

# OFFICE OF ADMINISTRATIVE HEARINGS



## FISCAL YEAR 2023

## ANNUAL REPORT

Md. Code Ann., State Government § 9-1604(c) (MSAR #135)



### *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.

Chung K. Pak serves as 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) (MSAR #135) 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 2023 (FY 23) annual reports jointly.

#### In FY 23 OAH:

- Received 33,931 new cases
- Received a favorable audit with no findings from the Office of Legislative Audits
- Accomplished a timeliness rate of approximately 99.75% for the issuance of written decisions
- Conducted 740 mediations and settlement conferences
- Successfully resolved 46% of the special education cases during mediation sessions
- Conducted in-depth ALJ Training sessions
- Appointed and trained six new Administrative Law Judges
- Ensured that no backlog of cases developed

## *I. EXECUTIVE SUMMARY*

The following are some highlights from FY 23:

### *A. Long Range Plan*

On May 18, 2023, members of OAH's management team participated in an all-day Long Range Planning Session to determine concrete processes and actions to achieve the agency's strategic goals.

The following were members of OAH's management team in FY 23:

Chief Administrative Law Judge (CALJ) Chung K. Pak  
Senior Advisor to the CALJ, ALJ Denise Oaks Shaffer<sup>1</sup>  
Director of Operations, Executive Administrative Law Judge (ALJ) John J. Leidig  
Director of Quality Assurance, Executive ALJ Latonya B. Dargan  
Deputy Director of Operations, Executive ALJ Syeetah Hampton-EL  
Deputy Director of Quality Assurance, Executive ALJ Emily A. Daneker  
Director of Finance and Administration, Danara L. Harvell  
Director of Information Technology, Tareq Ibrahim

In developing the Long-Range Plan, OAH's management team established key goals, action items, and timeframes to achieve those goals. The agency's mission statement was also slightly modified as follows:

*OAH's mission is to provide prompt, accessible and efficient due process for any person or business affected by the action or proposed action of State and government agencies.*

The word "accessible" was added to emphasize OAH's commitment to ensuring that all Maryland citizens have equal access to justice. The word "government" was also added to recognize that ALJs are now hearing cases for various government agencies throughout the state due to the enactment of the Maryland Police Accountability Act in 2022.

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<sup>1</sup> To assist with the transition of many new members of OAH's management team, ALJ Shaffer served as Senior Advisor to the CALJ from July 1 – December 31, 2022.

#### OAH's Key Goals:

- Improve OAH's Continuity of Operations Plan
- Modernize OAH to improve efficiency and access
- Promote aggressive recruiting efforts to attract the best and brightest from all communities in Maryland
- Increase Accessibility
- Increase Jurisdiction
- Enhance staff expertise
- Improve agency-wide communication
- Stay ahead of Artificial Intelligence

#### *B. Remote Hearings*

In FY 22, OAH provided information on the Post Pandemic Plan which was developed in March 2022. When developing the plan, OAH's management team and Chief Clerk conducted a review to determine which case types would remain remote and which case types would return to in-person once conditions relating to the pandemic improved. Consideration was given to the public health climate; concerns of OAH's stakeholders; OAH's reputation; complexity of cases; the efficiency and effectiveness of providing due process; and creating better accessibility to the public for hearings.

As OAH moves forward, most cases remain remote, and the following factors are always monitored and considered:

Public confidence and trust/OAH's reputation/Impact of COVID

Quality of Proceedings

- Judging credibility
- Quality of recordings
- Decline in Professionalism
- Amount of time allotted

Equal Access to Justice

- Stakeholders
- Internet Access of Hearing participants

Collegiality/morale of office

Environmental Concerns

- Decreased traffic congestion and related emissions
- Recruiting and retaining employees
- Reduced cost of travel
- Status of E-filing

It is important to emphasize that citizens can always request a change in their hearing format (from remote to in-person or from in-person to remote). ALJs also conduct hybrid hearings. OAH's website includes easy-to-follow instructions on how to submit a request.

### *C. Office of Legislative Audits*

The Office of Legislative Audits conducted an audit for the period July 3, 2018 through August 31, 2022.

OAH is pleased and proud to report that it received the Final Report from the Office of Legislative Audits in March 2023 and there were no findings.

### *D. Administrative Law Judge Appointed to the Judiciary*

In December 2022, Governor Hogan appointed ALJ Tracey Johns Delp to the District Court of Maryland for Harford County.

There have now been twelve former ALJs appointed to the Judiciary and OAH is extremely proud to report on this most recent judicial appointment.

### *E. Legislation*

#### *Implementation SB 763 - Public Safety and Criminal Justice - Transparency and Accountability (MPAA)*

In 2021, the General Assembly passed the Maryland Police Accountability Act (MPAA). The MPAA (SB 763) was revised in the 2022 session. Pursuant to the MPAA, all ALJs are required to undergo training to serve on three-member police accountability trial boards (the other two members are a civilian and an officer of equal rank) to decide police misconduct cases. During FY 23, all ALJs were trained by the Maryland Police Training and Standards Commission (the Commission). Three members of the Commission came to OAH's Hunt Valley office and provided two-day training sessions for groups of eight ALJs at a time. OAH's ALJs were the first group in the State to receive the training. The Commission advised OAH that the civilian board members would begin training in October 2023.

The MPAA is notable, not only for its scope in reforming the way certain matters involving alleged police misconduct are addressed, but also because it adds another case type to OAH's jurisdiction. Under the MPAA, ALJs of the OAH may serve as the chair of the trial board tasked with whether disciplinary action should be taken against a police officer accused of misconduct involving a member of the public.

There could be as many as 155 state, municipal, or other law enforcement agencies creating trial boards to comply with this statute, and OAH is investigating how many of these agencies will be requesting ALJs to serve on their trial board. State-wide and bi-county law enforcement agencies, unlike other law enforcement agencies, are required to use OAH's ALJs as the chair of the Trial Board.

Many counties reached out to OAH throughout the year and Memoranda of Understanding (MOU) were exchanged but there were no hearings transmitted to OAH in FY 23.

#### *F. State-wide Initiative*

In FY 22 OAH reported that it began conducting Identity Fraud Hearings on behalf of the Department of Labor's (LABOR) Unemployment Insurance (UI) Lower Appeals Division in May 2022. These cases arose during the pandemic from UI benefits that were denied due to lack of sufficient verification of identity. LABOR requested that OAH assist with conducting these cases because LABOR did not have sufficient hearing examiners on staff to handle these cases in an appropriate time frame. LABOR initially estimated a backlog of 12,000 cases.

