homeless Persons Representation Project</p> <p>J. Bernard McClellan</p>
March 10, 2017	Advance Mediation Training	Daniel P. Dozier and Ellen F. Kandell
April 28, 2017	Special Education Law 2017 Update	Art Cernosia, Esq.
May 12, 2017	<p>NAALJ Webinar</p> <p>The Perils and Pitfalls of Online Social Media in the World of Adjudication</p> <p>Bonehead Grammar for Judges</p> <p>The Nature of the Judicial Process</p>	<p>Jerome Woods Maryland OAH Administrative Law Judge</p> <p>Ron Hofer, Professor, National Judicial College</p> <p>Steve Wise, Administrative Law Judge</p>
June 9, 2017	<p>Writing Training</p> <p>Decision Structure</p> <p>Tips on Writing Process</p>	<p>ALJ Helfand</p> <p>ALJ Perez and ALJ Sinrod</p>

	<p>Findings of Fact Discussion Panel</p> <p>Clarity and Audience</p> <p>Tips on Writing Mechanics</p> <p>Proofreading Tips</p>	<p>ALJ Sinrod, ALJ Woods and ALJ Hofstetter</p> <p>ALJ Gresock and ALJ Perez</p> <p>ALJ Cole</p> <p>ALJ Adler and ALJ Daneker</p>
July 21, 2017	<p>Maryland State Police</p> <p>Legislative updates</p>	<p>Tom Woodward, Maryland DRE Coordinator</p> <p>ALJ Denise Shaffer</p>
August 11, 2017	<p>Child Abuse/Neglect update</p> <p>MSDE/ Discussion re: Andrew F.</p> <p>MVA update</p> <p>IVA/ Discussion/ J.H. et al v PG hospital Center</p>	<p>CAN Subject Matter Specialist</p>
September 15, 2017	<p>Appellant Review Panel</p>	<p>Hon. Robert N. McDonald, Maryland Court of Appeals</p> <p>Hon. Shirley W. Watts, Maryland Court of Appeals</p> <p>Hon. Kevin Arthur, Maryland Court of Special Appeals</p> <p>Hon. Judith C. Ensor, Circuit Court For Baltimore County</p>

II. Speaking Engagements and other Extrajudicial Activities

DATE (S)	TOPICS	ALJ
February 7, 2017	Mock IVA hearing for the Mental Health Clinic	Teresa Garland
March 21, 2017	Meeting for Peer Review Committee of Attorney Grievance Commission	Tara Lehner
March 2, 2017	The Council of State Administrators of Vocational Rehabilitation (CSAVR) Nuts and Bolts of Due Process	Laurie Bennett
March 13, 2017	MSBA Administrative Law Section CLE Program, " <i>Effective Advocacy at Administrative Hearings</i> " Best Practices Before Office of Administrative Hearings Highlights of the Administrative Procedure Act Noah's Law Public Benefits Cases: Tips for Success	Emily Daneker Michael Osborn Joy Phillips Mary Shock J. Bernard McClellan Jerome Woods
March 24, 2017	MSBA Budget & Finance daylong meeting	Kathleen Chapman
April 17, 2017 thru April 21, 2017	Managing CDL license cases at NJC	James Murray
April 25, 2017	Law Day	Kathleen Chapman
April 25, 2017	Citizenship Law Related Education Program and the Maryland Association of Administrative Law	John Leidig
May 17, 2017	Serve as judge for the Project Citizen	ALJ Friedman
June 15, 2017	Judicial Nominating Commission	M. Teresa Garland
August 2, 2017	CLE presentation to members of the Harford County Bar Association.	Terri Garland
October 6, 2017	Medical Services, IVA/NCR	ALJ Bennett

III. Update on Newest ALJs

Administrative Law Judge James Murray, who was previously with the OAH for more than twenty years, is fully integrated into all dockets. Administrative Law Judges Mary Willis Gunther Baker, Stephen Thibodeau, Nicolas Orechwa and Tracey Delp have completed training in the areas of Motor Vehicle Administration, Foreclosure Mediation, Child Abuse/Neglect and Inmate Grievance. They have begun training in the areas of Maryland Insurance Administration and Department of Labor, Licensing and Regulation.

