

**OFFICE
OF
ADMINISTRATIVE HEARINGS**



**2015
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 2015 annual reports jointly.

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 2015 OAH:

- Received 44,000 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 Foreclosure Mediations
- Met with new agency heads

I. Highlights

The following are some highlights from 2015:

Personnel

Five ALJs and two Office Secretaries applied for the Department of Budget and Management's Voluntary Separation Program (VSP) and all positions were approved for abolishment except one Office Secretary position. Consequently, OAH lost 5 ALJs positions and one office secretary position in Fiscal Year 2015.

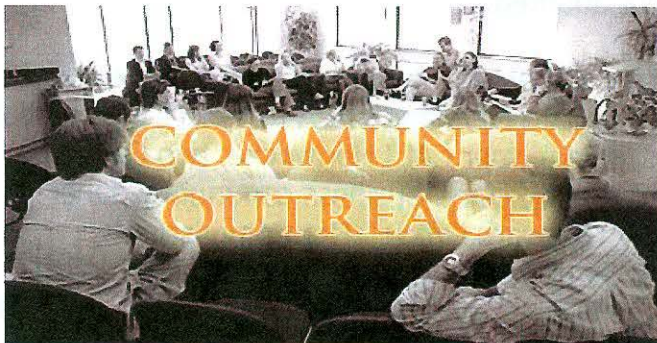
When the VSPs were granted, OAH was already in the process of interviewing candidates for three vacant ALJ positions and the new ALJs started in May of 2015.

Meetings with Agencies

CALJ Dewberry sent letters to the new agency heads appointed by Governor Hogan introducing himself and requesting meetings. These meetings provide an excellent opportunity to explain how OAH operates. The majority of the agency heads agree to come to Hunt Valley so that they can tour the building and see the clerk's office and hearing rooms.

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 agency meetings which were held in 2015.

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 2015 Quality Assurance Reports includes lists of ALJ Speaking Engagements.

Administrative Law Judge Appointed to the Judiciary

In January, ALJ Zuberi Williams was appointed to the District Court for Montgomery County.

There have now been six former ALJs appointed to the Judiciary and the OAH is extremely proud to report on Judge Williams' appointment to the Judiciary.

II. 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 DHMH, DLLR and the Maryland 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 MSBA 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.

III. Miscellaneous Additional 2015 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.

In 2015, OAH had 109 authorized positions. 51 of the positions are ALJs who are appointed by the CALJ. Current qualifications require that ALJs be bar-admitted attorneys with a minimum of five years of experience. The entry level salary for an ALJ is \$95,810 and the average ALJ salary is \$99,391.

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 23 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 space in each of the Circuit Court buildings for the conduct of 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 2015, OAH received 44,000 new cases.

As previously noted, the attached Operations' Reports for 2015 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 Quality Assurance Reports for 2015 are attached to this report.

IV. Conclusions

OAH will continue to work in 2016 to further improve the administrative hearing process so that the citizens of Maryland receive due process in a prompt and efficient manner. Members of OAH's management staff have met and will continue to meet with Governor Hogan's Administration and realize the importance of maintaining open communication with the agencies for which it holds hearings. As always, OAH stands ready to assist in any way that is appropriate.

OAH is proud to report, once again, of the appointment of an ALJ to the Judiciary. ALJ Zuberi Williams was appointed to the District Court of Maryland for Montgomery County. The OAH's loss of Judge Williams is certainly a tremendous gain for the Judiciary. OAH is confident that ALJ Williams has the intellect, judgement and demeanor to competently and graciously continue to serve the citizens of Maryland as a Judge on the District Court of Maryland for Montgomery County.

CALJ Dewberry remains grateful for the support, hard work and dedication of OAH's employees and the guidance from OAH's Advisory Council.

Operations Report

January 23, 2015

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 the first five months of FY15 was 100% as compared to 99.78% for the first five months of FY14. 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. In the first six months of FY15, ALJs heard 1,570 cases which required written decisions, as compared to 1,496 cases for the same period in FY14.

In addition to the issuance of written decisions, ALJs rendered 7,672 bench decisions in Motor Vehicle Administration (MVA) hearings in the first five months of FY15, a decrease from the 8,826 MVA cases heard in the first five months of FY14. They also rendered 604 bench decisions in Involuntary Admissions (IVA) hearings in the first five months of FY 15, which is a slight increase from the 574 IVA hearings held in in the first five months of FY 14.

