

THE NAALJ NEWS



INSIDE THIS ISSUE

Message from the President	1-2
Margaret Giovannello	2
Mid-Year Conference Update	3
2015 Annual Conference Wrap Up	4-5
From the State Affiliates	
District of Columbia	6
Indiana	7
NALJ Foundation Fellowship	8-10
2016 Annual Conference	11-12
Join NAALJ!	12
Officers	13
Board of Governors	13

A Message from the President

As current NAALJ President, I want to welcome you to the latest newsletter, and invite you to join our efforts. Although our high visibility projects are our educational conferences (in Washington, DC in May, and in Salt Lake City, Utah, in September), NAALJ has for over 40 years given administrative law judges at all levels the opportunity to join together to advance professionalism.



I joined NAALJ in 1997. I've been fortunate to work with and learn from some very committed, idealistic and effective volunteers who are willing to give their time to make ALJs at the local, state and federal level more respected and appreciated by all those who take part in administrative hearings. People like John Hardwick, Janet Raider and Larry Craddock were only the first of many waves of volunteers since then. The striking thing about NAALJ's volunteers is they serve first on committees, then on the board and as officers, and then, when those duties are completed, they believe in what NAALJ does enough to continue to serve and volunteer. I want to thank everyone who has joined NAALJ's volunteer efforts. It is making a difference across the country.

NAALJ is a volunteer organization. What we do to advance professionalism is done by our members, whether it is through advocating for decision-making independence, our administrative law journal, our conferences to provide for better informed decision-makers, our proposed codes of ethics, or our core functioning groups such as our membership committee and our newsletter committee. NAALJ provides you with a unique personal opportunity-your voice, your opinions, and your contributions help shape administrative hearings for years to come. It allows you to insure that the improvements NAALJ brings about will mesh well with the model of administrative hearings within your state, city, cabinet, or department. It is your voice being heard through your actions. Take the opportunity to make your world a better place by joining NAALJ's volunteer work. If you'd like to talk with me about the committees, I can be reached by email at boblayton@gmail.com, or by cell phone at 859-396-8122.

Please also reach me if you have ideas or suggestions for projects or new efforts NAALJ may want to pursue, or if your affiliate chapter has questions on any ways NAALJ can best support members in your state.

Please also plan on joining our conferences. The conferences are invariably stimulating, by learning of how various hearing issues are being addressed in other jurisdictions and by other professionals. Those lessons often provide extremely helpful guidance later when those same issues arise in a hearing you're conducting. On May 19-21, we will meet in Washington, DC, with a conference that will provide some unprecedented perspectives on the similarities and differences between state and federal administrative judiciary models, trends, ethics and case law. We'll be at American University's Washington College of Law, and have gotten hotel rooms in Washington at a remarkably affordable rate of \$119 per night. An excursion into Washington will also be included in the conference registration fee. On September 18-21, our annual conference is once again in a spectacular area of the west. We will be in Salt Lake City Utah, at the Hotel Monaco. Ski resorts are only 20 miles away, and an outing to the mountains will be part of the packed program. Because it is close to such fantastic national parks, include a few extra days in your trip to explore Zion National Park, Bryce Canyon, Arches National Park, Capitol Reef National Park, and Canyonlands National Park.

Thank you for being a member of NAALJ, and please reach out to me to volunteer or with any NAALJ questions.



We Mourn the Loss of Past President Margaret Giovanniello by the NYSALJA

A pioneer in elevating the status of administrative law judges, Margaret Giovanniello passed away on January 17, 2016 at the age of 88. Her accomplishments were staggering. Not only did Judge Giovanniello serve as NAALJ president from 1984-85, she was also simultaneously the president of the Nassau Suffolk Women's Bar from 1984-85. She served as president of the Brooklyn Women's Bar Association (1982-84), treasurer of the Nassau Suffolk Women's Bar (1982-83), and was a member of the board of directors of the Brooklyn Bar Association (1983-89).

In 1986-87 she was elected president of the National Association Administrative Law Judge (NAALJ), and was its first female president. Judge Giovanniello served on the executive committee of the National Conference of Administrative Law Judges from 1994-98, and the president of the New York Network of Bar Leaders from 1995-96.

A 1956 graduate of Brooklyn Law School, she partnered with her husband in their law firm, Giovanniello & Giovanniello. By the mid-1970s she had joined the New York State Department of Labor, Unemployment Insurance Division and had begun her career as an administrative law judge. In 1976, she and about thirty other judges formed the New York State Administrative Law Judges Association (NYSALJA) as an affiliate chapter of NAALJ, which had only come into existence two years earlier. During her tenure as president, membership in NAALJ more than doubled.

