

Eighth Annual Report to
the Governor of Alaska and the Alaska Legislature
from the Office of Administrative Hearings

January 31, 2012

Office of Administrative Hearings
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I. Introduction

The Office of Administrative Hearings (OAH) is an independent agency within the Department of Administration charged with providing administrative adjudication services, regulatory review and training. *See* AS 44.64.010 – AS 44.64.020. OAH is the state executive branch’s central hearing panel. It was created “to increase the separation between the adjudicatory functions of executive branch agencies and the agencies’ investigatory, prosecutory, and policy-making functions.” Sec. 1, ch. 163, SLA 2004.

OAH operates under the supervision of a chief administrative law judge (ALJ) for whom the law prescribes certain duties and goals. *See* AS 44.64.020. One of the chief ALJ’s duties is to

submit to the governor and the legislature on January 31 of each year the results of the survey [of hearing participants used to monitor the quality of hearings conducted by OAH and other state agencies] along with a report that includes a description of the activities of the office and recommendations for statutory changes that may be needed in relation to the administrative hearings held by the office or other state agencies[.]

AS 44.64.020(a)(7). This is the eighth such report. It covers OAH’s activities for calendar year 2011.

II. Activities of the Office of Administrative Hearings

For reporting purposes, OAH’s activities are grouped into eight categories drawn from the statutory duties of OAH and the chief ALJ:

- Adjudication services;
- Peer review for OAH ALJs;
- Publication of decisions;
- Regulations review and development;
- Monitoring hearing processes (includes surveying hearing participants);
- Training of administrative adjudicators;
- Code of Hearing Officer Conduct administration;
- Recruitment for Workers’ Compensation Appeals Commission.

See AS 44.64.020(a)(4)-(8), AS 44.64.050, AS 44.64.090 & AS 23.30.007(d).

A. Adjudication Services

The adjudication services provided by OAH range from preparing proposed decisions based on written submittals of the parties in simple administrative appeals to conducting trial-like evidentiary hearings in complex matters. The services do not stop at conducting hearings and writing decisions. They can include use of alternative dispute resolution (ADR) methods. Using formal or informal ADR, or simply through good case management, OAH can resolve many cases within a matter of weeks. Others may remain active for many months, as the parties

develop their positions and prepare for detailed presentation of highly technical evidence and argument on complex legal issues. Most fall somewhere between these two extremes.

The OAH ALJs are, by law, the final decisionmakers in only a few case categories. When the final decisionmaker is a board or commission, or a principal agency head, the adjudication services can include functioning as a legal adviser to that decisionmaker for the specific case.¹

The table below illustrates the reach of OAH’s adjudication services under its mandatory jurisdiction. That reach extends to most executive branch departments. The departments for which OAH does not provide services directly may be parties to disputes such as procurement protests that OAH hears on behalf of a separate executive branch decisionmaker.

Office of Administrative Hearings Mandatory Jurisdiction	
<i>Executive Branch Office, Agency or Entity</i>	<i>Case Category</i>
Office of the Governor	Human Rights Commission
Office of the Lieutenant Governor	Notaries
Departments of	
Administration	<ul style="list-style-type: none"> • Retirement and Benefits • Contract and Procurement • Claims for Reimbursement • Violent Crime Compensation • Breach of Security Involving Personal Information
Commerce, Community and Economic Development	<ul style="list-style-type: none"> • Licensing (Corporations, Businesses and Professions) • Banking and Securities • Insurance
Education and Early Development	<ul style="list-style-type: none"> • Teacher Certification • Permanent Fund Dividend (PFD) Execution
Environmental Conservation	<ul style="list-style-type: none"> • Environmental Permitting • Food Safety
Health and Social Services	<ul style="list-style-type: none"> • Facilities Licensing • Child Protection² • PFD Execution
Public Safety	Alcoholic Beverage Control
Labor and Workforce Development	<ul style="list-style-type: none"> • Occupational Safety and Health • PFD Execution

¹ OAH ALJs do not provide general legal advice to the decisionmaker but rather address legal questions for the decisionmaker only in the context of the specific case under consideration. The Attorney General is the legal adviser to state agencies under most circumstances.