In the first five months of FY15, 1,374 mediations and settlement conferences were conducted versus 1,757 for the same period in FY14. In the first five months of FY15, OAH received 1,747 Foreclosure Mediation (FM) requests which were scheduled versus 2,289 during the first five months of FY14. OAH anticipates that the number of FM requests will remain at this level for the remainder of FY15. In addition, the pre-file FM legislation, which took effect October 1, 2012, resulted in 17 pre-file FMs for the first five months of FY15.

II. Docketing

In the first half of FY15, ALJs, excluding management, heard an average of 28 cases requiring written decisions versus 26 cases during the same period in FY14.

OAH's Clerk's Office currently has five vacancies (four permanent and one contractual) for full-time positions. A hiring freeze exception is being submitted for the most recent permanent vacancy. Interviews are currently being conducted for one of the vacancies for which an exception was granted. Two of the permanent positions have been denied

hiring freeze exceptions.

III. Information Technology

Website Enhancements

IT is currently developing OAH's new website which will use the redesigned Maryland.gov template. The artwork used on the site is being created by DoIT and the initial test site is due to be completed by April 1. Once the website is tested and approved by OAH's Website Committee, the site will go live.

OAH Internet Speed

OAH upgraded the internet circuit entering the Hunt Valley building from 4 to 20 Mbps in August using a fiber optic circuit from Verizon called EVPL. DoIT has informed IT that they will be introducing a faster and less expensive option into the building in the next few months. The new circuit will require a new conduit to be installed from the server room to an access point across Gilroy Road. The Access and Utility Easement Agreement has been signed by DoIT and the Landlord and the project is expected to be completed by March 2015.

Server Consolidation

OAH has continued to consolidate applications running on older servers to newer and more powerful servers. The consolidation efforts allow for better network security and lower costs to maintain the hardware. Microsoft will discontinue security updates for Windows 2003 Server in July 2015. OAH has four remaining servers in production which will be replaced with one Windows 2012 R2 Server by June 2015.

IV. Meetings

- ❖ October 24, 2014 – Linda Novak, Chief Clerk and ALJ Zuberi Williams participated in the annual Child Abuse and Neglect Conference hosted by the DHR.
- ❖ October 29, 2014 – J. Bernard McClellan and Jana Burch met with the Maryland State Department of Education for its quarterly meeting to discuss issues concerning the Special Education hearings which it delegates to OAH. Another quarterly meeting was held on January 29, 2014. Another quarterly meeting will be held on January 29, 2015.

V. Miscellaneous

OAH continues to participate in an internship program with Cristo Rey High School (Cristo Rey). Cristo Rey is a Jesuit high school that serves low-income urban youth of all faiths. OAH currently has four students, who perform entry level clerical tasks in its Clerk's Office, Quality Assurance, IT and Operations departments. OAH's continued

partnership with Cristo Rey remains a positive experience for the students and OAH's staff.

OAH has received and responded to 15 PIA requests in FY 2015.

Operations Report

May 1, 2015

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 the first nine months of FY15 was 99.77% as compared to 99.65% for the first nine months of FY14. 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. In the first nine months of FY15, ALJs heard 2,197 cases which required written decisions, as compared to 2,174 cases for the same period in FY14.

In addition to the issuance of written decisions, ALJs rendered 11,310 bench decisions in Motor Vehicle Administration (MVA) hearings in the first nine months of FY15, a decrease from the 13,102 MVA cases heard in the first nine months of FY14. They also rendered 1,036 bench decisions in Involuntary Admissions (IVA) hearings in the first nine months of FY 15, which is a very slight decrease from the 1,040 IVA hearings held in the first nine months of FY 14.

In the first nine months of FY15, 2,244 mediations and settlement conferences were conducted versus 3,019 for the same period in FY14. In the first nine months of FY15, OAH received 2,949 Foreclosure Mediation (FM) requests which were scheduled versus 4,046 during the first nine months of FY14. OAH anticipates that the number of FM requests will remain at this level for the remainder of FY15. In addition, the pre-file FM legislation, which took effect October 1, 2012, resulted in 30 pre-file FMs for the first nine months of FY15 versus 50 during the same period in FY14.

