



The NAALJ News



FLORIDA TO HOST 2009 NAALJ ANNUAL CONFERENCE

ENSURING DUE PROCESS IN RECESSIONARY TIMES

NOVEMBER 3-7, 2009
ORLANDO, FLORIDA

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Special points of interest:

- NAALJ 2009 Annual
November 3-7, 2009
Orlando, FL
- NAALJ 2010 Midyear
May 30 - June 1, 2010
Montreal, Quebec,
Canada

By Bob Cohen, NAALJ President-Elect

The Florida Association of Administrative Law Adjudicators, along with the National Association of Administrative Law Judiciary is pleased to announce the hosting of the 2009 NAALJ Annual Meeting and Conference. This year's timely theme is "Ensuring Due Process in Recessionary Times." The conference will be held at the beautiful Rosen Plaza Hotel (www.rosenplaza.com) on International Drive in the heart of Orlando's exciting day and night-time activities. The negotiated room rate of \$129.00 for single or double occupancy is a great deal for our attendees. The conference will be held on November 3-7, 2009, and promises a full complement of CLE credit, professional and leisure activities, and delicious food with a true Florida flair.

Depending on the specific interests of the conference registrants, the program will include specialized tracks in special education, highway safety, and disability/public funded healthcare, as well as the more generalized topics such as evidence, judicial conduct and bias, best hearing practices, and legal writing. The registration form will be available soon on the NAALJ website (www.naalj.org) and remains affordable at \$395.00, which covers many of the meals during the conference, including the gala banquet on Friday night.

November is a wonderful time to visit Orlando. The weather is mild, the crowds are less intense than during the summer and winter tourist seasons, and the attractions are less crowded. Of course, Orlando is the home of the Magic Kingdom, but the Rosen Plaza is within walking distance of some of Orlando's best night life: B.B. King's Blues Club, Taverna Opa, and other clubs with music ranging from classic rock to adult and youthful contemporary. Within a quick shuttle ride (\$4.00 for a day's pass), you have access to hundreds of designer outlet stores, as well as all of the major attractions that have made O-town famous. We even have a golf outing planned (for an additional fee) at the renowned Shingle Creek Golf Club.

This conference, in addition to being filled with excellent educational activities, will serve as a break from the grind of hearings, mediation, and work travel. Judge Errol Powell, President of the Florida affiliate and I look forward to welcoming all of you to Orlando in November. Please contact me with any suggestions for topics, and your interest in serving on any panels or as a solo speaker.

Bob Cohen, NAALJ President-Elect
Bob_Cohen@doah.state.fl.us

President's Message - Making Progress on our Goals for this Year



By Steve Wise

In my message in the February 2009 NAALJ News, I emphasized my goals for this year—continuing the excellent programs NAALJ has established for serving its members

and expanding the benefits of NAALJ membership. In addition, I pledged to reach out to our affiliates and identify ways NAALJ can better serve state affiliates.

Our Midyear 2009 conference in Little Rock, Arkansas, was outstanding. The educational program was top notch with excellent speakers and topics focused on theme of “Ensuring Justice and Professionalism.” After hours, attendees enjoyed a dinner cruise on the Arkansas Queen riverboat. The view of the river was scenic, the food was delicious, and the conversation was lively. The special tour of the Clinton Presidential library was fascinating. I want to thank everyone responsible for the conference. Kudos to the Arkansas Association of Administrative Adjudicators for all their efforts.

Our president-elect, Bob Cohen, is hard at work planning and preparing for our 2009 Annual Conference in Orlando, Florida, scheduled for November 3-7, 2009. At the Little Rock Conference, I announced that the 2010 Midyear Meeting will be held in Montreal, Canada, May 30 to June 1, 2010, in conjunction with the 5th International Conference of the Canadian Council of Administrative Tribunals.

In terms of expanding benefits for NAALJ members, the NAALJ Board voted in Little Rock to reinstitute the challenge grant program for affiliates. The NAALJ News article has the details about the program, but in basic terms, NAALJ will waive the registration fee and provide a grant of \$500 for each affiliate to send one member to the Annual conference in Orlando. The recently established and successful Mentor program is providing funding for this program. Become a Charter Mentor or Life Mentor by making your contribution or pledge this year.