² The administrative child protection cases OAH hears for the Department of Health and Social Services relate to substantiation of abuse or neglect findings that may affect licensing or other decisions concerning children. These adjudications serve a purpose different from that of child protection cases heard by the courts.

Natural Resources	<ul style="list-style-type: none"> • Land Sale Contracts • Water Rights
Transportation and Public Facilities	Construction Procurement (portion ³)
Revenue	<ul style="list-style-type: none"> • Tax (original jurisdiction⁴) • Child Support • PFD Eligibility, Charitable Contribution & Fine/Forfeiture • Charitable Gaming • Unclaimed Property
University of Alaska	PFD Execution

1. *Caseload*

During 2011, OAH’s active cases totaled 689, with 477 of those new cases that came in during the year and the rest cases carried forward. In the table below, OAH’s active 2011 caseload is divided into nine groups. The first (Business, Professional & Occupational Licensing/Regulation) crosses several departments. The “other” group includes occupational safety and health; environmental conservation; substantiated child abuse/neglect; public offices commission; film tax credits; violent crime victim’s compensation; workers’ compensation (conflict cases); and various education-related subjects, among others.

Number of active cases in 2011

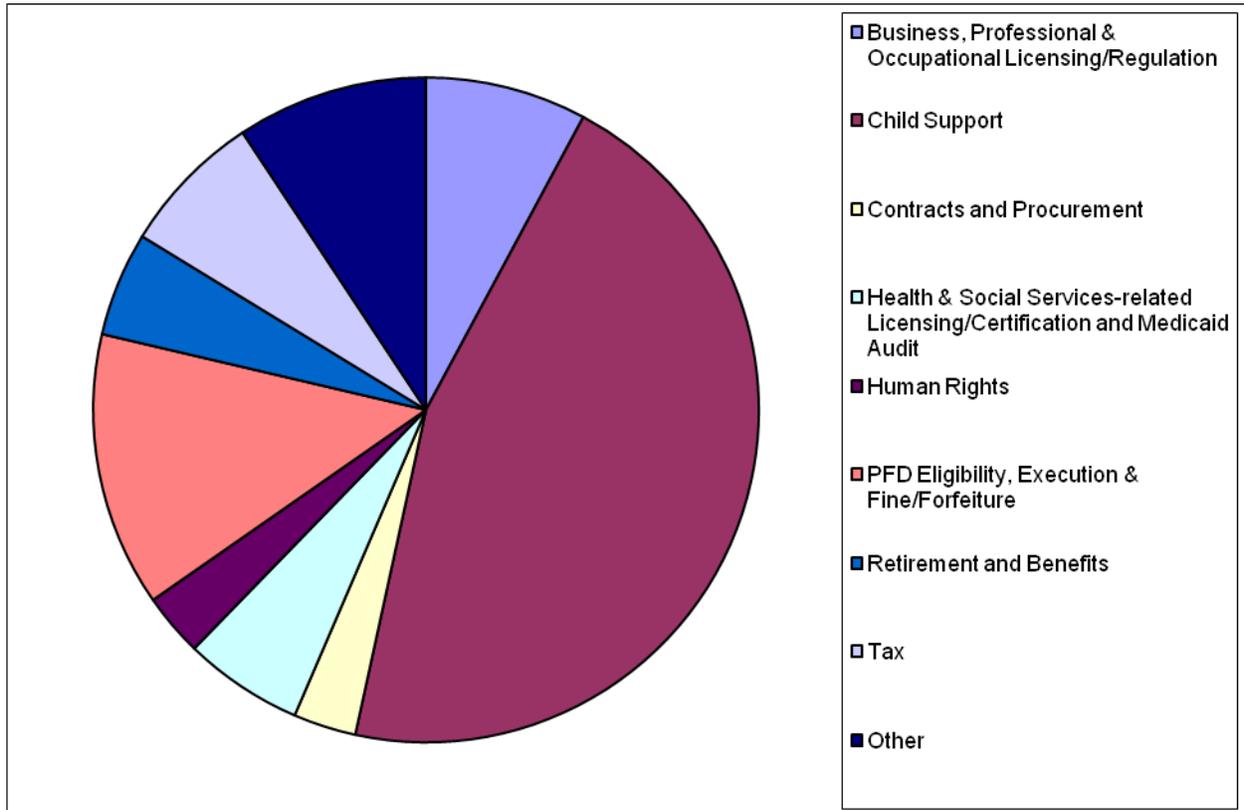
Business, Professional & Occupational Licensing/Regulation	54
Child Support	314
Contracts and Procurement	21
Health & Social Services-related Licensing/Certification & Medicaid Audit	40
Human Rights	21
PFD Eligibility, Charitable Contribution, Execution & Fine/Forfeiture	92
Retirement and Benefits	35
Tax	48
Other	64
Total	689