II. Docketing

In the nine months of FY15, ALJs, excluding management, heard an average of 40 cases requiring written decisions, approximately the same average as the first nine months of FY14.

OAH's Clerk's Office currently has four vacancies (three permanent and one contractual) for full-time positions. Interviews were conducted in February to fill one of the vacancies for which an exception was granted. Two additional positions are in the

process of being advertised and we are expecting to conduct interviews in the near future.

III. Information Technology

Website Enhancements

IT has completed the test version of OAH's new website. All of the code and artwork has been modified to the new Maryland.gov template. The site will be reviewed and tested by OAH's Website Committee in May 2015. Once testing is complete the new website will be uploaded to the production web server.

IT is also preparing a duplicate website that will be translated into Spanish to be completed in August 2015.

OAH Internet and SwGI Upgrade

DoIT informed IT that it would be introducing a faster and less expensive option into the OAH Hunt Valley building in January 2015. The new Internet and SwGI circuit will provide faster data speeds and save OAH approximately \$24,000 per year in communications costs. The new fiber optic cable was pulled into OAH and terminated into the server room on April 20, 2015. DoIT has planned to bring OAH over to the new circuit by May 8, 2015.

Server Consolidation

OAH has continued to consolidate applications running on older servers to newer and more powerful servers. The consolidation efforts allow for better network security and lower costs to maintain the hardware. Microsoft will discontinue security updates for Windows 2003 Server in July 2015. OAH has four remaining servers in production which will be replaced with one Windows 2012 R2 Server by June 2015.

IV. Meetings

- ❖ February 9, 2015 – Denise Shaffer attended House Budget Hearing
- ❖ February 25, 2015 – Denise Shaffer attended FM Legal Partners monthly meeting
- ❖ March 11, 2015 – Denise Shaffer attended the National Instant Check System (NICS) Act Records Improvement Taskforce meeting where the NICS report was finalized
- ❖ March 13, 2015 – Jana Burch, Denise Shaffer, J. Bernard McClellan and Georgia Brady had an annual meeting at the Department of Human Resources (DHR) to discuss any issues concerning DHR hearings

- ❖ March 23, 25, 26, 27, 31 and April 1 and 2, 2015 – Denise Shaffer, Linda Novak, and members of the ALJ hiring committee, conducted interviews for OAH’s ALJ vacancies
- ❖ April 13 and 15, 2015 – CALJ Thomas Dewberry, Jana Burch and J. Bernard McClellan interviewed the list of top candidates which the hiring committee recommended
- ❖ April 20 and 21, 2015 – National Association of Administrative Law Judges Conference was hosted in Annapolis, Maryland and approximately 40 OAH ALJs attended
- ❖ April 28, 2015 – CALJ Thomas Dewberry, Jana Burch and Linda Novak met with the Executive Director of the Baltimore City Environmental Control Board to discuss OAH’s operational process. The Board is in the process of revamping their current business practices
- ❖ April 29, 2015 - Denise Shaffer presented on the changes to the Public Information Act at the MSBA Administrative Law Section conference

V. Miscellaneous

OAH continues to participate in an internship program with Cristo Rey High School (Cristo Rey). Cristo Rey is a Jesuit high school that serves low-income urban youth of all faiths. OAH currently has four students, who perform entry level clerical tasks in its Clerk’s Office, Quality Assurance, IT and Operations departments. OAH’s continued partnership with Cristo Rey remains a positive experience for the students and OAH’s staff.

Operations Report

August 27, 2015

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 FY15 was 99.76% as compared to 99.57% for FY14. 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. In FY15, ALJs heard 2,810 cases which required written decisions, as compared to 2,869 cases for the same period in FY14.

In addition to the issuance of written decisions, ALJs rendered 15,982 bench decisions in Motor Vehicle Administration (MVA) hearings in FY15, a decrease from the 17,916 MVA cases heard in FY14. They also rendered 1,366 bench decisions in Involuntary Admissions (IVA) hearings in FY 15, which is a slight decrease from the 1,415 IVA hearings held in FY14.

In FY15, 2,969 mediations and settlement conferences were conducted versus 4,067 for the same period in FY14. In FY15, OAH received 3,875 Foreclosure Mediation (FM) requests which were scheduled versus 5,091 during FY14. OAH anticipates that the number of FM requests will remain at this level for FY16. A similar decline occurred in pre-file FMs. OAH received 32 pre-file FMs in FY15 versus 58 during FY14.