To reach out to affiliates and members—I attended the Alaska affiliate’s meeting by telephone conference, I was a presenter at the Kentucky affiliates annual CLE in beautiful Frankfort, and I had the pleasure of traveling to Portland for the Oregon affiliate’s annual meeting held at a winery owned by an Oregon ALJ. It is exciting to see what is going on at the state level. In addition NAALJ has created a district liaison program with NAALJ Board members assigned to serve a group of states. The district liaison will be available to talk with members, communicate member concerns to the NAALJ Board, assist with educational programs, and support local affiliates and the promotion of new affiliates. The following table shows the district liaisons and their states:

John Farrell (NY): New York, Vermont, New Hampshire, Maine, Massachusetts, Rhode Island

Beverly Nash (DC): District of Columbia, Maryland, Connecticut, New Jersey, Delaware

Kristin Miller (GA): Florida, Georgia, Alabama, Mississippi, South Carolina

Phyllis Carter (WV): West Virginia, Virginia, North Carolina, Pennsylvania, Ohio

David Mackey (AR): Louisiana, Arkansas, Texas, New Mexico, Oklahoma

Peter Plummer (MI): Wisconsin, Minnesota, North Dakota, South Dakota, Nebraska, Michigan,

Janet Raider (KY): Kentucky, Tennessee, Missouri, Kansas, Indiana, Illinois

Laura King (WA): Washington, Oregon, Alaska, Wyoming, Montana, Idaho,

Maggie Anderson (CA): Arizona, Utah, California, Colorado, Nevada, Hawaii

Finally, NAALJ has taken an important step by contracting with a management company, *Association Professional Management Services*, to provide better services to our members.

The president of APMS, Beverly Thomas, from West Des Moines, Iowa, will be handling the administrative and financial duties of our former Secretariat position but also assisting our association with organization, budgeting, conference planning, and membership services. This move has been discussed for several years, and the Board believes this new initiative will provide the Board with continuity and professional resources to strengthen and invigorate NAALJ as an organization.

Our new NAALJ headquarters is located at 1001 Office Park Road, Ste. 105, West Des Moines, Iowa.

Welcome Bev and her staff to NAALJ!

CALL FOR ROSSKOPF AWARD NOMINATIONS

Nominations are being accepted for the Rosskopf Award for Judicial Professionalism and Ethics. NAALJ confers this award to a judge who embodies the qualities of judicial success, such as moral courage, fairness, patience, mercy, decisiveness, innovation, intellect, intelligence, dignity, honesty and integrity. The first award was given posthumously to Victor John (Vic) Rosskopf of Missouri, who was treasurer of NAALJ at the time of his death. The award has been given to Arthur A. Gladstone, Sammie Chess Jr., John W. Hardwicke, Stan Cygan, Janet Raider, Ed Schoenbaum, and Julian Mann. Nomination letters should summarize the achievements of the nominee and should be submitted no later than September 1, 2009. Nominations can be emailed to the Rosskopf Committee Chair, Ed Schoenbaum JudgeEdS@gmail.com with a courtesy copy to NAALJ President, Steve Wise Steve.Wise@mchsi.com.

Mark your May 2010 Calendar for the Fifth International Administrative Justice Conference

By Steve Wise, NAALJ President



The board of governors of the National Association of Administrative Law Judiciary is excited to announce that we have voted unanimously that our 2010 NAALJ

Midyear Meeting will be held May 30 to June 1, 2010, in conjunction with Fifth International Administrative Justice Conference in Montréal, Quebec, Canada!

Montréal has everything a big city can offer. It is a multicultural city that lends its French accent to that of over 80 other ethnic communities and charms visitors with its Euro-American ambiance. Its downtown bustles with life at the foot of its mountain, while history is rooted in the old quarters near the St. Lawrence River. A showcase for international cuisine, Montréal also offers visitors a variety of interesting shops and department stores, not to mention the largest underground shopping complex in the world. Art lovers will enjoy its vast museums, including the Montréal Museum of Fine Arts, the Musée d'art Contemporain, the

Musée Pointe-à-Callières and the Canadian Centre for Architecture.