IV. New Deputy Director

On July 1, 2017, Administrative Law Judge Harriet C. Helfand became Deputy Director of Quality Assurance following the retirement of Administrative Law Judge Georgia Brady. Administrative Law Judge Helfand joined the OAH in February 2001 as a Staff Attorney in Quality Assurance before being appointed as an Administrative Law Judge in January 2004. As an Administrative Law Judge, she served as a member and Vice Chair of the OAH Ethics Committee and has participated in a number of training sessions at OAH and other outside legal education activities.

* * *

www.oah.state.md.us

QA-October 4, 2017
DOC # 160450

**QUALITY ASSURANCE DIVISION
REPORT TO THE ADVISORY COUNCIL**

Denise Shaffer, Director, Quality Assurance
Harriet Helfand, Deputy Director, Quality Assurance

I. Continuing Education

The Quality Assurance Division presents monthly training sessions for administrative law judges (ALJs), staff attorneys, and paralegals. ALJs are required to attend or to review the video recording of the training promptly. These sessions cover a wide variety of topics relevant to the legal issues that arise at OAH. The schedule for January 13, 2017 through December 15, 2017 is as follows:

Training Date	Topic/Agenda	Presenter(s)
January 13, 2017	<p>Subject Matter Updates:</p> <p>Timeliness of Disciplinary Actions: Personnel Hearings;</p> <p>IVA and Clinical Review Panel Hearings; updates on impact of the <i>Allmond</i> decision; Transfer</p> <p>Hearings; Role of the Nurse Practitioner in IVA hearings;</p> <p>DHR Benefits: Impact of Self-Employment in FSP hearings; Conciliation and Sanctions in FSP/TCA Intentional Program Violation Hearings</p> <p>Supervisory Conference ‘Defaults’ in CAN hearings;</p> <p>Handling Adjustment Hearing Recordings in IGO appeals;</p> <p>Retirement and Pension System Decisions: Change from Proposed to Final;</p> <p>Discussion on Motions to Vacate Default Orders and Motions to Dismiss for Untimely Appeals</p>	<p>ALJs Latonya Dargan, Michael Osborn, Joy Phillips, Rachael Barnett, Michelle Cole, Laurie Bennett, Kimberly Farrell, Una Perez, Marina Sabett, Michael Wallace, Susan Sinrod, Steven Adler, Tameika Lunn-Exinor, Harriet Helfand, Douglas Koteen;</p> <p>Staff Attorney Therese Kurtze; Staff Attorney Alice Johnson,</p> <p>Deputy Director, Quality Assurance Georgia Brady</p>
February 10, 2017	<p>“The Unsubstantiated Child Abuse/Child Neglect Finding: Process and Impact</p> <p>“Self-Employment Deduction in FSP Calculations: The Federal and State View” and</p>	<p>Sandra Barnes, Assistant Attorney General</p> <p>Speakers: Ann Ware, Esq., Department of Human Resources; Michelle Solomon Madaio, Esq., Homeless Persons Representation</p>