II. Docketing

In FY15, ALJs, excluding management, heard an average of 53 cases requiring written decisions, and in FY14 the average was 52 cases.

OAH's Clerk's Office currently has three vacancies for full-time positions. Since the last Advisory Council report, one vacancy was filled on August 5, 2015. The interview process has begun to fill additional vacancy in the upcoming weeks. Once this process is complete, two vacancies will remain.

III. Information Technology

Network Backup Upgrade

IT has acquired a new and more efficient backup system from Dell and Symantec. The new system includes Symantec Backup Exec 2015 and a Dell Tape library which will decrease the number of tapes needed and substantially decrease the time it takes for a full backup of network files. The new backup system is scheduled to be implemented by August 31st.

OAH Website Upgrade

IT is finalizing the development of the new website for deployment in early September 2015. The website is based on a new Maryland.gov template created to enhance user experience. A Spanish version of the site is also being created to be deployed in early October 2015.

Hearing Room Video Conferencing

IT has acquired two flat screen televisions and two Polycom Real Presence HD video cameras to be installed in Hearing Rooms 8 and 9. The new equipment will enhance the quality of video hearings. The equipment is being tested and is scheduled to be implemented by September 4th.

Data Leak Protection

Google has implemented a new tool to identify data leaks of personal information through the Maryland.gov email platform. Data Leak Protection is a service that scans emails and email attachments for personal information. The Helpdesk will receive alerts if an outgoing email contains a social security number or driver's license information.

IV. Meetings

- ❖ May 20, 2015 – Jana Burch and Denise Shaffer met with Jashion Scott, the Corporate Sponsor representative for Cristo Rey High School to discuss the 2014-2015 student/employer experience
- ❖ May 29, 2105 – Denise Shaffer met with Department of Housing and Community Development (DHCD)
- ❖ June 4, 2015 – Jana Burch and Denise Shaffer met with Scott Oakley, the Executive Director of the Inmate Grievance Office (IGO) to discuss issues which have surfaced surrounding the IGO hearings which OAH conducts.

- ❖ June 10-12, 2015 – Georgia Brady, Jana Burch, J. Bernard McClellan, Denise Shaffer and CALJ Dewberry attended the Annual MSBA Conference
- ❖ June 15, 2015 – Jana Burch, J. Bernard McClellan and CALJ Dewberry met with Secretary Schulz from the Department of Labor, Licensing and Regulation (DLLR) to provide her with background information concerning OAH and the hearing types it conducts on behalf of DLLR, as well as provide a tour of the facility
- ❖ June 25, 2015 – Jana Burch, J. Bernard McClellan and CALJ Dewberry met with Attorney General (AG) Frosh and Thiru Vignarajah, Deputy Attorney General, to provide them with background information concerning OAH and the hearing types it conducts on behalf of the AG's Office
- ❖ July 21, 2015 – Jana Burch, J. Bernard McClellan and CALJ Dewberry met with Secretary Malhotra from the Department of Human Resources (DHR) to provide him with background information concerning OAH and the hearing types it conducts on behalf of DHR
- ❖ July 23, 2015 – Jana Burch and J. Bernard McClellan attended a quarterly meeting with Maryland State Department of Education to review any issues which have surfaced in the past quarter
- ❖ July 23, 2015 – Jana Burch, J. Bernard McClellan, Denise Shaffer and CALJ Dewberry met with Secretary Mitchell of the Department of Health and Mental Hygiene (DHMH) to discuss the many types of hearings that OAH conducts on behalf of DHMH, as well as any current issues
- ❖ August 11, 2015 – Denise Shaffer, J. Bernard McClellan and CALJ Dewberry met with Secretary Brinkley of the Department of Budget and Management (DBM) to discuss the hearing types that OAH conducts on behalf of DBM
- ❖ August 26, 2015 – Jana Burch and Denise Shaffer met with Cristo Rey and the four new students assigned to OAH for the 2015/2016 academic year
- ❖ August 27, 2015 – Jana Burch and J. Bernard McClellan hosted ten visitors from the China Shandong Province Institute of Political Studies for a presentation on OAH