In FY 23, OAH continued to conduct the Identity Fraud cases on behalf of LABOR until September 2022. OAH's ALJs conducted over 2,200 cases.

OAH is always pleased to provide valuable assistance to our sister agencies. We appreciate the confidence they have in OAH to handle backlogs of cases.

#### *G. OAH's Fiscal 23 Budget*

OAH's appropriated budget for FY 23 was \$17,737,899 (\$17,685,485 - Reimbursable Funds and \$52,414 – Special Funds). Approximately 84% of OAH's appropriation is dedicated to salaries and benefits, contractual services and rent of facilities. The breakdown of OAH's budget is:

- 84% Salaries and benefits, including contractual employees
- 4% Contractual services, of which half is dedicated for legal services

- 6% Rent for three offices
- 6% Routine travel, utilities, supplies and materials, equipment, and motor vehicle operations

The majority of OAH funds are reimbursable, which is the transfer of funds from agencies for which hearings are held. An allocation of cost is prepared each year based upon caseload and the time required to adjudicate each type of case. The budgets for the agencies for which OAH holds hearings include an appropriation for “hearings” based on this allocation. By October 30th of every fiscal year, agencies transfer the appropriated funds to OAH.

## *H. New Administrative Law Judges*

In September 2022, OAH began the recruitment process for hiring new ALJs. OAH’s five-member Hiring Committee reviewed eighty-one resumes and writing samples of candidates and participated in five days of interviews. OAH’s Hiring Committee consisted of: two management ALJs, ALJ Hampton-EL and ALJ Daneker; ALJ John Henderson, a more experienced ALJ; ALJ Sun Choi, one of OAH’s newest ALJs; and one of OAH’s Deputy Chief Clerks, Cheryl Henson. The Committee provided the CALJ with a short list of twenty excellent candidates. CALJ Pak and ALJs Leidig and Dargan conducted second round interviews and CALJ Pak appointed the following six new ALJs who began in March 2023:

- Andrew Brouwer served as an Assistant Attorney General at the Office of the Attorney General and represented the Department of Labor.
- Jennifer Burroughs served as Supervisory Senior Counsel within the Department of Veterans Affairs, Board of Veterans’ Appeals.
- Angela Diehl served as an Assistant State’s Attorney in the State’s Attorney Office in Harford County where she prosecuted felony matters.
- Tracee Fruman served as Senior Assistant Attorney General at the Office of the Attorney General for the Medicaid Fraud Control Unit.
- John Hart served as an Assistant Attorney General at the Office of the Attorney General and represented the Department of Labor.
- Sha'Donna Osborne served as Associate County Attorney in the Prince George’s County Office of Law.

## *I. Meetings with Agencies*

Maintaining communication with the agencies for which OAH conducts hearings has always been vital to its on-going operations. In FY 23, OAH continued this on-going communication.

CALJ Pak and members of management staff met with personnel from the following Maryland State agencies:

- Office of the Attorney General  
Health Occupations Prosecution and Litigation Division
- Department of Budget and Management
- Department of General Services
- Department of Health  
Board of Physicians
- Department of Human Services  
Local Departments of Social Services  
Child Abuse and Neglect Conference
- Department of Information Technology
- Department of Labor  
Office of the Commissioner of Financial Regulation  
Unemployment Insurance Division
- Department of Legislative Services
- Department of Public Safety and Correctional Services  
Inmate Grievance Office  
Maryland Police Training and Standards Commission
- Department of Transportation  
Motor Vehicle Administration
- Maryland Insurance Administration
- Maryland State Department of Education
- Maryland State Police
- Office of the Public Defender
- Office of State Procurement



## *J. Information Technology (IT)*

### **E-Filing**

Funding for E-filing was included in OAH's FY 23 budget. This project involves the acquisition, licensing, and configuration of the Caseload E-Filing Module. OAH does not currently allow parties to file requests for hearings electronically. Parties must submit their requests for hearings by mail along with a check or money order. This manual process for collecting paperwork and payment not only creates a burden on the citizens of Maryland but is also highly inefficient for OAH. The E-filing module will allow parties to submit paperwork and payment for their hearings through a secure online portal. Personnel at OAH will then be able to validate the information received and create a case in Caseload.

### **Cyber Security**

During FY 23, the IT Department at OAH collaborated with the Department of Information Technology (DoIT) to formulate a remediation plan aimed at addressing issues identified in an Organization Security Maturity Assessment. This assessment focused on ensuring organizational compliance with the security controls outlined in the DoIT IT Security Manual, which is structured using the National Institute of Standards and Technology Cybersecurity Framework and the standards outlined in the Maryland IT Security Manual.

Mr. Ibrahim acquired and implemented additional security monitoring tools through DoIT and outside vendors to further contribute to the organization's efforts to enhance security measures and align with established frameworks and standards.

Furthermore, OAH established a new role within the IT Department to guarantee effective monitoring and maintenance of our systems moving forward.

## *K. Local and National Perspectives*

### **Local**

#### ***Maryland Judiciary***

On September 12, 2022, the following Judges participated in the Judiciary's Annual Appellate Case Update on recent Maryland appellate administrative law decisions: Judges Angela M. Eaves, Maryland Supreme Court; Chief Judge E. Gregory Wells, Maryland Appellate Court; Kevin F. Arthur, Maryland Appellate Court and Andrea M. Leahy, Maryland Appellate Court . This annual review has been presented to ALJs for approximately thirty years.

On September 7, 2022, CALJ Pak attended the Maryland State Bar Association's (MSBA) Annual Judges and Deans Dinner. For the first time in the 32-year history of the OAH, the CALJ was invited to attend. OAH considers this a feather in its cap, as it speaks to a recognition of the hard work the OAH does in providing fair and flexible due process to the citizens and agencies of the State. CALJ Pak joined MSBA's leadership, the Deans of the University of Maryland and University of Baltimore Schools of Law, the Chief Judges of the Maryland Supreme Court and Appellate Court, the District Court of Maryland, the U.S. District Court for the District of Maryland, and the Conference Chair of the Conference of Circuit Court Judges to discuss issues related to court operations and the general landscape in light of the ever-evolving impact of the coronavirus pandemic. The meeting was very cordial and positive and CALJ Pak was honored to be included in the Annual event.