On October 12, 2015, at the NAALJ Annual Conference, Judge Giovanniello was awarded the Vic Roskopf Award for Judicial Professionalism and Ethics, the highest honor that is bestowed by NAALJ. Her contributions to our profession cannot be underestimated and her legacy will live on through all she achieved.

The 2016 NAALJ Mid-Year Conference

Tenley Campus of American University Washington College of Law Washington, DC



NAALJ is pleased to announce that our Mid-Year Conference will be held at the brand new Tenley campus of American University Washington College of Law <https://www.wcl.american.edu/>
4300 Nebraska Avenue NW, Washington, DC 20016

Early registration is available for \$375 for NAALJ members, and \$425 for non-members, and a just-announced one-day registration fee of \$200; with early registration rates good through April 22, 2016. Hurry - registration rates increase after April 22nd.

Rooms are available for our conference registrants for the nights of Thursday, May 19 through Saturday, May 21, at the very affordable rate of \$119.00 per night. The Courtyard is on the Red Line of the Metro, at the Friendship Heights station, which is one stop away on the Metro from the conference site (Tenleytown station).

For more information, and to register online, go to www.naalj.org
or call the NAALJ office at
(855) 756-2255

See you in the Nation's Capital!

Thanks for the Memories Portland ~ NAALJ 2015 Annual Conference





From the State Affiliates

DCAALJ HAPPENINGS, February 2016



The District of Columbia government is separate from the federal government. DC ALJs are unique among state and state-like ALJs because (i) the DC government performs the responsibilities traditionally performed by states, counties, and cities; (ii) Washington, DC is totally urban, comprising some 68 square miles with excellent public transportation; and (iii) we are located in the nation's capital, where hundreds of judges work for numerous courts, at the local and federal levels, and thousands of lawyers work for federal and local government, as well as in non-government organizations and the private sector.

The District of Columbia employs ALJs, administrative judges, hearing examiners, commissioners and others who perform adjudicative functions. About 34 ALJs work for a centralized panel (the Office of Administrative Hearings (OAH) that hears cases covering approximately 40 jurisdictions; about 16 ALJs work directly for the Department of Employment Services; and, there are numerous other agencies that employ adjudicators.

In 2014, the OAH ALJs unionized as the Federation of Administrative Law Judges – D.C, and are affiliated with the International Federation of Professional and Technical Engineers (IFPTE). In early 2016, OAHs attorneys were also authorized to become bargaining union members.

Judge Nicholas Cobbs (OAH) and Judge Elizabeth Figueroa (OAH) are currently governors on NAALJs national board.

In September 2015, the DC chapter of NAALJ (DCAALJ) elected the following officers: President, Elizabeth Figueroa; President-Elect, Sherri Beatty-Arthur; Vice-President, J.P. Howard; Treasurer, Bill England); and Secretary, Bernard Weberman. All DCAALJ members are employed by the District of Columbia Government, but its membership includes judges employed by the Federal Government.

DCAALJ takes advantage of its location by bringing in outside speakers. At its February 18, 2016 membership meeting, guest speakers will be the Hon. Fern Flanagan Saddler, Associate Judge at the Superior Court in the District of Columbia, and the Hon. H. Alexander Manuel, Administrative Judge at the U.S. Department of Housing and Urban Development, who will speak on judicial independence. Plans are underway for other similar presentations throughout the year.

NAALJs 2016 midyear conference will be held several miles from Judiciary Square at the American University College of Law on Friday, May 20 and Saturday, May 21, 2016. Due to timing, DCAALJ was unable to co-sponsor the midyear conference, but endorses the conference and anticipates that individual DCAALJ members will assist with the conference in various ways.

DCAALJ hopes to co-sponsor an annual NAALJ Conference in Washington, DC, as it has in the past, in the not too distant future.

InAALJ News

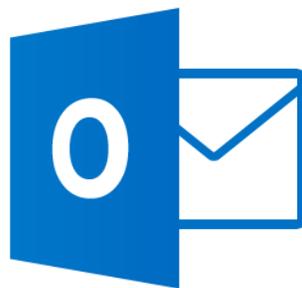
The Indiana chapter of NAALJ includes 20-25 annual members. On the first Wednesday of each month, we meet for a quarterly formal meeting or an informal setting to discuss issues of interest to the membership. This is an excellent mechanism for us to use one another as a valuable resource for practice tips. In addition, it allows a forum for the ALJs to discuss case law as it is released that relevant to the membership.