We will be working with our Canadian hosts, the Council of Canadian Administrative Tribunals and the Montréal conference committee, and will have more details as they become available. Board Member John Farrell (NY) has been designated as the NAALJ 2010 Midyear Liaison and will be coordinating our participation in the conference. Check the NAALJ website for further updates: www.naalj.org/upconferences.html.

NALJF and NAALJ Offer Challenge Grant to Affiliates

The National Administrative Law Judiciary Foundation and the National Association of Administrative Law Judiciary are offering a Challenge Grant to affiliates for the 2009 Annual Meeting and Conference in Orlando, Florida!

Through the Challenge Grant Program, each affiliate in good standing (with its 2010 dues paid) may choose an affiliate member to attend the annual meeting and conference. The registration fee for this Challenge Grant affiliate recipient will be waived and the affiliate recipient will be presented with a check for \$500 during the conference to help defray expenses. The affiliate is challenged to provide all or a portion of the remaining expenses for the affiliate member to attend.

The Challenge Grant Program is made possible in part by generous donations made by Charter Mentors and Charter Life Mentors to NALJF. The purpose of the Mentors Program, which was begun in late 2008, is to increase the Foundation's assets to provide it with the means to fulfill its mission of sponsoring the Fellowship, the Neil Alexander Scholarships, and the Challenge Grant Program. (See article in this newsletter.)

Each affiliate decides on the criteria for choosing the recipient of the Challenge Grant. The only requirement is that applicants must be members of NAALJ. (A sample application can be provided to affiliates by contacting Board Member Janet Raider at Janet.Raider@gmail.com.)

As stated, a \$500 check will be presented to recipients at a ceremony during the Annual Meeting and Conference. The recipients will get an opportunity to meet with Charter Mentors and Life Mentors and other long time supporters of NAALJ who will share with recipients the benefits of active involvement in NAALJ.

Affiliates are encouraged to announce the Challenge Grant Program as soon as possible. The affiliates should advise NALJF of the recipient on or before October 1 by sending the name of the recipient to Janet Raider at Janet.Raider@gmail.com. Questions can also be addressed to Janet at this email address or by calling 859-333-7278.

2009 Fellowship Recipient Announced

After reviewing a record number of submissions this year, the Fellowship Committee is pleased to announce that Hon. Ruth S. Astle has been awarded the 2009 Fellowship. Judge Astle is an Administrative Law Judge with the California Office of Administrative Hearings. The award is based on her proposed Fellowship Paper entitled: *"Ethics and Integrity in Administrative Adjudication: Issues and Solutions."*

Judge Astle will prepare this original article for publication in the Spring 2010 issue of the Journal of the National Association of Administrative Law Judiciary, and give a presentation at the NAALJ Annual Conference in Florida. This conference will take place at the Rosen Plaza Hotel in Orlando, Florida from November 3 - 7, 2009.

The Fellowship winner will receive a \$1000 cash stipend, as well as registration, transportation, accommodations, and meals at the 2009 NAALJ Conference. Congratulations to Judge Ruth S. Astle on her excellent submission!

NEWS FROM STATE AFFILIATES

Iowa Affiliate News

**By Lynette Donner,
IAALJ President**

On April 20, 2009, the Iowa Association of Administrative Law Judges held its Spring CLE. Our keynote presenter was Judge Mark Painter, Ohio District Court of Appeals, who spoke to an overflow audience on the topic of judicial writing, referencing his book: *The Legal Writer: 40 Rules for the Art of Legal Writing*.

Chief Justice Marsha Ternus gave excellent Tips on Facilitating Judicial Review. We also had presentations from Seth Anderson, Executive Director, American Judicature Society, on Judicial Independence; ALJ John Priester on

Driver's License Issues for ALJs; ALJ Renee Snetzer on ALJ Security Issues; Iowa District Court Judge Robert Hutchison on Judicial Security and Judicial Review; and Barbara Tapscott, attorney for Iowa Workforce Development, on Drugs and Alcohol Testing. After the conference IAALJ held its annual meeting and elected the following officers for 2009-2010: Lynette Donner, president; Amy Christensen, vice president; Maggie La-Marche, secretary; and Christie Scase, treasurer.