On January 13, 2023, CALJ Pak and ALJ Dargan were invited to meet with District Court Chief Judge John P. Morrissey to discuss OAH's ALJ Training program. ALJ Dargan provided Chief Judge Morrissey with an overview of QA's new ALJ training program as well as the monthly ALJ training programs that QA develops. Chief Judge Morrissey was also interested in the ALJ evaluation process that QA and Operations are responsible for.

### ***Maryland State Bar Association (MSBA)***

CALJ Pak and ALJs Leidig, Hampton-EL, and Henderson participated in the MSBA 2023 Annual Meeting in Ocean City, Maryland on June 7 – 9, 2023. They attended sessions on: Unconscious Bias, Cyber Security, Effective Management Strategies in a Hybrid Work Environment, Understanding the Benefits of Artificial Intelligence; and Alternative Dispute Resolution.

### ***Maryland Association of Administrative Law Judiciary***

Many of OAH's ALJs are members and officers of the Maryland Association of Administrative Law Judiciary, a local affiliate organization of the National Association of Administrative Law Judiciary.

## **National**

### ***Central Panel Directors***

The central panel concept has been incorporated in varying degrees in 31 jurisdictions. Maryland's OAH remains one of the largest central panels in the country with the broadest jurisdiction.

The Central Panel Directors meet annually. On September 12 -16, 2022, CALJ Pak, ALJs Leidig, Hampton-EL and Daneker, and Tareq Ibrahim attended

the 2022 Central Panel Directors' Conference in Indianapolis, Indiana. The program included individual state reports and sessions on Access to Justice and a central panel update.

The Central Panel Directors' Conference provides a valuable forum for central panel states to share information and gain different perspectives on the many issues and challenges that they face.

### ***National Association of Administrative Law Judiciary (NAALJ)***

The NAALJ 2022 Annual Conference was held in Albuquerque, New Mexico on October 23 – 27, 2022. CALJ Pak and ALJs Leidig, Hampton-EL, Chapman, Curry, Kelley, Shaffer, Thibodeau, Walder, and Weeks participated in the 2022 Conference entitled "Improving Diversity, Equity, and Inclusion in Administrative Law." The program included some of the following sessions:

- Judicial Ethics
- "Staying Safe, Sound, Sane: Strategies for Maintaining Mental and Physical Health, On and Off the Bench"
- "Diversity and Judicial Hiring"
- "Collaborating to Strengthen the Profession"
- "All Cases Matter: Mitigating Bias in the Administrative Law Judiciary"
- "Getting Back to Normal – Returning to In-Person Hearings in Court"
- "Update on the Recent Federal Administrative Law Decisions"

In addition, ALJs Leidig and Hampton-EL participated on the Diversity and Judicial Hiring panel session and ALJ Chapman assisted with developing the Conference Program.

On May 12, 2023, all ALJs participated in the NAALJ Mid-Year webinar entitled "Strengthening Our Commitment to Administrative Justice."

In FY 23, ALJ Osborn served as a NAALJ Officer and ALJs Chapman and Thibodeau served on the NAALJ Board of Governors.

In FY 23, OAH improved service to the citizens of Maryland and increased efficiency by:

- Providing citizens with options for remote, in-person and hybrid hearings
- Assisting the Department of Labor’s Unemployment Division with its backlog of Identity Fraud cases
- Assisting various government entities as they prepare for Maryland Police Accountability Act hearings
- Continuing to enhance OAH’s website and Frequently Asked Questions for remote hearings.
- Providing monthly training to ALJs in all areas of the law
- Encouraging parties to view “Representing Yourself at an OAH Hearing” on OAH’s website
- Making Alternative Dispute Resolution available to parties in as many case types as possible
- Continuing to add redacted decisions to OAH’s keyword searchable Decision Portal
- Developing a Long-Range Plan to further the strategic goals of the agency
- Appointing six highly qualified new ALJs

### *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, LABOR and the Department of the Environment were consolidated into a central hearing agency. 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 was 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 OAH. The Commission included former CALJ Hardwicke, two Cabinet Secretaries and representatives of the Judiciary, business community members, 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.

#### *IV. Miscellaneous Additional Fiscal Year 23 Activities*

##### **A. Administration**

##### **1. Personnel**

OAH's CALJ is appointed by the Governor for a six-year term. Executive ALJs serve as the Directors and Deputy Directors of Operations and Quality Assurance.

OAH began FY 23 on July 1, 2022, with 115 authorized positions, 57 of which are ALJ positions. During this fiscal year, fourteen support staff positions and six ALJ positions were filled. ALJs are appointed by the CALJ. Prior to the creation of the OAH, 85 full-time and five contractual hearing examiners were employed by various State agencies to conduct administrative hearings.

Current qualifications require that ALJs be bar-admitted attorneys with a minimum of five years of legal experience. ALJs may be removed for cause and are considered special appointees within the professional service of the State Personnel Management System. ALJs generally have many years of litigation experience including conducting hearings. As of March 8, 2023, the entry level salary for an ALJ was \$117,721 and the average ALJ salary is \$124,736.

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 five to 90 days after the close of the record.

## **2. Facilities**

OAH's Administrative Law Building headquarters is in Hunt Valley; it is accessible from I-83 North and provides ample free parking. Two light rail stations and bus service are within walking distance of OAH's Hunt Valley office.

OAH's Administrative Law Building now houses 19 hearing rooms, 3 mediation rooms, two attorney-client meeting rooms, a clerk's office, public waiting areas, and 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, prior to COVID, ALJs travelled throughout the State to conduct hearings in all counties. Hearings were held at various locations around the State, including private hospitals and nursing homes. Other hearings were held in government facilities such as courthouses and agency offices. In FY 23, the majority of OAH's hearings remained remote with a small number of in-person hearings held around the state.

OAH operates satellite offices in Rockville and Salisbury.

## **3. Court Reporting Contract**

Ms. Harvell worked with the State Office of Procurement throughout FY 22 to develop an Information for Bid for a new Court Reporting Contract. The new contract was finalized in March 2023 and was approved by the Board of Public Works on April 4, 2023.