During the time slot set aside for InAALJ meetings, on the months when we do not have a meeting scheduled, InAALJ presents Continuing Legal Education (CLE), approved for legal credit in Indiana for the benefit of members attending. Speakers at our CLEs in 2015 included staff from the Indiana Inspector General's Office (including the Inspector General herself!), who has been tasked with drafting a model code of conduct for ALJs, the Indiana Public Access Counselor and Indianas State Court Administrator, who is implementing a pilot for electronic filing for the courts in Indiana. Their presentations included valuable information for InAALJ members and allowed the opportunity for InAALJ members to share an ALJ perspective with staff from those offices.

In addition to outside speakers, in 2015, InAALJ offered free CLEs to members provided by ALJs who are InAALJ members. In exchange for the opportunity to present a CLE to the InAALJ members, InAALJ member speakers are eligible to apply for a training scholarship. Scholarships are provided to members who attend training on topics of interest to ALJs. Following the training, scholarship recipients present a CLE regarding the training they receive or some other topic. In 2015, Catherine Gibbs, who is on the national board for NAALJ, received two scholarships that allowed her to attend the NAALJ Midyear and Annual Conferences. Upon her return from each conference, she presented a CLE. In one instance, the CLE was based in part on the information she received during the conference. Noell Allen, an InAALJ member, also provided a CLE for us on logic in decision writing after she attended a National Judicial College class.

Is Your Address & Email Up to Date?



It's important to keep your agency name, address information and email address up to date in the NAALJ member database. We can't send you these important updates if we don't have your current information on file. To review and update your information, simply:

- Login at www.naalj.org – click on the Member Login menu on the left
- Enter your Username and Password. Don't worry if you have forgotten either one, there's a link to retrieve your Username and/or Password on the screen.

NAALJ FELLOWSHIP TRADITION CONTINUES

by Larry Craddock, Chair, 2016 NAALJ Fellowship Committee

The National Administrative Law Judiciary Foundation (NALJF) is the 501(c)(3) non-profit arm of NAALJ. NALJF sponsors an annual writing competition. In every year since 1963, the NAALJ-Fellowship Committee has solicited a scholarly paper on one or more topics of current interest to members of the administrative law judiciary. Only one paper is selected each year and some years either no winner has been selected or else the person selected has failed to satisfy the conditions for the Fellowship Award. Past Fellowship Award winners have been a distinguished group. The positions that they held at or about the time that they were chosen as recipients for the Fellowship Award are listed below. Many have gone on to higher employment positions and professional honors after they were selected to write their Fellowship papers. Past recipients include several past presidents of NAALJ and leaders of other professional organizations as well as highly rated academics. Past honorees, the year that they received the award, and the titles of their award winning compositions have been as follows:

2015

Jeffrey Wolfe, Federal ALJ, SSA, ODAR; Adjunct Professor University of Tulsa College of Law
Adjudicatorius Rex

2014

Elizabeth Figueroa, ALJ, District of Columbia Office of Administrative Hearings
Transparency in Administrative Courts: From The Outside Looking In

2013

Joanna L. Grisinger, Associate Professor of Instruction/Director of Undergraduate Studies,
Center for Legal Studies, Northwestern University
The Hearings Examiners and the Administrative Procedure Act, 1937-1960

2012

Larry J. Craddock, Craddock & Noelke, PLLC, ALJ, Texas Finance Commission Agencies
Final Decision Authority and the Central Panel ALJ

2011

David B. Torrey, Workers' Compensation Judge, Pennsylvania Department of Labor & Industry, Pittsburgh, PA; Adjunct
Professor of Law, University of Pittsburgh School of Law
Master or Commander? The Workers Compensation Hearing Officer and Adjudicatory Power

2010

Jill Family, Professor of Law, Widener University School of Law, Harrisburg, Pennsylvania
Immigration Law and the Immigration Adjudication Crisis

2009

Ruth S. Astle, ALJ, California Office of Administrative Hearings
Ethics and Integrity in Administrative Adjudication: Issues and Solutions (speech given; but no publishable paper submitted)

2008

A. Michael Nolan, ALJ, Maryland Office of Administrative Hearings
State Agency Based v. Central Panel Adjudication: Is There a Deference?