Members Lynette Donner, Renee Snetzer, and Deb Wise attended the NAALJ Midyear Conference in Little Rock, AR

in May, as well as member Steve Wise, current NAALJ president. Our thanks to the Arkansas affiliate for being wonderful hosts and providing a stimulating conference!

The IAALJ's Fall 2009 ALJ CLE will be held on September 21, 2009; our primary speaker will be Thomas E. Cheffins, Chief Administrative Law Judge for the Pennsylvania Department of Public Welfare Bureau of Hearings and Appeals, with a primary topic of ALJ credibility determinations. Please check out our website for updates regarding CLEs and other events at:

<http://iaalj.home.mchsi.com>.



Judge Mark Painter



Judge John Priester

Maryland Affiliate

**By Jim Murray,
ALJ, MD OAH**

The Maryland Association of Administrative Adjudicators was originally established as a NAALJ affiliate in 1996. In 2003, after creation of a central panel agency in the District of Columbia, MAAA joined with administrative adjudicators in D.C. in establishing a single joint, local NAALJ affiliate, the Maryland and District of Columbia Association of Administration of Administrative Adjudicators (MDCAA). For several years, including two national conferences, that relationship worked well. However, as the membership base grew and the D.C. central panel agency matured, the leadership of

MAAA, based on input from the membership, believed that the time had come for each jurisdiction to have its own separate affiliate. To that end, in April of 2009 a resolution was passed dissolving MDCAA. With the dissolution of MDCAA, the Maryland only affiliate was reformed as the Maryland Association of Administrative Law Judiciary MAALJ. At the same time, a new D.C. affiliate was formed. (See their article in this issue.)

MAALJ is still in its formative stages: new by-laws have been adopted and election of permanent officers and board members is tentatively scheduled for mid-September. Jim Murray, Charter Member of

the original affiliate and the last president of MDCAA, is the Interim President of MAALJ and Denise Shafer is the interim Secretary. Also taking lead roles are Scott Oakley and another Charter Member of the Original Affiliate and former NAALJ board member, Mike Nolan.

Everyone here is looking forward to a rejuvenated affiliate and for the tentative nature of the organization to be resolved. By the time of the annual conference in November our transition should be complete and we hope to send several representatives, at least one of whom can report on our progress.



NEWS FROM STATE AFFILIATES

District of Columbia Affiliate News

By Paul Handy,
ALJ, DC OAH

The District of Columbia Association of Administrative Law Judges (“DCAALJ”) is very excited to become a new affiliate of NAALJ. Since the dissolution of MDCAA, DCAALJ has established itself as a new entity. We have incorporated with new bylaws, and registered as a business in D.C. Our address is P.O. Box 77203, Washington, DC 20013-7203. Our website is under construction and will be available soon.

The AD Hoc Committee of DCAALJ consists of the following members: Hon. Joan Davenport (ALJ, DC OAH);

Hon. Tyrone T. Butler (Chief ALJ, DC OAH); Hon. William L. England, Jr. (ALJ, DC OAH); Hon. Paul B. Handy (ALJ, DC OAH); Hon. Melissa Lin Klemens (ALJ, DC DOES Workers’ Compensation); Hon. E. Savannah Little (ALJ, DC OAH); Hon. Samuel McClendon (ALJ, DC OAH); Beverly Rivers, Esq. (General Counsel, DC OAH); Hon. Larry Tarr (ALJ, DOES Workers’ Compensation); and Hon. Denise Wilson-Taylor (ALJ, DC OAH).

On July 22, 2009, DCAALJ will meet to elect a new slate of officers. Our first general membership meeting will be on September 9, 2009, with a

package of activities – to be announced. Among other things, NAALJ President Steve Wise has graciously agreed to come to D.C. and address our membership. We look forward to Steve’s presentation about the opportunities presented by our broad national association.

We intend to reach out to administrative agencies that have not traditionally been well represented in NAALJ. We also wish to provide educational and social events to our members. If you would like to join DCAALJ, please contact us.



New York Affiliate News

By John Farrell, NYSALJA
Past President

Seven members of the New York State Administrative Law Judge’s Association (NYSALJA), and some of their spouses, attended the 2009 NAALJ Mid-year Conference in Little Rock Arkansas. The innovative Education Program was well-regarded by our attendees, as was the hos-

pitality, reception and luncheons, provided by our gracious Arkansas hosts. The session documenting the legal history of school integration in Little Rock and the session on Cultural Awareness were particularly fascinating. The Riverboat Dinner was also a big hit on a beautiful evening on the Arkansas River. Kudos to the Arkansas Conference Planning

Team!