## **4. Office of Legislative Audits' OAH Audit**

The Office of Legislative Audits conducted an in-depth audit of OAH for the period July 3, 2018 through August 31, 2022. The legislative auditors worked with Ms. Harvell and the Finance and Administration staff for the period of August 2022 through January 2023. OAH is extremely proud to report that there were no findings. The auditors provided the following:

"Our audit did not disclose any significant deficiencies in the design or operation of the OAH's internal control. Our audit also did not disclose any significant instances of noncompliance with applicable laws, rules, or regulations.

Congratulations to everyone involved in the audit."

## **B. Operations**

### OAH's Operations Division:

- Schedules and assigns cases
- Reviews the caseload to ensure that backlogs do not develop
- Ensure expeditious case management
- Monitors timeliness of decisions
- Supervises ALJs, Clerk's Office staff, and Administrative Aid 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 30 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 (2021). In FY 23, OAH received 33,391 new cases. Caseload statistics for FY 23 are included in Attachment A.

OAH conducted 740 mediations and settlement conferences during FY 23. All ALJs are certified mediators enabling them to provide mediation services.

ALJs issued 4,473 written decisions, orders, or rulings on motions in FY 23. Operations remains vigilant in monitoring the timeliness of its written decisions and the timeliness rate for the issuance of written decisions in FY 23 was approximately 99.75%. In addition to the issuance of written decisions, ALJs rendered 9,075 bench decisions in Motor Vehicle Administration (MVA) hearings. They also rendered 808 bench decisions in hospital Involuntary Admission (IVA) hearings.

### **1. New Deputy Director of Operations**

On July 1, 2022, ALJ Syeetah Hampton-EL was promoted to serve as the new Deputy Director of Operations. ALJ Hampton-EL joined OAH in January 2018, from the Maryland Multi-Housing Association, where she served as the Director of Government Affairs. During her tenure with the OAH, ALJ Hampton-EL has been instrumental in helping develop the processes for implementation of

the Walter Lomax Act and served as a subject matter specialist in the following areas: Department of Health, MVA, Maryland Insurance Administration and the Walter Lomax Act.

## **2. New Chief Clerk**

OAH's Chief Clerk, Linda Novak, who had been with the OAH since its inception thirty-three years ago, retired as of October 1, 2022. OAH sincerely appreciates all of Ms. Novak extraordinary work and the important role which she played at this agency.

OAH's new Chief Clerk, Ashley Wolfe, started at OAH on August 24, 2022 and trained with Ms. Novak. Before coming to the OAH, Ms. Wolfe worked for the Maryland Judiciary since 2011 and served as the Senior Manager for Court Operations in the Circuit Court for Baltimore City.

## **3. Handgun Permit Appeal hearings**

On June 23, 2022, the Supreme Court issued its opinion in *New York State Rifle & Pistol Association, Inc., et al. v. Bruen, Superintendent of New York State Police, et al.* The Supreme Court held that "New York's proper-cause requirement violates the Fourteenth Amendment by preventing law-abiding citizens with ordinary self-defense needs from exercising their Second Amendment right to keep and bear arms in public for self-defense."

As a result of the Supreme Court decision, Operations communicated with the ALJs who had held a hearing involving a handgun permit denial due to a lack of "good and substantial reason" but had not yet issued a decision. Operations recommended that the ALJs with pending decisions reopen the record to provide the parties an opportunity to present legal arguments addressing the impact of the *Bruen* decision.

## **4. Transition to WebEx for Medical Assistance and Public Assistance hearings**

In FY 23, OAH began investigating a transition to WebEx as the platform for remote hearings for Medical and Public Assistance cases. The cases have been held remotely since the beginning of the pandemic using the Google Meet platform. OAH believes that WebEx provides better access to the hearing process for these vulnerable populations. WebEx provides a call-in feature that is more efficient than the call-out process that was being used for telephone hearings. WebEx also offers breakout rooms to allow the local department appeals representatives and appellants to caucus at the same time that the ALJ is conducting other hearings. The transition to WebEx for these case types occurred in January 2023.



## **5. Multi-Day Litigation**

OAH continued to see an elevated volume in Special Education cases in the past year. These cases are multi-day, complex, and often emotional.

## **6. Performance, Planning and Evaluation Program (PEP)**

The Director and Deputy Director of Operations are responsible for evaluating all ALJs in conjunction with Quality Assurance. Operations evaluates ALJs on their attendance, case management, timeliness, and collegial relationships. Quality Assurance evaluates ALJs on their presence in and conduct of hearings, and the quality of their written decisions. ALJ evaluations are conducted monthly, based on each ALJ's Entry of Duty month, and reported in January and July.

## **7. Telework**

In FY 23, 86 employees teleworked 71,779 hours. Before COVID, only ALJs teleworked approximately 20% of the time and worked at home, in between and/or after traveling to their dockets. Allowing ALJs to telework created operational efficiencies in that ALJs' travel time was reduced and ALJs were able to focus on decision writing with fewer interruptions and distractions. There was also a savings on fuel, mileage reimbursement, wear and tear on State vehicles as well as having a positive impact on Maryland's roads and the environment. The expanded telework program, during COVID, allowed OAH to reduce its fleet by two-thirds.

The ALJ staff represents approximately one-half of the total number of OAH employees. Having all ALJs already set-up with laptops, remote access, and teleworking capability prior to COVID, eased the burden on IT and Operations when mandatory telework was instituted in March 2020 and again on November 10, 2020.

In addition to the ALJ staff, employees in Operations, Quality Assurance, Finance and Administration and IT are also telework eligible and telework approximately two to three days per week.

## **8. Legislation Affecting OAH**

Throughout FY 23, Operations handled many inquiries from various county and state law enforcement entities regarding the assignment of an ALJ to serve as chair of a trial board for MPAA cases. Operations and OAH's Assistant Attorney General worked with each entity to execute MOUs.

During the 2023 Legislative Session, the Maryland State Senate introduced 974 bills, the House of Delegates introduced 1,301 bills and a total of 806 bills passed. OAH monitored over two hundred bills and issued forty fiscal notes. Many of the bills which passed that impact OAH were an expansion of what OAH is already doing.

As noted in previous years' reports, OAH's Deputy Director of Operations serves as the Legislative Liaison. In FY 23, ALJ Hampton-EL reviewed and monitored all proposed legislation that affected OAH. In addition to the legislative duties, ALJ Hampton-EL is responsible for evaluating ALJs; assisting with the daily operation of OAH; serving as OAH's Public Information Act (PIA) Officer; and handling all PIA requests in a timely manner. She is also regularly scheduled to hear cases as an ALJ.