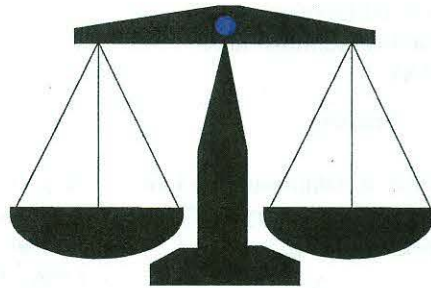
Miscellaneous

OAH continues to participate in an internship program with Cristo Rey High School (Cristo Rey). Cristo Rey is a Jesuit high school that serves low-income urban youth of all faiths. OAH currently has four students, who perform entry level clerical tasks in its

Clerk's Office, Quality Assurance, IT and Operations departments. OAH's continued partnership with Cristo Rey remains a positive experience for the students and OAH's staff. The new students attended an orientation session on August 26, 2015 and all are interested in legal careers.

**OFFICE OF
ADMINISTRATIVE HEARINGS**

**QUALITY ASSURANCE DIVISION
REPORT TO THE ADVISORY COUNCIL
NOVEMBER 2014-FEBRUARY 2015**



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 2014 through December 2014 is as follows:

Judicial Training Date	Topic/Agenda	Presenter(s)
January 17, 2014	Orders to Surrender Firearms in IVA Hearing;	Sgt. Frank Lopez, Criminal Apprehension Division
	DHMH – MA Eligibility Update	Lorie Mayorga – Dir. of Policy, DHMH
	Hope Loan Portal Update	Emilie Drasher, DHCD and Pramod Karachur, Indisoft
February 14, 2014	Cancelled due to inclement weather	
March 14, 2014	Foreclosure Mediation	ALJ Denise Shaffer
	Foreclosure Mediation National Fair Housing Coalition	Diane Cipollone
	Child Abuse and Neglect	CAN SMS group
April 11, 2014	Special Education Law	Art Cernosia
May 2, 2014	Firearm Safety Act 2013	Dr. Nearon, DHMH

	Food Stamp Trafficking	Eric Ratchford
	New Standards for Clinical Review Panels	ALJ Wayne Brooks
	Firearm Safety Act 2013	ALJ Denise Shaffer
June 20, 2014	DSM-5 Classification, Criteria and Use.	Elias K. Shaya, M.D. Chief of Psychiatry, Good Samaritan Hospital
	Special Ed Connection Tools and Searching.	Michael G. Rhoads, Product Trainer
July 18, 2014	Overview of Community First Choice Program. ACA and Long Term Support Services. Maryland Developmental Disability Administration (DDA)	Lorraine Nawarra Sarah Rice, AAG Kathleen A. Morse, AAG
August 8, 2014	MVA Training	SGT. Timothy L. Aronhalt, MSP
September 19, 2014	Review of Administrative Law decisions from Maryland's Appellate Courts	Judge Glenn Harrell, Court of Appeals, Judge Kevin Arthur, Court of Special Appeals and Judge Andrea Leahy, Court of Special Appeals
October 10, 2014	Not Criminally Responsible (NCR)	The Honorable George Lipman, Phyllis McCann, Baltimore City State's Attorney's Office, Michelle Selzer, Assistant Public Defender and Brad Hersey, Assistant Public Defender
	Professionalism Training	E. Regine Francois, Executive Director, Maryland Professionalism
	Ethics	OAH Ethics Committee Training
November 14, 2014	Developments in Medical Assistance Hearings	OAH DHMH SMS Group- ALJs Jacobson, Craig, Herzing, Dargan, and Carter-Jones
	IVA/NCR Update	OAH IVA/NCR SMS Group – ALJs Farrell, Sabett, Burns, Herzing, Perez and Bennett
December 12, 2014	MVA Update	OAH MVA SMS Group – ALJs Sinrod, Nichols and McClellan

II. Speaking Engagements and other Extrajudicial Activities

DATE (S)	TOPICS	ALJ
2-6-14	MVA Hearings Lecture at the University of Baltimore School of Law	ALJ J. Bernard McClellan
2-20-14	OAH Hearings Lecture at the University of Baltimore School of Law	Chief ALJ Dewberry and ALJ McClellan
2-11-14	What not to say in legal writings	ALJ Louis Hurwitz