Other New York State News: NYSALJA Executive Committee Member (and Past-President) Hon. Peter S. Loomis, Chief ALJ at the NYS Department of Transportation, was recently appointed to a three year term as Chair of the New York State Bar Association’s Committee on Attorneys in Public Service.



NEIL ALEXANDER SCHOLARSHIPS 2010

NAALJ offers two \$500 scholarships to assist NAALJ members attend a one-week resident course at the National Judicial College (NJC) in Reno, Nevada.

The Neil Alexander Scholarships are in honor of a NAALJ colleague, who at the time of his recent untimely death was chief hearing examiner of the D.C. Commission on Human Rights. He was co-chair of the 2007 NAALJ Annual Conference in Washington, D.C.

The NAALJ scholarships are to be used in combination with two scholarships that have been awarded to NAALJ by NJC.

The NJC scholarships are for a 50 percent tuition waiver for a one-week resident course. Civil mediation, mediation for ALJs and other mediation courses are not eligible for the scholarships.

Additional expenses to attend a course (conference fee, lodging, meals, travel and incidentals) are the responsibility of the recipient or his or her employer.

To apply for the scholarships, fill out and submit the application by November 15, 2009, and send to Judge Phyllis Carter, West Virginia Human Right Commission, 1321 Plaza East - Room 108A, Charles-

ton, WV 25301-1400.

The recipients of the scholarships will be selected and notified by December 15, 2009. You can download the scholarship application from:

www.naalj.org/NAALJ_Scholarships.pdf

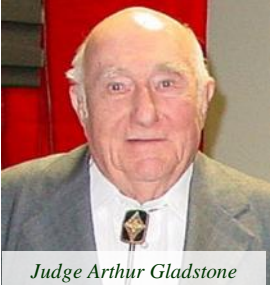
Direct any questions to Judge Carter at (304)558-2616 or

Phyllis.H.Carter@wv.gov

For information on 2010 NJC course offerings, please go to www.judges.org or request the 2010 course catalog by calling 800-25-JUDGE.

Death of Judge Gladstone

By Larry Craddock,
ALJ, Texas Finance Commission



Judge Arthur Gladstone

A recent obituary in the Washington Post announced the death of Arthur Gladstone. Judge Gladstone's career in administrative

law went back to the pre World War II new deal. He was a chief ALJ for the Federal Communications Commission who after his retirement taught administrative law courses for many years at the National Judicial College. I had Judge Gladstone several times and made it a point to sit with him at lunch at least once every time I was at NJC taking courses. It was also my pleasure to be present when NAALJ presented him with the NAALJ Rosskopf award for career achievement by an ALJ. Judge Gladstone was also an early chair of the National Conference of the Administrative Law Judiciary (the voice of the ALJ in the American Bar Association).

Those of us who took courses under Judge Gladstone will never forget his admonition (sometimes repeated several times in his lectures)—“you are not a potted plant! As an ALJ you must take an active role directing the development of the record in your hearings.”

And once in the course of every lecture series, he would tell the class a joke about the great hunting dog, “lawyer” who all the hunters wanted to rent because he was such a good pointer and retriever until one hunting party started calling him “judge” (after that the dog became useless, he would just sit on his tail and bark all day).

Judge Gladstone also never tired of telling the story of the country lawyer who appeared before a very cranky big city judge in a court room that was not air conditioned on a hot day. Because of the heat all the windows were opened. After the judge had chewed the lawyer out several times, the judge asked why all the flies were swarming around the judge. The lawyer replied that they were called “circle flies” because they always circled around the rear end of a horse. The judge exploded, “Counsel, I hope you aren't comparing me to a horse's rear end.” The lawyer responded, “Of course not your honor. I have too much respect for the court. But you sure can't fool them circle flies.”

I wanted to preserve those stories since Judge Gladstone will no longer be around to tell them to his classes. He was a great role model and will be missed. We shall not see his like again.