### **C. Quality Assurance (QA)**

OAH's Quality Assurance Division:

- Oversees the quality of the written decisions
- 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 Frames Manual, Bench Manuals and Case Digests
- Supervises staff attorneys, a paralegal, librarian, and management associate
- Manages OAH's Speaker's Bureau
- Develops OAH's Managing for Results submission

## **1. New Director and Deputy Director of QA**

The Director of QA, ALJ Harriet C. Helfand, retired as of June 30, 2022. The Deputy Director of QA, ALJ Latonya B. Dargan, was promoted to Director of QA effective July 1, 2022. ALJ Dargan served as an ALJ since 2004 and has long been admired for her expertise in the areas of Department of Personnel, Inmate Grievance Office, and Office of the Attorney General cases. ALJ Dargan was an instrumental member of the workgroup for the development of hearing regulations and procedures to implement the Walter Lomax Act.

ALJ Emily A. Daneker was promoted to Deputy Director of QA. ALJ Daneker joined OAH in January 2014, following her tenure in private practice as a limited partner with Whiteford, Taylor & Preston, LLP. During her time with OAH, ALJ Daneker has served as a subject matter specialist in the following areas: Department of Labor, Department of Health (Anti-trust, IVA/NCR/CRP), and Office of the Attorney General.

## **2. ALJ Training**

QA has the primary responsibility for training ALJs. QA continued to oversee the new ALJ training for the six ALJs hired in March 2023. Following the final training, the new ALJs enter the OAH rotation list for multi-day cases. QA's training regime for new ALJs provides for the assignment of an experienced ALJ to serve as a mentor for each new ALJ, who can then assist QA in providing support to the new ALJ and report to QA on the new ALJs' progress. New ALJs observe experienced ALJs conduct hearings in a specific subject area before being observed as they conduct hearings.

All 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 approximately ten months.

OAH anticipates hiring new ALJs in FY 24 due to the vacancies created from ALJ retirements and ALJs appointed to judicial and quasi-judicial positions (Maryland Judiciary, federal administrative judiciary, and Mediator for the U. S. Court of Appeals for the Fourth Circuit).

QA conducts mandatory monthly training for the entire ALJ staff, as well as the paralegals and staff attorneys. Attachment B is a list of the FY 23 ALJ training sessions. In addition, QA selects appropriate judicial and special education training programs for ALJs to attend.

### **3. Performance, Planning and Evaluation Program (PEP)**

One of the major focuses of QA continues to be the evaluation of ALJs' performance, which is required by the Department of Budget and Management's (DBM) PEP process. QA is responsible for rating all ALJs on their presence at hearings and written expression.

### **4. Staff Attorneys**

QA had two staff attorney vacancies in FY 23 until late June. QA was fortunate to hire two new staff attorneys on June 14 and June 28.

### **5. Implementation of MPAA**

The MPAA applies to allegations of police officer misconduct involving a member of the public that occurred on or after July 1, 2022. QA and OAH's MPAA subject matter specialist group put together a protocol on how the cases will proceed and QA, Operations and Finance and Administration worked with OAH's Assistant Attorney General to develop a standard MOU for the counties that plan to use OAH for these hearings.

The MPAA statute requires that before serving on a trial board, an individual shall receive training from the Maryland Police Training and Standards Commission on matters relating to police procedure. As of September 27, 2022, forty-six ALJs completed the statutorily required training. Eight ALJs received their training on January 10 and 11, 2023.

### **6. Maryland State Department of Education Elevates Grant**

Each year, the QA Division submits an application to the Maryland State Department of Education for the Elevates Grant. The goal of the project is for the OAH to deploy its ALJs to effectively conduct due process special education hearings and mediations under the Individuals With Disabilities Education Act (IDEA) in a manner consistent with prevailing statutory, regulatory, and case law by providing to the ALJs training and other resources specifically focused on special education that enables them to meaningfully and successfully achieve this goal; and to provide transcripts to families in special education proceedings to enable them to exercise appellate rights related to the IDEA due process hearing if they deem it necessary to do so. Through the contested case process, families become more informed partners in the provision of special education and related services to children with disabilities.

In FY 23, OAH's grant application was approved.

## **7. Summer Interns**

QA is responsible for the OAH Summer Intern Program. In FY 23, four summer interns began their experience at OAH in May 2023. Two of the interns were from the University of Baltimore School of Law, one was from the University of Maryland School of Law, and one was from the George Washington University School of Law. Each intern is mentored by ALJs and Staff Attorney Kelly Reed oversees the program. Each intern is located on an ALJ “team,” and observes hearings and assists ALJs with writing and research.

## **8. Library**

Many decisions written since 1999 are available on OAH’s network and can be found electronically. For seven years after issuance, signed hard copies are also available in the library. Due to the privileged and confidential nature of many of OAH’s decisions, a PIA request must be submitted to determine if the decision can be reviewed by a member of the public.

OAH library staff provides research assistance to all OAH employees, as well as to the public. The librarian receives daily inquiries from the public about OAH decisions and general Maryland law information. News about OAH and relevant developments in administrative law are gathered and distributed electronically to the ALJs and other OAH employees by library staff on a weekly basis in the QA Newsletter.

Under the direction of QA, the library provides a print collection developed to assist OAH staff, State agencies, the bar, and citizens. Each ALJ and legal staff member has access to Westlaw and other online legal research services. QA continues to expand its electronic offerings in addition to maintaining printed material.

In support of our commitment to provide legal research services to all OAH visitors, the library offers two public computer terminals and wireless access to the Internet. This service allows State employees, lawyers, and others to check email and do research during time spent at OAH.

## **9. Decision Portal**

OAH continued to publish certain redacted decisions on its website throughout FY 23. There are now approximately 6,140 redacted decisions on the portal, uploaded since its launch in late 2017. OAH believes that providing public access to decisions will further an open government and provide the public with educational opportunities. OAH is committed to offering access to its decisions, while ensuring that the rights of individuals related to privacy and confidentiality are protected.

As an independent unit in the executive branch of State government, OAH is subject to the PIA, and its written decisions are public records. Absent an exception, the PIA requires OAH to grant access to its public records “with the least cost and least delay to the person or governmental unit that requests the inspection.”

