

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF ADMINISTRATIVE HEARINGS**



Open Government Report 2014

To institutionalize a culture of transparent and open government, accountability, and to expand opportunities for resident participation and collaboration, this Report describes how the DC Office of Administrative Hearings (OAH) has and will continue to develop and enhance transparency, public participation, and collaboration. In accordance with Mayor's Order 2014-170, this report addresses the following topics:

1) Transparency

Over the last year, OAH has taken a number of steps to ensure that information regarding OAH policies and procedures, as well as OAH files, are readily accessible to the public. OAH will continue in the next fiscal year and going forward to ensure that information if readily available to members of the public.

The OAH website provides important information regarding cases at OAH. On the website, people can find information to help them with starting or litigating a case, accessing information in their native language, information about OAH rules and laws impacting OAH, as well as forms that can be used in OAH cases. OAH is working on making additional information available online so that OAH litigants and other members of the public will be easier able to understand our policies and procedures. For example, we are developing FAQs that will address many of the questions that individuals who are considering requesting a hearing or already involved in cases before OAH have about the process.

OAH case files are available to the public subject to certain legal requirements that protect the confidentiality of some OAH litigants. OAH aims to respond quickly to requests for information or to view case files. OAH is in the process of streamlining this process, developing written rules and procedures, and retraining staff to ensure that the public's access to information is as seamless as possible and that litigants in cases and members of the public do not have to jump through unnecessary hoops to access information.

OAH has worked over the last year to make information required under the Open Government requirements available on its website. The information required, as well as the appropriate contact person for any questions, is available online at <http://oah.dc.gov/page/foia-requests-oah>. OAH is still in the process of ensuring that final orders issued in OAH cases are available online in a searchable, user-friendly format. We have held meetings with representatives of the Office of the Chief Technology Officer, the Board of Ethics and Government Accountability, and private vendors to make sure that this information is made available in a way that is useful to the public as soon as practicable.

OAH is working to ensure compliance with the DC Freedom of Information Act (FOIA). OAH is using FOIAXpress to respond to FOIA requests and store relevant documents. All FOIA requests are handled by the FOIA officer who works with other staff to ensure that requests are responded to promptly.

2) **Public Engagement and Participation**

OAH has worked over the last year and continues to strive to engage members of the public in our work and to provide them with information and resources that are meaningful to them.

OAH engages in stakeholder meetings with DC agencies and advocacy groups that regularly try cases before OAH in order to communicate regarding important developments and ongoing issues. Stakeholders include agencies who litigate before OAH, as well as members of the bar, interest groups, and community organizations representing the interests of individual litigants. OAH also regularly solicits feedback from litigants in the cases before us and takes steps to address that feedback.

OAH has a Resource Center that provides free in-person legal help to any individual with an OAH matter who does not have a lawyer. The Resource Center seeks to alleviate the pressure placed on unrepresented litigants by providing in-person legal help, written information and resources, and referrals to attorneys who can provide full legal services. This includes information about OAH rules and policies as well as about the subject matter of the various types of cases decided by OAH. Most of the written information available in the Resource Center is also available on the OAH website.

Currently, OAH posts proposed rule changes and other public notices in the DC Register. In fiscal year 2015, OAH will begin posting proposed rules on our website in order to better solicit public input. Additionally, OAH will post notices regarding administrative law judges who are up for reappointment, so that members of the public can provide their feedback on whether ALJs should be reappointed.

OAH continues to consider innovative ways to engage the public in our work and communicate regularly with interested individuals and groups.

3) **Collaboration**

OAH has taken a number of steps, and will continue to do so in the coming year, to ensure that other DC agencies and other stakeholders are able to participate meaningfully in our work

OAH engages in regular meetings with stakeholders that have cases before OAH. These meetings include discussions on how to improve case-flow issues, how to improve and develop order templates that are most informative and useful to litigants. OAH also provides feedback to other DC agencies on proposed regulations and how the regulations are likely to affect those impacted. The Principal Administrative Law Judge for each jurisdiction coordinates with stakeholders for that issue area. For example,

- OAH co-hosts, with the Department of Employment Services, meetings for members of the public interested in unemployment insurance matters. Stakeholders have an opportunity to hear from agency representatives about key performance indicators, workload trends, regulatory developments and personnel changes. Stakeholders can also raise concerns and ask questions about their own experiences dealing with unemployment matters involving OAH and DOES.
- OAH schedules periodic meetings with the General Counsel for the Department of Consumer and Regulatory Affairs and the Associate Director for the Office of Planning-Historic Preservation, and their assistants, to review process and procedural issues relating to the cases with these agencies.
- OAH holds quarterly meeting with the DC Public Schools Office of Youth Engagement and Office of General Counsel to review policies and procedures. OAH also collaborates with law school clinics and Advocates for Justice in Education on ways to increase free representation for students facing discipline.
- OAH meets periodically with the Department of Housing and Community Development, Rental Accommodations Division, and Office of the Tenant Advocate to discuss trends in cases and ways to expedite resolution of rental housing cases.
- OAH schedules regular meetings with the Department of Health Care Finance, Department of Human Services, the DC Health Benefit Exchange, and the Department of Health to review trends in cases, upcoming regulation changes, and OAH templates. OAH collaborated with DHCF and stakeholder advocates in holding a training session attended by OAH judges, agency representatives, and advocates on a new assessment tool used by DHCF to evaluate home health care needs for Medicaid recipients. Additionally, OAH is scheduling meetings with agency and community representatives committed to providing services to homeless individuals and families.

OAH will continue to engage in collaborative efforts with DC agencies and other stakeholders going forward.

4) **Contact Information**

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