2-25-14	Administrative Law Class at University of Baltimore School of Law	ALJ Mary Shock
4-10-14	Sylvania Woods Conference Panelist at America University Law School	ALJ Zuberi Williams
4-22-14	Mock Trial Judge, Park School	ALJ Rachael Barnett
4-23-14	Mediator Ethics at Baltimore City Circuit Court	ALJ Laurie Bennett
4-24-14	Attend the 20 th Anniversary Commemoration of the Harford County Child Advocacy Center	ALJ Teresa Garland
5-2-14	Law day program at Baltimore Polytechnic High School	ALJs Laurie Bennett and Michael Osborn
5-15-14	Maryland Simulated Congressional Hearing (SCH), Judge	ALJ Zuberi Williams
5-21-14	Lecture by Dr. Ira Byock, Palliative Care/Elder Care	ALJ Jana Burch
5-28-14	To act as Judge for students presentations at mock constitutional convention for Howard County Public Schools	ALJ Richard O'Connor
8-13-14	Meeting for HCBA Judicial Selection Committee	ALJ Tara Lehner
9-9-14	MAALJ luncheon meeting	ALJs Louis Hurwitz, Georgia Brady, Kimberly Farrell, Mary Shock and Marc Nachman

III. Update on Recent ALJ Additions

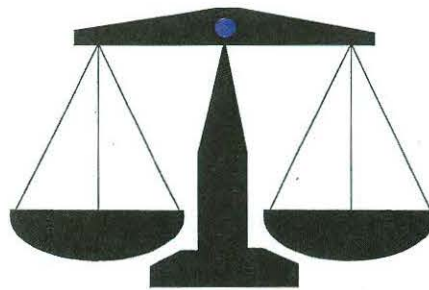
Since last reported, all of the newest ALJs (Judges Rachael Barnett, Tara Lehner, Richard Moore, Steven Adler, Emily Daneker, John Leidig and Michelle Cole) continue to progress in their training. We anticipate that the newest ALJs will be presiding in all docket areas by the end of the spring.

IV. ALJ Recruitment

On January 23, 2015, OAH began recruitment for new ALJs. The openings resulted from the retirement of ALJs Richard Rothenberg and Arthur Novotny as well as the elevation of ALJ Zuberi Williams to the District Court of Montgomery County. In addition to placing the opening on the State JobAps website, an advertisement was placed in the Daily Record. Also, all of the specialty Bars in Maryland and the placement offices of all of the Law Schools in the Baltimore and Washington metropolitan area were directly notified. At this time, due to budget concerns, it has not been determined exactly how many of the openings will be filled.

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ADMINISTRATIVE HEARINGS**

**QUALITY ASSURANCE DIVISION
REPORT TO THE ADVISORY COUNCIL
JANUARY 2015-MAY 2015**



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 2015 through May 2015 is as follows:

Judicial Training Date	Topic/Agenda	Presenter(s)
January 23, 2015	Child Abuse/Neglect Hidden Gems of the Administrative Procedure Act. Appeal v. Request for Hearing Statute of Limitations v. Jurisdiction	Sandra Barnes Assistant Attorney General ALJ Mary Shock ALJ Henry Abrams
February 20, 2015	Writing, Editing and Proofreading Tune-Up	ALJ Una Perez ALJ Michelle Cole ALJ Harriet Helfand ALJ Thomas Welshko ALJ Jenny Gresock ALJ Georgia Brady The Honorable Leah Seaton Judge of the Circuit Court
April 19, 2015 April 20, 2015 April 21, 2015	NAALJ Conference	

II. Speaking Engagements and other Extrajudicial Activities

DATE (S)	TOPICS	ALJ
2-25-15	Senior Mock Interview Day	ALJ Sondra Spencer
3-24-15	Bar Association of Baltimore City and Monumental City Bar lunch	ALJ Tameika Lunn-Exinor
4-17-15	Panel discussion concerning business best practices in operating an academic female institution at Maryvale	ALJ Jana Burch
5-28-15	Acting Judge at Howard County Public Schools	ALJ Richard O'Connor
6-3-15	Acting Judge at Howard County Public Schools	ALJ Richard O'Connor

III. Update on Recent ALJ Additions

The newest ALJs (Judges Rachael Barnett, Tara Lehner, Steven Adler, Emily Daneker, John Leidig and Michelle Cole) continue to progress in their training and will be released in all areas shortly.

IV. Recent Hires

On April 20, 2015, the OAH hired three new ALJs. They will start on May 27, 2015.