In addition to furthering the PIA’s clear and established policy of straightforward access to public documents, publication of OAH decisions will allow the public to gain a better understanding of the nature and quality of the process available to people who are affected by State agency actions. Publication will also enable individuals and attorneys involved in particular cases to educate themselves on the arguments and outcomes in cases similar to their own.

## **10. Alternative Dispute Resolution (ADR)**

QA has worked to ensure that OAH’s ALJs, staff attorneys, and paralegals meet the requirements for mediator certification. All new ALJ hires must also go through the training process for certified mediators.

ADR is extremely beneficial because it includes procedures that are designed to simplify and expedite the resolution of controversies without the need for a hearing or trial.

The June 2023 ALJ training was the annual mediation Continuing Legal Education session, which certified mediators are required to do pursuant to MD Rule 17-205(a)(5) to maintain mediation certification. The June session was presented by Community Mediation Maryland. ALJs were broken into groups throughout the day for this training.

### **ADR:**

- Generally, refers to any procedure that utilizes the services of a neutral party to assist in reaching an agreement
- Avoids the expense, delay, and uncertainty of litigation
- Provides a forum for the parties to work toward a voluntary, consensual agreement as opposed to having an ALJ or other authority decide the outcome of the case
- Includes mediation and settlement conferences, which OAH utilizes frequently, in particular foreclosure mediations
- Encourages and improves communication between the parties
- Is also used in OAH’s mediation program for Special Education appeals, which is a prime example of the benefits of the mediation process.

## **11. Speaker's Bureau**

QA is also responsible for authorizing requests made to the Speaker's Bureau and assigning ALJs. Below are some highlights from FY 23:

- ALJ Dania Ayoubi provided presentations at: Georgetown Law – Career Law Panel; the National Association of Muslim Lawyers – Judiciary Panel; the National Muslim Law Students' Association; and participated in the Montgomery County Bar Association's Administrative Law Section Annual Law Day Program with ALJ Jocelyn Williams
- ALJ Rachael Barnett provided a presentation for the MSBA's Bench Bar Section on "Best Practices for Applying for Judicial Clerkships"
- ALJ Tracee Fruman received a Law Day Award from the Baltimore County Bar Association
- ALJ Sha'Donna Osborne received a Professional Development Award from the J. Franklyn Bourne Bar Association Women's Committee
- ALJ John Leidig presented at the William Donald Schaefer Policy Conference in Annapolis
- CALJ Pak attended the Joint Session of the 118<sup>th</sup> United States Congress – Address from South Korean President Yoon Suk Yeol, and participated in a site visit from a Korean Supreme Court Justice along with members of OAH's management team.

## **12. Involuntary Admission (IVA) Training**

On May 15<sup>th</sup>, ALJs Dargan and Daneker presented IVA training to the Doctors' Community Medical Center in conjunction with presenters from the Office of the Public Defender.

## **D. Information Technology**

In FY 23, IT continued to provide the much-needed support to enhance OAH's ability to conduct proceedings and business operations remotely while ensuring that Cyber Security and Disaster Recovery needs are met.

### **1. E-Filing/Online Payment Processing**

After receiving funding for E-filing in FY 23, OAH was required to complete the intake process with DoIT before a determination could be made on whether OAH could proceed with the procurement process. DoIT determined that the cost of utilizing the platform that it was considering for OAH's E-filing project, Salesforce, was much higher than purchasing the E-filing module through OAH's current case management system, Caseload. DoIT provided OAH with the approval to proceed with the procurement through the Office of State

Procurements and the procurement was approved by the Board of Public Works on May 3, 2023.

## **2. Cyber Security**

As previously reported, as a result of an Organization Security Maturity Assessment conducted by DoIT, OAH's IT Director worked on the acquisition of additional security monitoring tools that DoIT has access to since DoIT received additional funding to supplement cyber security initiatives. OAH took full advantage of this funding to close the gaps that were discovered during the security assessment. The following tools and improvements were implemented:

**CrowdStrike Falcon** – A comprehensive managed detection and response software package that includes a cyber threat team that will offer OAH real time human response and monitoring of all computer systems.

**Tenable.SE** – This software package scans and monitors for any vulnerabilities associated with software on a device. This tool allows OAH to not only monitor devices for Windows Updates but also any updates associated with third-party software packages.

**Manage Engine AD Auditor** – IT purchased a tool that not only monitors servers for any changes but also makes it easier for IT to monitor and pull reports on user behavior and server access.

**Cyber Security Training** – OAH partnered with DoIT to have two members of IT receive in depth training in cyber security from Baltimore Cyber Range. While OAH issues Cyber Security Training to all users on a monthly basis, the goal for the IT Department is to have all members trained in more advanced aspects of cyber security.

**Disaster Recovery** – OAH uses Microsoft Azure to actively synchronize our application and database servers to the cloud in the event of a disaster.

**Dell EMC Integrated Data Protection** – OAH uses the Dell DP4400 to create backups for all production and test servers. The backups are then transferred to the cloud for offsite data storage.

## **3. Deployment of new laptops**

As reported in FY 22, new laptops, with improved features, were purchased for ALJs to further enhance virtual proceedings. In FY 23, to increase the professionalism of remote hearings, OAH's IT team updated all ALJ laptops to support the use of virtual backgrounds showing the OAH seal, the United States flag, and the Maryland State flag.



#### **4. Incarcerated Individuals' Grievance Office Hearings**

IT continued to work with the Inmate Grievance Office (IGO) and correctional facility site coordinators to transition IGO hearings from the Cisco Bridge (the Bridge) to WebEx. In FY 22, OAH's IT Department discovered that the Bridge was down on most days from mid-February through March 22<sup>nd</sup> and rather than postponing the IGO hearings, OAH's IT Department was able to successfully convert the hearings to the WebEx platform and the hearings proceeded as scheduled. OAH's IT staff maintains an open-door policy and has let the IGO and site coordinators know that OAH is available if they need any assistance to implement a transition from the Bridge to WebEx.

#### *V. Conclusions*

In FY 24, OAH will continue to focus on the implementation of E-Filing and the MPAA. OAH continues to embrace and improve technology and looks forward to the implementation of an E-filing system so that it can improve accessibility to the public. Cyber Security and the hiring and training of new ALJs are also top priorities.