2007

Julian Mann III, Chief ALJ, North Carolina Office of Administrative Hearings
Due Process, A Detached Judge, and Enemy Combatants

2006

John G. Farrell, ALJ, New York State Workers' Compensation Board
Administrative Alternatives to Judicial Branch Congestion

2005

No fellowship awarded

2004

Harold J. Krent, Dean and Professor of Law, Chicago Kent School of Law
Accommodating ALJ Decision making Independence with Institutional Interests of the Administrative Judiciary

2003

No fellowship awarded

2002

Phyllis E. Bernard, Professor, Oklahoma City University School of Law
The Administrative Law Judge As A Bridge Between Law and Culture

2001

Lara Manzione, ALJ, Connecticut Commission on Human Rights and Opportunities
Delegation of the Judicial Function from the Article III Courts to the ALJ: Administrative Law in the 21st Century (speech given; but no publishable paper submitted)

2000

Edward J. Schoenbaum, ALJ, Illinois Department of Employment Security, Tax Unit, Springfield, Illinois
Improving Public Trust and Confidence in Administrative Adjudication: What an Administrative Law Judge Can Do

1999

Gregory L. Ogden, Professor, Pepperdine University School of Law
The Role of Demeanor Evidence in Determining Credibility in Fact Finding: The Views of ALJs

1998

R. Terrance Harders, Southern Illinois University School of Law/Illinois ALJ
Striking a Balance Between Administrative Law Judge Independence and Accountability

1997

Christopher B. McNeil, administrative hearing examiner, State of Ohio/ adjunct professor Capitol University School of Law
Similarities and Differences between Judges in the Judicial Branch and Executive Branch: The Further Evolution of Executive Adjudications Under the Administrative Central Panel

1996

Ann Marshall Young, ALJ, Tennessee Department of State, Administrative Procedures Division
The Evaluation of Administrative Law Judges: Premises, Means, and Ends

1995

Gina L. Hale, Senior ALJ, Office of Administrative Hearings, State of Washington
Professionalism: A Call to Excellence

1994

Ed Felter, Chief Judge, Colorado Department of Administration, Administrative Hearings Division
Adjudication Quality: The Only Way to Reduce Costs and Delays

1993

John W. Hardwicke, Chief ALJ, Maryland Office of Administrative Hearings
The Central Hearing Agency: Theory and Implementation in Maryland

Many of these authors went on to advanced employment positions and honors following their receiving the NALJ Fellowship. This year, the committee has selected three alternative topics that an applicant may select from in applying for the Fellowship. The topics are:

- Alternative topic 1: Administrative adjudication at federal and state levels under the Affordable Care Act; or
Alternative topic 2: Racial, Gender, and Cultural Diversity and the Administrative Law Judge.
Alternative topic 3: A scholarly paper on a topic of the applicant's choice.

ONLY ONE fellowship proposal will be chosen for the Fellowship.

All applications for the 2016 Fellowship must be in electronic format (*Microsoft Word format preferred*) and must include the following documents: (1) an abstract or an introduction to the proposed article; (2) a detailed outline for the proposed article; (3) a writing sample; (4) curriculum vitae; and (5) a list of publications. All submissions must be sent by e-mail to naalj@naalj.org, with a cc to Hon. Larry Craddock, Fellowship Committee Chair, at larrycraddock@gmail.com.

The deadline for all submissions is April 29, 2016.

The Fellowship Committee will review the submissions and select the Fellowship winner by May 31, 2016.

IMPORTANT NOTICE: *Prior Fellowship winners, current members of the Fellowship Committee, current members of the NAALJ Journal Board of Advisors, and current members and officers of the NAALJ Board MAY NOT APPLY for the Fellowship.*

The Fellow will prepare an original article for publication in the *Journal of the National Association of Administrative Law Judiciary*, and will deliver an oral presentation of up to fifty (50) minutes (subject to a shorter time allotment in the discretion of the annual meeting planners) at the 2016 NAALJ Annual Meeting and Educational Conference in Salt Lake City, Utah, held on September 18-21, 2016 at the Hotel Monaco. The fellow will also prepare a summary or outline of oral remarks to be included in the annual meeting materials for CLE credit. The final draft of the paper will be due January 1, 2017.

The Fellow will receive a \$1,500.00 cash stipend, as well as transportation, accommodations, and meals, at the 2016 NAALJ Annual Meeting and Educational Conference.

Applications and inquiries regarding the Fellowship should be submitted by e-mail to naalj@naalj.org, with cc to Hon. Larry Craddock, Fellowship Committee Chair, at larrycraddock@gmail.com.

2016 Annual Conference: Salt Lake City



Clear your calendars! The 2016 Annual NAALJ Conference is set to take place from Sunday, Sept 17, 2016 to Wednesday, Sept 21, 2016 at the Hotel Monaco in Salt Lake City, Utah.