The chart below depicts the relative number of cases on which OAH actively worked in 2011, divided into the nine groups. The chart is derived from the data in the above table.

³ OAH’s hears only some of the Department of Transportation and Public Facilities construction-related procurement cases under its mandatory jurisdiction. Construction cases subject to arbitration are exempted from OAH’s mandatory jurisdiction.

⁴ Under AS 43.05.405, OAH has original jurisdiction over most tax appeals. This means that taxpayers dissatisfied with most tax enforcement decisions by the Department of Revenue can appeal directly to OAH.

What we were working on in 2011



In addition to cases within OAH's original jurisdiction and those required to be referred to OAH under AS 44.64.030(a) or under regulations, the 689 cases encompass cases referred voluntarily by

- Administration (public offices commission cases);
- Health and Social Services (Medicaid audit appeals);
- Labor and Work Force Development (workers' compensation conflict cases);
- Public Safety (police officer certification cases);
- Revenue (oil and gas property taxability and valuation appeals).

Compared to 2011, the number of new case referrals was down, with 164 fewer new cases. This significant reduction reflects a 19 to 44 percent drop in the number of new cases in most groupings. The numbers of new retirement and benefits appeals and human rights cases remained relatively flat. Only the contract and procurement grouping saw a large increase (183%).

During calendar 2011, OAH closed cases equal in number to 109 percent of the number of new cases. Thirty-nine cases were diverted to formal ADR (usually mediation). Many others were settled without being diverted to ADR and many more were resolved through efficient case management techniques, including informal ADR used to reach agreement on consent orders or

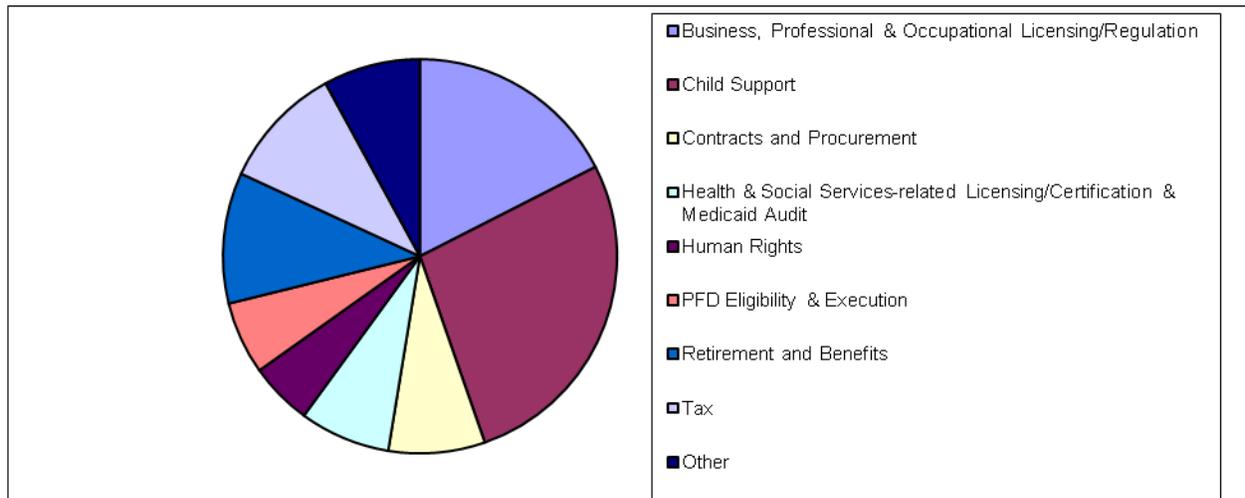
stipulations. The table below identifies by number and percentage, relative to the total 689 active cases, the cases closed in 2011; the cases settled; and the cases in which requests for further consideration or new appeals to the courts were filed.