	<p>“Conciliation in TCA cases – Practical Applications” (Ms. Ware and Ms. Madaio)</p> <p>“A Closer Look at Noah’s Law” and “Special Education Hearings and the ‘Right’ to a Hearing Within 45 Days”</p>	<p>Project</p> <p>ALJ J. Bernard McClellan</p>
March 10, 2017	Advance Mediation Training	Daniel P. Dozier and Ellen F. Kandell
April 28, 2017	Special Education Law 2017 Update	Art Cernosia, Esq.
May 12, 2017	<p>NAALJ Webinar</p> <p>The Perils and Pitfalls of Online Social Media in the World of Adjudication</p> <p>Bonehead Grammar for Judges</p> <p>The Nature of the Judicial Process</p>	<p>ALJ Jerome Woods</p> <p>Ron Hofer, Professor, National Judicial College</p> <p>Steve Wise, Administrative Law Judge</p>
June 9, 2017	<p>Writing Training</p> <p>Decision Structure</p> <p>Tips on Writing Process</p> <p>Findings of Fact Discussion Panel</p> <p>Clarity and Audience</p> <p>Tips on Writing Mechanics</p> <p>Proofreading Tips</p>	<p>ALJ Helfand</p> <p>ALJ Perez and ALJ Sinrod</p> <p>ALJ Sinrod, ALJ Woods and ALJ Hofstetter</p> <p>ALJ Gresock and ALJ Perez</p> <p>ALJ Cole</p> <p>ALJ Adler and ALJ Daneker</p>
July 21, 2017	<p>Maryland State Police</p> <p>Legislative updates</p>	<p>Tom Woodward, Maryland DRE Coordinator</p> <p>ALJ Denise Shaffer</p>
August 11, 2017	<p>Child Abuse/Neglect update</p> <p>MSDE/ Discussion re: Andrew F. IVA/ Discussion/ J.H. et al v PG Hospital Center</p>	ALJ Subject Matter Specialists
September 15, 2017	Appellant Review Panel	<p>Hon. Robert N. McDonald, Maryland Court of Appeals</p> <p>Hon. Shirley W. Watts, Maryland Court of Appeals</p> <p>Hon. Kevin Arthur, Maryland Court of Special Appeals</p> <p>Hon. Judith C. Ensor, Circuit Court For Baltimore County</p>

October 13, 2017	<p>Citizenship Law Related Educational Programs</p> <p>Webinar Fannie Mae/Freddie Mac Modifications</p> <p>Foreclosure Mediations Issues</p>	<p>Leslie A. Wright, Director</p> <p>Diane Cipollone, Esquire</p> <p>ALJ Jennifer Gresock ALJ Tara Lehner ALJ John Leidig ALJ Susan Sinrod</p>
November 17, 2017	<p>Publishing of OAH decisions</p> <p>Over view of Outpatient Civil Commitment Hearings</p> <p>QA meeting with ALJ teams</p>	<p>Claire Pierson, Staff Attorney</p> <p>ALJ Harriet Helfand</p> <p>ALJ Harriet Helfand and Denise Shaffer</p>
December 15, 2017	<p>Baltimore County Police Body Camera evidence at MVA hearings</p> <p>Legislative Session Procedures</p> <p>Subject Matter Specialist meetings</p>	<p>ALJ Denise Shaffer Off. White, BCPD</p> <p>ALJ Jennifer Carter-Jones</p> <p>QA staff: Claire Pierson Brother Frank O'Donnell Alice Johnson Leigh Walder Therese Kurtze Brenda Amrhein</p>

II. Speaking Engagements and other Extrajudicial Activities

DATE (S)	TOPICS	ALJ
February 7, 2017	Mock IVA hearing for the Mental Health Clinic	Teresa Garland
March 21, 2017	Meeting for Peer Review Committee of Attorney Grievance Commission	Tara Lehner
March 2, 2017	The Council of State Administrators of Vocational Rehabilitation (CSAVR) Nuts and Bolts of Due Process	Laurie Bennett
March 13, 2017	<p>MSBA Administrative Law Section CLE Program, "<i>Effective Advocacy at Administrative Hearings</i>"</p> <p>Best Practices Before Office of Administrative Hearings</p> <p>Highlights of the Administrative Procedure Act</p> <p>Noah's Law</p> <p>Public Benefits Cases: Tips for Success</p>	<p>Emily Daneker Michael Osborn Joy Phillips</p> <p>Mary Shock</p> <p>J. Bernard McClellan</p> <p>Jerome Woods</p>
March 24, 2017	MSBA Budget & Finance daylong meeting	Kathleen Chapman