Kerwin Miller received his undergraduate degree from the University of Maryland Washington and his Juris Doctorate from Southwestern University School of Law. In addition to private practice, he has worked at the Legal Aid Bureau, the Office of the Public Defender and the Baltimore County State's Attorney's Office. He currently is the Chief Homicide Prosecutor and the Deputy State's Attorney for Cecil County. Since 2008, he has been an Adjunct Faculty member at the University of Maryland Baltimore County.

Tracey Parker-Warren received her undergraduate degree from Morgan State University and her Juris Doctorate from the University of Baltimore School of Law. She was a Law Clerk for the Honorable Arrie W. Davis of the Court of Special Appeals of Maryland, an Attorney Advisor with the United States Department of Justice, an Assistant State's Attorney with the Montgomery County State's Attorney's Office and an attorney with Williams & Connolly in the District of Columbia. She currently is an attorney with the U. S. Department of Veteran's Affairs.

Robert Levin received his undergraduate degree from McGill University in Montreal and his Juris Doctorate from the University of Maryland School of Law. He was a Law Clerk for the Honorable Richard P. Gilbert of the Court of Special Appeals of Maryland, an associate and partner at Frank, Bernstein, Conaway & Goldman, an Assistant Special Counsel to the U. S. House of Representatives Committee on the Judiciary, a Special Chief Solicitor to the Baltimore City Law

Department, a partner at Freishtat & Sandler, and most recently a partner at Shapiro Guinot & Sandler.

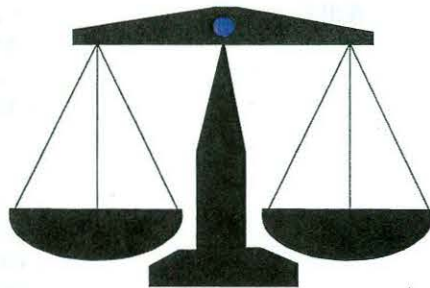
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QA-May 2015
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**OFFICE OF
ADMINISTRATIVE HEARINGS**

**QUALITY ASSURANCE DIVISION
REPORT TO THE ADVISORY COUNCIL
JANUARY 2015-SEPTEMBER 2015**



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 2015 through September 1, 2015 is as follows:

Judicial Training Date	Topic/Agenda	Presenter(s)
January 23, 2015	Child Abuse/Neglect ... Hidden Gems of the Administrative Procedure Act. ... Appeal v. Request for Hearing Statute of Limitations v. Jurisdiction	Sandra Barnes Assistant Attorney General, DHR ... ALJ Mary Shock ... ALJ Henry Abrams
February 20, 2015	Writing, Editing and Proofreading Tune-Up	ALJ Una Perez ALJ Michelle Cole ALJ Harriet Helfand ALJ Thomas Welshko ALJ Jenny Gresock ALJ Georgia Brady The Honorable Leah Seaton Judge of the Circuit Court for Wicomico County
April 20, 2015 April 21, 2015	NAALJ Conference, including but not limited to presentations on: ■ Affordable Care Act	--Jennifer Goldberg, Esq., Md. Legal Aid

	<ul style="list-style-type: none"> ■ Judicial Ethics ■ Effective Administrative Opinion Writing ■ Immigration: Impact on State Administrative Agencies ■ Special Education Challenges Among the Non-English-Speaking Population ■ Sticky Questions Every Administrative Adjudicator Will Face 	<p>-- Hon. Lynne Battaglia; Bar Counsel Glenn Grossman; ALJ Louis Hurwitz</p> <p>-- ALJ Marlene Miller and ALJ Michelle Cole</p> <p>-- Hon. Ana Sol Gutierrez, Delegate; ALJ Marina Sabett, ALJ, Ann Flagg, DHR</p> <p>-- Maureen Stone, Project HEAL; Bonnie Walston, Special Education Supervisor, Wicomico County; ALJ Harriet Helfand</p> <p>ALJ Susan Sinrod of Maryland Office of Administrative Hearings</p> <p>ALJ Selina Brooks of North Carolina Office of Administrative Hearings</p> <p>Bob Layton, Administrative Judge, President –Elect, NAALJ</p> <p>ALJ Daniel Andrews Maryland Office of Administrative Hearings</p>
May	No training	
June 19, 2015	<p>Maryland State Police</p> <p>...</p> <p>Legislative Update</p> <p>...</p> <p>Issues in Gender Identification and Public Accommodations: Part II</p>	<p>Lt. Jeffrey Thomas</p> <p>...</p> <p>Deputy Director Of Operations Denise Shaffer</p> <p>...</p> <p>LGBTQI Panel, Glendora Hughes, Esquire, Dr. Dana Beyer and Jer Welter, Esquire</p>
July 17, 2015	De-escalation of Anger: It is What It Is... It Becomes What You Make It	Roseanne Torpey, RN,MSED, Behavioral Consultant
August 21, 2015	Various MVA Topics	Gloria Smith Administrative Adjudication Division of Maryland Motor Vehicle; ALJ McClellan, ALJ Farrell, ALJ Carlis, ALJ Wallace, ALJ Sinrod and ALJ Klauber
September 14, 2015	A Review of Administrative Law Decisions issued by the Appellate Courts in the last year	Hon. Robert McDonald, Court of Appeals; Hon. Kevin Arthur, Court of Special Appeals; Hon. Judy Ensor, Circuit Court, Baltimore County