Judge Gladstone's formal obituary in the Washington Post read as follows: Arthur A. Gladstone, 97, a retired lawyer with the Federal Communications Commis-

sion who helped shape a number of telecommunications regulations and rulings, died May 8, 2009, at his home in Reno, Nev., after a heart attack. He was a former Alexandria resident.

From 1939 to 1941, he was a lawyer with the Federal Power Commission in Washington. After serving in the Army and the Coast Guard during World War II, he joined the FCC.

He was involved in the development and regulation of mobile radio and telecommunications, wireless communications and transoceanic communications to Europe and Asia. His son recalled that in the 1940s and 1950s his father chartered boats in the Great Lakes and booked train trips to test developments in wireless communications.

Mr. Gladstone also was responsible for overseeing court proceedings during the breakup and reorganization of AT&T, and he helped develop regulations for public radio and television.

He was appointed an administrative law judge in 1962 and became a chief administrative law judge in 1969. He served until 1972.

He retired in 1972 and moved to Reno, where he developed the administrative law curriculum at the National Judicial College. He continued to teach at the college until age 91. He also taught himself Indian tribal law and became a tribal judge and later an Indian appellate court judge.



New Hon. Arthur A. Gladstone Scholarship Established at the National Judicial College for Administrative Law Judiciary

This year, the NJC has received an exponential increase in the number of scholarship applications as a result of state revenues/budgets having an unheard of negative impact on both state courts and administrative agencies. As courts/agencies experience reduced funding, education budgets are the first to be eliminated. With generous support from private donors and the Bureau of Justice Administration, the NJC has been able to provide scholarships to enable judges to obtain much needed education.

There is currently a critical need for scholarships for Administrative Law Judges. Having used all scholarship funds available for ALJs, the NJC is seeking additional funding for ALJs to attend upcoming courses in 2009 and 2010. To address this need, NJC is turning to private donors and foundations for scholarship assistance.

Toward that goal, the NJC has established a new scholarship program in honor and memory of long-time adminis-

trative law NJC faculty member, Judge Arthur Gladstone. If you have any questions about how you can contribute to this scholarship fund, please contact NJC's development director, Gretchen Alt Sawyer at (775) 327-8257 or alt@judges.org.

For more information about the need for ALJ scholarship funding go to:

http://www.judges.org/givingnews/givingstory_0709.html.

Become A Charter Mentor or Life Mentor!!

There are only a few months left ... to join your fellow administrative adjudicators in becoming a CHARTER Mentor or Life Mentor of the National Administrative Law Judiciary Foundation (NALJF)!! Hopefully, you are aware from the February 2009 newsletter that NALJF, the public interest arm of NAALJ, embarked on a fundraising drive in late 2008 to increase the Foundation's assets.

One of the goals of this fundraising drive is being realized at the 2009 NAALJ Annual Meeting and Conference. This is the goal of reinstating the Challenge Grant Program, which encourages affiliates to select a member to attend the NAALJ annual meeting and conference with financial assistance from both the Foundation and the affiliate. (See related article in this newsletter about the Challenge Grant).

Other goals of the drive are to continue to sponsor the Fellowship, which provides the Fellow with a stipend of \$1,000 and expenses paid to the annual meeting and conference, and to sponsor at least two Neil Alexander Scholarships to assist members to attend courses at the National Judicial College.

Mentors – persons or other legal entities that make an annual contribution of not less than \$100.

Life Mentors – persons or other legal entities that make a one-time, lump-sum contribution of not less than \$1,000, or make an initial contribution of \$300 and a written pledge to contribute an additional \$900 over the next three years.

Contributors who become Mentors or Life Mentors in 2008 and 2009 will be Charter Mentors and Charter Life Mentors. Of course, contributions will be encouraged after 2009 in order to sustain the funding of these programs. Mentors and Life Mentors will be recognized on the NAALJ website, in the newsletter, and at the midyear and annual conferences Mentors will receive an engraved lapel pin signifying that they are Foundation Mentors. Life Mentors will receive a lapel pin and personalized engraved paperweight signifying that they are Foundation Life Mentors.

Please join in supporting this project by filling in the contribution form (link below) and returning it and your check to: NAALJ, 1001 Office Park Road, Suite 105, West Des Moines, Iowa 50265.