April 17, 2017 thru April 21, 2017	Managing CDL license cases at NJC	James Murray
April 25, 2017	Law Day	Kathleen Chapman
April 25, 2017	Citizenship Law Related Education Program and the Maryland Association of Administrative Law	John Leidig
May 17, 2017	Serve as judge for the Project Citizen	Neile Friedman
May 18, 2017	Presentation: Behavioral Health Consortium Harford Memorial Hospital	Georgia Brady Harriet Helfand
June 15, 2017	Judicial Nominating Commission	M. Teresa Garland
July 12, 2017	Writing Presentation-IDEA Conference Washington, D.C.	Harriet Helfand
July 17, 2017	IVA Training-Franklin Square Hospital	Harriet Helfand
August 2, 2017	CLE presentation to members of the Harford County Bar Association.	M. Teresa Garland
September 13, 2017	Presentation: Administrative Hearings Office of the Public Defender (Baltimore City)	Denise Shaffer Harriet Helfand
September 14, 2017	Presentation: Behavioral Health Consortium Washington Adventist Hospital	Harriet Helfand
September 29, 2017	Emergency Petition Training Frederick Memorial Hospital	Laurie Bennett Mary Shock
October 6, 2017	Medical Services, IVA/NCR	Laurie Bennett
October 26, 2017	Presentation: Administrative Hearings Office of the Public Defender (Howard County)	Harriet Helfand Mary Shock
October 27, 2017	Poverty Simulation Training	Marc Nachman
November 13, 2017 thru November 17, 2017	NJC Faulty Development course for CDL license hearings.	Jim Murray
November 30, 2017	IVA Training-Western Maryland Regional Medical Center	Harriet Helfand

III. Update on training for recently hired ALJs

Administrative Law Judges Mary Willis Gunther Baker, Stephen Thibodeau, Nicolas Orechwa and Tracey Delp have completed training in the areas of Motor Vehicle Administration, Foreclosure Mediation, Child Abuse/Neglect and Inmate Grievance, Maryland Insurance Administration and Department of Labor, Licensing and Regulation, Patient's Bill of Rights, and Retirement and Pensions. Each is currently training in personnel. The final area of training, MDH and DHS benefits cases will begin in March. By the end of March, the new ALJ training will be complete. This group of ALJs will attend a special education conference in July.

Administrative Law Judges Syeetah Hampton-El and Bill Burnham are scheduled to begin on January 31, 2018. The first training area will be MVA and then they will move to Inmate grievance and personnel.

IV. Publishing of Decisions

The following summary was provided to the administrative law section council for publication in its winter newsletter and has been provided to various state agencies and assistant attorney generals upon request. ALJ Shaffer and Claire Pierson have met with or spoken to various agencies to discuss questions and concerns regarding publication. OAH is on track to “go live” with the publishing portal in March with at least 200 decisions redacted and ready for publication

**QUALITY ASSURANCE DIVISION
REPORT TO THE ADVISORY COUNCIL**

Denise Shaffer, Director, Quality Assurance
Harriet Helfand, Deputy Director, Quality Assurance

I. Continuing Judicial Education

The Quality Assurance Division presents monthly training sessions for administrative law judges (ALJs), staff attorneys, and paralegals. ALJs are required to attend or to review the video recording of the training promptly. These sessions cover a wide variety of topics relevant to the legal issues that arise at OAH. The schedule for January 13, 2018 through May 11, 2018 is as follows:

Judicial Training Date	Topic/Agenda	Presenter(s)
January 13, 2018	The Nuts and Bolts of Judging- Panel Discussion	Judge Yolanda Curtin Judge Wayne Brooks Judge Marina Sabett Judge Nicole Pastore-Klein Judge Joan Gordon Judge Zuberi Williams
February 9, 2018	Overview Board Referrals, composition of the record Hypotheticals Process	Allan Hillman Gary Honick, Chief Antitrust Division OAG and Deborah Donohue, AAG MHD, Schonette Walker, AAG Antitrust Division Panel: Allan Hillman, Bob Levin , John Leidig, Gary Honick and Deborah Donohue John Leidig and Denise Shaffer
March 23, 2018	Domestic Violence and Mediation Presentation from Bar Counsel MVA SMS meeting	Tracey Delp, Terry Garland, Tameika Lunn-Exinor, Leigh Walder Lydia Lawless
April 13, 2018	Special Education Law Update	Art Cernosia, Esq.
May 11, 2018	MVA Update	MVA SMS training group, Steve Adler, Susan Sinrod, Jim Murray, Mike Osborn, Mike Wallace, Harriet Helfand, Claire Pierson

II. Speaking Engagements and other Extrajudicial Activities

DATE (S)	TOPICS	ALJ
February 13, 2018	University of Baltimore School of Law Mental Health Clinic Mock Trial-Presiding ALJ	ALJ Garland
March 9, 2018	Speaking to high school students about administrative law and legal issues	ALJ Cole
March 9, 2018	Involuntary Admission (IVA) training at Washington Adventist Hospital	ALJ Helfand
March 19, 2018	Mock Hearings, The Green Mount School	ALJ Kehinde ALJ Nappier
April 4, 2018	Mock Hearings, CLREP's High School Mock Trial regional competition	ALJs Chapman, Dargan, Burnham, Hampton-EL, Baker and Leigh Walder
April 6, 2018	IVA Training at Harbor Hospital	ALJ Helfand
April 10, 2018	Council of State Administrators of Vocational Rehabilitation: Due process hearings	ALJ Shaffer

III. Update on Newest ALJs

ALJs Syeetah Hampton-El and Bill Burnham began on January 31, 2018.

Bill received his undergraduate degree from Towson University and his J.D. from University of Baltimore School of Law. He served as law clerk for the Honorable Arrie W. Davis, Maryland Court of Special Appeals. He has worked at DLA Piper and as an Associate with Janet, Jenner & Suggs, LLC, where he represented plaintiffs in the Courts of Maryland.

Syeetah received her undergraduate degree from Johnson C. Smith University, Charlotte, North Carolina and her J.D. from Thomas M. Cooley Law School, Lansing, Michigan. She previously worked as an Assistant State's Attorney for the State's Attorney Office for Baltimore City and as a Family Advocacy Attorney for the Green and Healthy Homes Initiative. She most recently served as the Director of Government Affairs for the Maryland Multi-Housing Association.

Bill and Syeetah have received training in MVA, DLLR, Insurance, Inmate Grievance and Personnel.

ALJs Alecia Frisby Trout and Brian Weeks began on March 28, 2018.

Alecia received her undergraduate degree from University of Maryland and her J.D. from Texas A & M School of Law. She served as a Law Clerk for the Office of the Public Defender of Maryland and the Legal Aid of East Tennessee. She most recently served as a Staff Attorney for Maryland Legal Aid.

Brian received his undergraduate degree from College of the Holy Cross and his J.D. from University of Maryland School of Law. He served as Law Clerk for the Honorable Albert Matricciani, Court of Special Appeals of Maryland. Brian worked as a Staff Attorney for OAH and served as a Special Assistant to the Deputy Chief of Staff, Office of the Governor, when he left OAH. Brian most recently served as an Assistant Attorney General and was Counsel to the Commissioner of Financial Regulation.

Alecia and Brian have received training in MVA and DLLR.

IV. Publishing of Decisions

OAH's publishing portal is now available for the public to use to research case. The database contains over 300 cases decided after September 1, 2017 from the following agencies: DHCD, DNR, DPSC, MDA, MDE, MDH, MHBE, MIA, MDOT and MSDE. OAH continues to work with other agencies to build consensus on the types of decisions to be publish as well as the scope of the redaction. OAH has over 70 DHS decisions redacted and ready to upload once consensus with DHS is reached.