About Salt Lake City

Nestled at the foot of the rugged Wasatch Mountains and running along the south shore of the Great Salt Lake, Salt Lake City is at the heart of a metropolitan area of more than 2 million residents. The Salt Lake Valley is one of the most striking landscapes of any American city, and its close proximity to exceptional wilderness lures people here from all over the globe.

The Mormon Church is centered here in a beautifully landscaped four-square-block compound called Temple Square, but downtown Salt Lake City visitors will also enjoy the massive new commercial and shopping complex, City Creek, walkable surrounding streets that house restaurants, bars (yes, they have lots of them here), theaters, EnergySolutions Arena, and plenty more. Host to the 2002 Winter Olympics, Salt Lake City is only about 45 minutes from some of the best skiing (downhill and cross-country) in the country. The Wasatch Mountains are also home to excellent summer and fall hiking and biking trails, boating and fishing. In contrast, world-famous “red rock country” is only about four hours to the south. There, you can visit five awe-inspiring national parks: Arches, Bryce, Canyonlands, Capitol Reef and Zion. Each one offers spectacular scenery: sandstone arches that frame the horizon, bright red/orange “hoodoos”, white-water rafting, slot canyons and 2,000 foot rock walls to name a few.

About the Hotel Monaco

Hotel Monaco is an award-winning boutique hotel in the heart of Salt Lake City. Its about 2 blocks from the new City Creek shopping mall (home to more than 110 shops and numerous restaurants), and less than a block from Trax, Salt Lakes light rail system. From the hotels website: “Hotel Monaco invites you to indulge in guilty pleasures in the heart of downtown Salt Lake City.

Our playful atmosphere is a favorite with business travelers, and if a hotel that's perfect for a Utah ski vacation is what you have in mind, our award-winning hotel in Salt Lake City sets you up in style. Savvy service, a hip vibe and unbeatable location make Hotel Monaco legendary among Salt Lake City hotels. Our historic building adds unique character to the modern comforts that greet you in the center of the city." There is free Wi-Fi throughout the hotel, including guest and conference rooms.

Transportation

Salt Lake City airport is about 15 minutes from downtown. You can easily take a cab from the airport, or hop on Trax (the light rail system) and jump off about a block from the hotel. The airport is a major Delta hub, but all major airlines have dozens of daily flights.

Weather

September is one of the prettiest months of the year to visit Salt Lake, with crisp mornings and the leaves on the northern mountains just starting to turn color. Daytime temperatures should be in the high 70s to low 80s. On average, Salt Lake gets only about 0.05" of rain during the entire month.



Join or Renew Your NAALJ Membership!

NAALJ membership is open to federal, state and local attorney and non-attorney hearing officers, administrative law judges, administrative judges, referees, trial examiners, agency chairs and commissioners, as well as higher level appellate authorities.

Member benefits include subscriptions to the *Journal* and newsletter, discounts on NAALJ educational conference registration fees, as well as networking and volunteer opportunities.

Annual dues are \$85, or \$100 for sustaining membership.

To join or learn more about NAALJ, visit our website at www.naalj.org, or e-mail us at naalj@naalj.org.

OFFICERS

Hon. Bob Layton
President
boblayton@gmail.com

Hon. Peter Loomis
President-Elect
psloomisesq@gmail.com

Hon. Nicholas Cobbs
Treasurer
nicholas.cobbs@dc.gov

Hon. Richard Boulanger
Secretary
rboulanger48@gmail.com

BOARD OF GOVERNORS

Hon. Elizabeth Figueroa
elizabeth.figueroa@dc.gov

Hon. Camela Gardner
camela.gardner@illinois.gov

Hon. Catherine Gibbs
cqibbs@oea.in.gov

Hon. Heather Gunnarson
hgunnarson@utah.gov

Hon. J. Bernard McClellan
jmcclellan@oah.state.md.us

Hon. Anne Murphy
anne.murphy@taxtribunal.nyc.gov

Hon. Tammy Pust
tammy.pust@state.mn.us

Hon. Steven Wise
swise@mt.gov

Hon. Lynette Donner
Past President
ladonner81@gmail.com



The Newsletter of the National Association of
Administrative Law Judiciary
Catherine Gibbs, Newsletter Editor

CONTACT US

NAALJ
P.O. Box 5275
Herndon, VA 20172

Phone: (855) 756-2255
Fax: (855) 787-2225
E-mail: naalj@naalj.org
www.naalj.org