Although most of OAH's hearings are scheduled remotely, OAH's regulations provide that parties may submit a request that a remote hearing be converted to an in-person hearing in all OAH proceedings. Many of OAH's Hunt Valley hearing rooms are also set up for hybrid hearings. OAH will continue to consider feedback from stakeholders and re-evaluate if certain case types should be scheduled as in-person. OAH's ALJs are proficient in conducting remote hearings from home, resulting in operational efficiencies in that ALJs' travel time is reduced and ALJs can focus on decision writing with fewer interruptions and distractions.

While the mission of OAH is to provide flexible due process, professionalism and respect at our hearings remain paramount considerations. To enhance the professionalism of remote hearings, OAH's IT team updated all ALJ laptops to support the use of virtual backgrounds showing the OAH seal, the United States flag, and the Maryland State flag. While this change will improve the remote hearing environment, there are still other concerns about maintaining the professionalism of hearings. In some cases, hearing participants reported that they had a hard time identifying the ALJs when hearings were conducted remotely. Also, hearing participants can exhibit reduced respect for a hearing process that is not in-person. For these reasons, OAH believes that ALJs wearing robes will positively affect remote hearings. OAH will implement this change in July 2023. OAH would like to note that ALJs wearing robes is not a novel practice. In fact, most federal ALJs wear robes, as do Tribal court judges.

Immigration judges and state ALJs in Florida, Georgia, California, and other states also wear robes. This move by the OAH would be in line with other administrative agencies and state central panel agencies. ALJs wearing robes also reflects the increased respect that OAH has earned across the legal community and with the Judiciary.

OAH has come a long way in thirty-three years and looks forward to continued enhancements as it works to fulfill the key goals developed at the May 2023 Long Range Planning Session of: improving OAH's Continuity of Operations Plan; modernizing OAH to improve efficiency and access; promoting aggressive recruiting efforts to attract the best and brightest from all communities in Maryland; increasing accessibility and jurisdiction; enhancing staff expertise; improving agency-wide communication and staying ahead of Artificial Intelligence.

OAH is proud of its ability to handle an increase in caseload of 5,000 cases since FY 22, schedule a significant number of special education hearings and mediations, maintain a timeliness rate of 99.75% in the issuance of written decisions and have no backlog of cases awaiting hearing.

OAH has also been pleased to highlight the results of the Office of Legislative Audits audit as it is remarkable that there were no findings.

In FY 23, OAH continued to provide valuable assistance to LABOR in handling its backlog of UI Identity Fraud hearings and stands ready to support any State agency who may need our assistance.

OAH sincerely appreciates the advice and guidance of the State Advisory Council on Administrative Hearings, and the extraordinary efforts of its dedicated workforce.

**FY/2023 MONTHLY REPORT  
TOTALS**

**ATTACHMENT A**

<b>CASELOAD FLOW</b>	<b>JULY</b>	<b>AUG</b>	<b>SEPT</b>	<b>OCT</b>	<b>NOV</b>	<b>DEC</b>	<b>JAN</b>	<b>FEB</b>	<b>MAR</b>	<b>APR</b>	<b>MAY</b>	<b>JUNE</b>	<b>TOTALS</b>
<b>I. CASES CARRIED OVER FROM PREVIOUS MONTH</b>	3972	4042	4170	4008	4061	4165	4087	4182	4237	4159	4244	4174	
<b>II. NEW CASES RECEIVED</b>													
A. Complete Cases	2662	2868	2650	2520	2522	2516	2723	2649	3091	2676	2735	2585	32197
B. Untimely Cases	82	96	79	74	68	81	80	80	101	85	86	74	986
C. Incomplete Cases*	6	10	6	15	4	7	5	5	5	9	11	9	92
D. Fee Payments**	624	699	745	623	654	609	683	681	832	663	735	714	8262
E. Mediations - Special Ed	33	56	31	28	26	21	28	31	44	22	34	38	392
F. Due Process - Special Ed	19	54	39	27	26	27	23	23	30	26	35	27	356
<b>TOTAL RECEIVED</b>	<b>2796</b>	<b>3074</b>	<b>2799</b>	<b>2649</b>	<b>2642</b>	<b>2645</b>	<b>2854</b>	<b>2783</b>	<b>3266</b>	<b>2809</b>	<b>2890</b>	<b>2724</b>	<b>33931</b>
<b>III. CASES SCHEDULED</b>													
A. Heard in Full	1010	985	1058	874	859	803	805	859	1062	903	944	920	11082
B. Special Ed Hearing in Full	5	6	1	6	1	0	0	3	8	2	7	3	42
C. Record Review	0	0	1	0	0	1	1	2	2	4	3	5	19
D. Hearing Continued	67	83	78	65	44	49	75	81	81	72	70	91	856
E. PHC/SCH Heard	29	49	40	22	103	26	42	57	54	14	30	40	506
F. Motion Heard	3	2	11	2	3	74	8	3	4	3	10	7	130
G. Mediation Heard (SE)	12	30	17	12	19	5	16	17	12	11	19	12	182
H. SC/Mediation Heard	28	14	29	31	26	48	63	70	52	39	69	89	558
I. Postponed/Liberal Leave	578	724	594	491	550	595	591	498	648	549	667	645	7130
J. Default	106	141	120	187	153	133	217	182	222	289	256	231	2237
K. Failed to Appear (MVA)	85	84	68	84	47	63	57	74	95	61	67	101	886
L. Scheduled but not Heard	1680	1887	1696	1599	1645	1652	1719	1546	1933	1608	1606	1609	20180
<b>TOTAL SCHEDULED</b>	<b>3603</b>	<b>4005</b>	<b>3713</b>	<b>3373</b>	<b>3450</b>	<b>3449</b>	<b>3594</b>	<b>3392</b>	<b>4173</b>	<b>3555</b>	<b>3748</b>	<b>3753</b>	<b>43808</b>
<b>IV. DISPOSITIONS</b>													
A. Decisions	167	185	168	166	176	241	170	168	188	145	198	234	2206
B. Special Ed Decisions	1	1	1	0	0	0	0	0	0	0	0	3	6
C. Bench Decisions	931	913	964	813	692	690	671	764	965	829	799	852	9883
D. Defaults	65	120	126	114	177	130	146	179	208	166	305	194	1930
E. Untimely	6	2	8	4	3	2	2	1	13	3	7	7	58
F. Untimely (MVA Only)	66	85	70	61	57	74	70	67	79	73	72	64	838
G. Not Settled	5	16	13	6	16	5	8	11	7	7	13	5	112
H. Withdrawn/Settled or Cancelled/Dismissed	1485	1624	1611	1450	1417	1581	1692	1538	1884	1501	1566	1521	18870
Reinstated or Duplicate													
<b>TOTAL DISPOSITIONS</b>	<b>2726</b>	<b>2946</b>	<b>2961</b>	<b>2614</b>	<b>2538</b>	<b>2723</b>	<b>2759</b>	<b>2728</b>	<b>3344</b>	<b>2724</b>	<b>2960</b>	<b>2880</b>	<b>33903</b>
<b>V. CASES CARRIED OVER TO THE FOLLOWING MONTH</b>	4042	4170	4008	4043	4165	4087	4182	4237	4159	4244	4174	4018	