If you would like to contribute, the Mentor Contribution Form can be downloaded and printed out from this link:
www.naalj.org/Mentor_Form.pdf

Current Charter Life Mentors and Charter Mentors

Add your name to this list!!

Charter Life Mentors:

Mary-Margaret Anderson (CA)

David Brunke (TX)

Tyrone Butler (DC)

John Hardwicke (MD)

Ana-Beatriz Pasion Kidd Kennedy (GA)

Julian Mann (NC)

Bryan McDaniel (DC)

Beverly Sherman Nash (DC)

Janet and Jerry Raider (KY)

Edward Schoenbaum (IL)

Marc Zylberberg (NY)

Charter Mentors:

Abigail Bernhardt (NY)

Phyllis Carter (WV)

Sammie Chess (NC)

Robert Cohen (FL)

Larry Craddock (TX)

John Farrell (NY)

John Gedid (PA)

Richard Goodwin (CA)

Laura King (WA)

Bob Layton (KY)

Peter Loomis (NY)

David Mackey (AR)

Kristin Miller (GA)

Anne Murphy (NY)

Jim Murray (MD)

Greg Ogden (CA)

Felicia Orth (NM)

Jordan Rossen (NY)

Robert Sharkey (DC)

Steve Wise (IA)

Ann Marshall Young (DC)

Arkansas 2009 Midyear Conference —Just Ducky!

By Richard Boulanger Vermont Agency of Transportation

David Brunke once told me that the summer meetings were becoming a cross country tour – a visit to every state (with an affiliate) by NAALJ. This year's stop was Little Rock, Arkansas. Glad to leave Vermont's cold rainy weather and a flood stage river, I arrived in Little Rock in the wake of some bad weather in the area earlier in the week - tornados, heavy rains and high water. Well, I got to the hotel, took one look at that dirty, swollen Arkansas River, and felt right at home.

The conference theme, "Ensuring Justice and Professionalism within the Administrative Judiciary," appeared to promise something of interest and use for all attendees. We were not disappointed. Whether you wanted go through "the basics" – opinion writing, ethics, high volume caseloads – or pick up tips on special topics such as expert evidence, there was always something you could take back with you. The presenters were an exceptionally able group, with many putting an extra effort to provide a slightly different twist or angle to some of the "staple" summer conference topics. An attendee from Little Rock urged me not to miss the presentations of Frank Wills and Howard Brill. I didn't,

and found both presentations worth listening to. All in all, the conference program and presentations reflected the care, attention to detail, and professionalism that the conference flyers promised.

The amenities were nice. The plentiful amounts of food and drink are always appreciated. It was nice to be able to experience and enjoy a conference cruise, not having been on one for many years. The conference staff and the Arkansas attendees went out of their way to be helpful and made sure that you knew southern hospitality is not a stereotype. I did enjoy roaming Little Rock. One nice touch was the conference's practice of repeating a day one early afternoon presentation the following day, allowing attendees some extra time to have a late lunch or explore the town one day and still catch the presentation the next.

Passions ran high when the hotel was mentioned. Now don't get me wrong. The Peabody Little Rock Hotel is an excellent facility that meets and exceeds the NAALJ's standards. Unfortunately it experienced a bad week. Some attendees had to stay at another hotel on Saturday night because their reserved room was not available, and every body experienced one or more room lock outs due to

computer lock malfunctions. Personally, I was locked out just once and really didn't mind the Tuesday night "American Idol" party in the lobby.

Finally, this report would not be complete without mentioning the ducks. The hotel had one drake and three hen mallards in residence, and as advertised they marched twice each day. I'm familiar with waterfowl, mallards in particular, having hunted them for many years and having to constantly put up with their behaviors on my property. The hens were fine, but that drake... I detest animals that let you know that they have a better life – three hens, plenty of food and water, pampered existence. When his three-years stay is over and he's released into the wild, that drake had better stick to the Mississippi flyway.



NAALJ Nominating Committee Seeks Nominations

The NAALJ Nominating Committee invites you to provide candidates for NAALJ officer and board member positions for the 2009-2010 year. The Committee will be proposing a slate of officers and board members for election to leadership positions. The slate will be submitted to each of the members of the organization at least thirty days before the election at the annual membership meeting, which will be held in conjunction with the NAALJ 2009 Annual Conference on November 3-7, 2009 at the Rosen Plaza Hotel in Orlando, Florida.