II. Speaking Engagements and other Extrajudicial Activities

DATE (S)	TOPICS	ALJ
2-19-15	Administrative Law Class at the University of Baltimore School of Law.	CALJ Dewberry & ALJ McClellan
2-25-15	Senior Mock Interview Day	ALJ Sondra Spencer
4-17-15	Panel discussion concerning business best practices in operating an academic female institution at Maryvale	ALJ Jana Burch
4-19-15 thru 4-21-15	NAALJ Mid-Year Conference	ALJ Maria Sabett, ALJ Louis Hurwitz, ALJ Marlene Miller, ALJ Michelle Cole, ALJ Susan Sinrod and ALJ Daniel Andrews
4-29-15	Maryland State Bar Association's Maryland Administrative Law-What you need to know program.. Judiciary Education Conference Center	CALJ Dewberry, ALJ McClellan, ALJ Shaffer, ALJ Brady, ALJ Abrams, ALJ Barnett and ALJ Dargan
5-28-15	Acting Judge at Howard County Public Schools	ALJ Richard O'Connor
6-3-15	Acting Judge at Howard County Public Schools	ALJ Richard O'Connor
6-11-15	Maryland State Bar Association's Annual meeting. An Attorney for every Veteran: Updates on Veteran's Law and Opportunities to Serve	ALJ Parker-Warren
6-20-15	Women In Leadership Panelist, Central Presbyterian Church	ALJ Georgia Brady
9-8-15	Women Lawyers as Leaders	ALJ Denise Shaffer; ALJ Georgia Brady

III. Update on Recent ALJ Additions

ALJs Rachael Barnett, Tara Lehner, Steven Adler, Emily Daneker, John Leidig and Michelle Cole have completed their training and are currently conducting hearings in all substantive areas.

ALJs Kerwin Miller, Tracey Parker-Warren and Robert Levin began their training in June and have been conducting MVA hearings since approximately the first of July. In September, they will begin training in Child Abuse/Neglect and Inmate Grievance Office hearings. Additionally, they will attend a 40-hour Mediation Training course, thereby becoming Certified Mediators eligible to be trained in Foreclosure Mediations in the near future.

IV. Recent Hires

The OAH recently hired two new ALJs who are scheduled to start on October 28, 2015.

Deborah Sherwin Richardson received her undergraduate degree from the University of Maryland College Park and her Juris Doctorate from the University of Baltimore School of Law. She was a Law Clerk for the Honorable Deborah K. Chasanow of the United States District Court for the District of Maryland. After her clerkship, she became an associate at Zuckerman, Spaeder, Goldstein, Taylor & Better, LLP. Thereafter, she joined the Appellate Division of the Office of the Public Defender for the State of Maryland. In addition, she is an Adjunct Professor at the University of Baltimore School of Law.

Jennifer A. Nappier received her undergraduate degree from the University of Maryland Baltimore County and her Juris Doctorate from the Seton Hall University School of Law. She was a Law Clerk for the Honorable Michelle Hollar-Gregory of the Superior Court of New Jersey. She began her legal career in Maryland in June of 2007 as a Staff Attorney for the House of Ruth Maryland. In July of 2011, she joined the State of Maryland Department of Labor, Licensing and Regulation as a Hearing Examiner for the Unemployment Insurance Administration.

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