The link for the portal is: <http://decisions-oah.maryland.gov/Pages/Home.aspx>

* * *

www.oah.state.md.us

QA-
DOC # 171939

**FY/2018 MONTHLY REPORT
TOTALS**

	JULY	AUG	SEPT	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUNE	TOTALS
CASELOAD FLOW													
I. CASES CARRIED OVER FROM PREVIOUS MONTH	6052	6476	6482	6406	6465	6474	6347	6755	6672	6510	6445	5998	
II. NEW CASES RECEIVED													
A. Complete Cases	3457	3816	3138	3529	3087	2960	3585	3126	3153	3365	3221	3244	39681
B. Untimely Cases	84	115	101	85	136	122	148	141	138	130	119	96	1415
C. Incomplete Cases*	41	51	42	34	52	23	21	21	28	32	29	27	401
D. Fee Payments**	1663	1775	1153	1171	1411	1166	1229	1182	1347	1255	1483	1170	16005
E. Mediations - Special Ed	32	28	27	26	26	22	35	24	30	18	22	25	315
F. Due Process - Special Ed	19	24	27	21	26	11	28	18	26	15	21	26	262
TOTAL RECEIVED	3592	3983	3293	3661	3275	3115	3796	3309	3347	3528	3383	3391	41673
III. CASES SCHEDULED													
A. Heard in Full	1321	1806	1501	1577	1429	1423	1325	1398	1558	1518	1818	1413	18087
B. Special Ed Hearing in Full	4	1	3	1	2	4	2	1	1	3	3	1	26
C. Record Review	2	0	2	1	2	1	5	3	3	9	0	7	35
D. Hearing Continued	60	95	69	77	67	58	64	50	78	56	78	67	819
E. PHC Heard	15	12	30	31	26	18	19	17	30	33	25	18	274
F. Motion Heard	3	0	1	5	3	0	1	3	2	0	4	3	25
G. Mediation Heard (SE)	9	12	13	9	11	13	8	15	12	15	11	16	144
H. SC/Mediation Heard	120	171	162	138	137	130	156	132	125	134	154	136	1695
I. Postponed/Liberal Leave	486	611	480	553	444	450	779	668	910	560	565	476	6982
J. Default	252	332	266	288	324	307	323	335	352	391	286	334	3790
K. Failed to Appear (MVA)	160	171	138	154	94	93	95	94	115	92	103	71	1380
L. Scheduled but not Heard	1265	1329	1178	1427	1418	1284	1512	1405	1462	1460	1571	1346	16657
TOTAL SCHEDULED	3697	4540	3843	4261	3957	3781	4289	4121	4648	4271	4618	3888	49914
IV. DISPOSITIONS													
A. Decisions	148	186	166	184	218	173	185	181	197	189	187	223	2237
B. Special Ed Decisions	3	4	1	2	2	2	2	2	2	1	2	2	25
C. Bench Decisions	1347	1794	1480	1528	1349	1309	1253	1324	1502	1425	1732	1269	17312
D. Defaults	181	278	244	330	212	248	331	244	269	367	317	196	3217
E. Untimely	4	4	11	7	7	7	11	2	6	9	8	3	79
F. Untimely (MVA Only)	69	98	47	55	52	45	68	61	41	57	48	35	676
G. Not Settled	8	5	3	5	8	5	5	10	5	4	3	10	71
H. Withdrawn/Settled or Cancelled/Dismissed Reinstated or Duplicate	1408	1608	1417	1491	1418	1453	1533	1568	1487	1541	1533	1450	17907
TOTAL DISPOSITIONS	3168	3977	3369	3602	3266	3242	3388	3392	3509	3593	3830	3188	41524
V. CASES CARRIED OVER TO THE FOLLOWING MONTH	6476	6482	6406	6465	6474	6347	6755	6672	6510	6445	5998	5997	

* Incomplete Cases Received are not calculated in "TOTAL RECEIVED".

** Fee Payments Received are not calculated in "TOTAL RECEIVED".