The NAALJ bylaws provide the officers serve one year terms and the board members serve two year terms. However, one half (four) of the board members are

elected each year. In addition, the bylaws provide the President becomes the Immediate Past President and the President-Elect becomes the President. Accordingly, the slate being proposed by the Nominating Committee will be limited to the President-Elect, Treasurer and Secretary as well as four board member positions. When the election is held, candidates nominated by the Committee shall be considered as automatically nominated. Nonetheless, additional nominations may be taken at the time of the election.

NAALJ members may contact any Nominating Committee member listed below if they are interested in serving as an officer or board member, or if they desire to sub-

mit other candidates for one of the available positions.

L. David Brunke, Chair (TX)
lbrunke@dot.state.tx.us

Catherine Bennett, Member (NY) cbennett@nysdta.org

Lois Oakley, Member (GA) loakley@osah.ga.gov

Tyrone Butler, Member (DC) tyrone.butler@dc.gov

Julian Mann, Member (NC), julian.mann@oah.nc.gov

The deadline to submit candidates is August 21, 2009.

Little Rock Conference Photos



ABA/NHTSA JUDICIAL FELLOWSHIP REPORT

**By John M. Priester
ALJ, Division of Administrative
Hearings, Iowa Department of In-
spections and Appeals,**

In October of 2008, I was selected to be the Judicial Fellow for the American Bar Association's Judicial Division. This fellowship is sponsored by the United States Department of Transportation's National Highway Traffic Safety Administration (NHTSA). My fellowship duties include acting as a liaison between the ABA's Judicial Division, NHTSA, the National Judicial College, and the administrative judiciary and its national organizations. NAALJ is one of the national organizations that I will be reporting to.

While serving as the liaison, I will be promoting understanding, communication, cooperation, education, and collegiality between these organizations as it pertains to traffic safety, including the promotion of NHTSA priorities.

The NHTSA priorities that I am promoting include expanded use of DWI Courts and the use of Ignition Interlock Devices (IID). DWI Courts are similar to Drug Courts in that they take hardcore, repeat or high Blood Alcohol Content (BAC) offenders, and try to minimize future impaired driving by enrolling the offender in substance abuse treatment coupled with intensive probation overseen by the court in a post-adjudication setting. Initial studies have shown a significant decrease in recidivism for graduates of the programs. In 2008 there were 526 DWI Courts in the United States.

NHTSA is also encouraging the expanded use of Ignition Interlock Devices. In many states IID are not mandatory, but are left to the discretion of the sentencing judge in the criminal matter or the administrative law judge in the driver license revocation hearing. Studies show that the installation of an IID significantly lowers repeat drunk driver offenses

while the IID is installed.

In my duties as a Judicial Fellow I have attended a November 2008 Fellowship Orientation in Washington, D.C.; attend the ABA's Mid-Year Meeting in February in Boston, Massachusetts to report on my progress in Fellowship; participated in a Suspended/Revoked Working Group sponsored by the American Association of Motor Vehicle Administrators in Williamsburg, Virginia in March 2009; and I participated in a presentation at the NHTSA main office in Washington D.C. in May of 2009.

As the fellowship progresses I will keep member of NAALJ updated on my activities. I would also like to have input from you, NAALJ members, as to issues that you are facing with respect to driver safety issues. Please contact me at:

john.priester@dia.iowa.gov. I look forward to hearing from you.

Chief Administrative Law Judge Position Open

Selwyn Walters, Acting Chief Administrative Law Judge of the Washington State Office of Administrative Hearings, has accepted a federal administrative law judge position with the Social Security Administration in Pasadena, California. His last day in Olympia, Washington, is July 15. Chief Walters was a member of NAALJ and it's Washington State affiliate. Chief Walters is one of five administrative law judges from this central panel agency leaving in July for new positions with the Social Security Administration.

In Washington State, the governor appoints the Chief Administrative Law Judge and the senate confirms the appointment for a minimum of seven years.

To apply for the position of Chief Administrative Law Judge, contact the governor's office. Go to www.governor.wa.gov/default.asp for more information.



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