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

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

**ATTACHMENT B**

**FISCAL YEAR 2023 ADMINISTRATIVE LAW JUDGE  
TRAINING SESSIONS**

<b>Judicial Training Date</b>	<b>Topic/Agenda</b>	<b>Presenter(s)</b>
July 15, 2022	Overview of Trial Board Training Under the Maryland Police Accountability Act (MPAA)  Overview of the MPAA	Wayne Silver, Executive Director, MPTSC, and Joseph Costantini, Police In-Service Training Manager, MPCTC  ALJs Latonya Dargan, Kristin Blumer, Jeffrey Brown, Syeetah Hampton-EL, John Leidig, Richard O'Connor, Abena Williams, and CALJ Chung Pak
August 12, 2022	NO TRAINING	N/A
September 16, 2022	Visit From Appellate Court Judges – Discussion of Notable Administrative Law Opinions and Principles	The Honorable Angela Eaves, Court of Appeals of Maryland  The Honorables E. Gregory Wells, Kevin Arthur, and Andrea Leahy, Court of Special Appeals of Maryland
October 14, 2022          October 14, 2022 (continued)	Presentation on the OAH Budget/Time Studies  Overview and Background on Estimated Claims Payment Disputes & the Dispute Resolution Program for MDH, Optum, and Behavioral Health Service Providers  Special Edition QA Brown Bag Lunch Representation issues during clinical review panel appeal hearings, including private hospitals, in light of Mercer v Finan Center, 476 Md. 652 (2021)	Danara Harvell, OAH Director of Finance and Administration  Linda Rittelmann, Senior Program Manager, MDH  ALJ Latonya Dargan ALJ Emily Danecker
November 18, 2022	MVA  Identity Theft & Fraud Cases  Driver License Convictions/Non-Resident Violator Compact  Medical Advisory Board	Rose Bianca, Senior Investigator and Identity Crime Program Manager, MVA  Petrona Shiloh, Division Manager, Driver Control, MVA  Gina Pervall, M.D., Chief, MAB

	Ignition Interlock Program	Shirley Grant, Assistant Director, Central Operations, MVA
December 16, 2022	<p>Mediation CLE</p> <p>The Life &amp; Times of a Mediation Professional</p> <p>Interactive Mediation Exercises: Fishbowl, Hypotheticals</p>	<p>Jerome Woods, Circuit Mediator and Employment Dispute Resolution Coordinator, U.S. Court of Appeals, Fourth Circuit</p> <p>ALJs Latonya Dargan, Emily Daneke, Willis Baker, Jennifer Carter-Jones, Tracee Hackett, John Henderson, Richard O'Connor, Michael Osborn, Leigh Walder, and Jocelyn Williams</p>
January 20, 2023	Annual Subject Matter Specialist (SMS) Roundup	SMS Groups
February 10, 2023	<p>Presentation on Maryland Assistive Technology Program</p> <p>Interpreters for Deaf and Hard of Hearing Litigants</p> <p>Refresher Session – Best Practices for Conducting an Administrative Hearing and Writing an Administrative Decision</p>	<p>Denise Schuler, Maryland Department of Disabilities</p> <p>ALJ Ann Kehinde</p> <p>ALJs Latonya Dargan, Emily Daneke, and Ann Kehinde</p>
March 17, 2023	<p>Special Education Case Law Review</p> <p>Panel Discussion on Best Practices for Special Education ALJs and Impartial Hearing Officers (IHO)</p>	<p>Dr. Perry Zirkel, Professor Emeritus, Lehigh University</p> <p>ALJ Steven Elliott (TX)</p> <p>ALJ Paul Kamaroff (CA)</p> <p>ALJ Jessica Varn (FL)</p> <p>IHO Mary Schwartz (IL)</p>
April 14, 2023	Visit from the Maryland Insurance Administration – The Anatomy of a Consumer Complaint	<p>Terri L. Smith Director, Life and Health Complaints</p> <p>Danilsa Marciniak Director, Consumer Complaints Property and Casualty Division</p> <p>Joseph E. Smith, III, CFE, FCLS Director, Civil Fraud and Producer Enforcement</p> <p>Tammy R. Longan Acting Deputy Commissioner</p> <p>Erica J. Bailey Associate Commissioner for Hearings</p> <p>When Is My Decision Due?!</p>

	Presentations from the MSDE SMS Group	<p>ALJs Ann Kehinde and Denise Shaffer</p> <p>Experts in Special Education Cases ALJ Brian Weeks</p> <p>Best Practices for Conducting Special Education Pre-Hearing Conferences ALJs Michelle Cole, Tracee Hackett, Susan Sinrod, and Leigh Walder</p>
May 12, 2023	<p>Sexual Harassment Prevention Training</p> <p>Presentation on Gender Inclusive Language in the Courts &amp; Other Legal Contexts</p> <p>NAAL Mid-Year Webinar – Strengthening Our Commitment to Administrative Justice</p>	<p>Kelly Valentine, Director, HR Sarah Morrison, Management Associate, Administration</p> <p>The Honorable Mustafa Kasubhai, United States Magistrate Judge, United States District Court for the District of Oregon</p> <p>Melissa Kubit Angelides, Esquire, St. John’s University School of Law</p> <p>Dr. Cherron Payne, Chief ALJ, Connecticut Commission on Human Rights and Opportunities</p> <p>John M. Barkett, Esquire, Shook, Hardy &amp; Bacon, L.L.P.</p>
June 9, 2023	Advanced Mediation Training – Protecting Your Neutrality; Addressing Power Imbalance	Community Mediation Maryland – Tracee Ford, Director of Quality Development; Akida Jones, Re-Entry Mediation Director; and Joanna Woodson, Education Director