Case Resolution Data – 2011 (as a percentage of 689 active cases)		
Cases Closed	521	75.6%
Settled	67	9.7%
Reconsideration Requested/Proposal for Action Filed ⁵	45	6.5%
Appeals Filed ⁶	18	2.6%

2. Time Devoted to Hearings and Related Work

OAH’s ALJs collectively devoted approximately 8,586 hours to hearing cases and related work such as decision writing, ruling on motions, and reviewing documents and submittals by the parties, or to resolving cases through ADR. As the chart and associated data table below illustrate, though the child support cases dominate OAH’s case docket by number of cases, they do not dominate the time spent on cases. Instead, the typically more complex cases in the rest of the docket consume much more time.

How we spent our time on cases in 2011



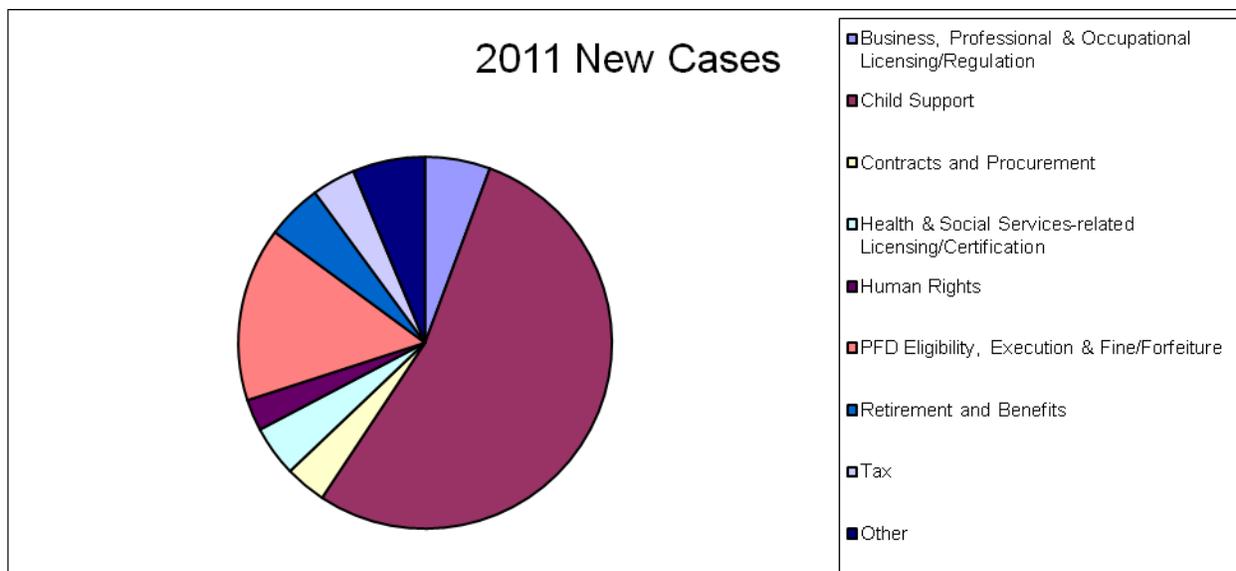
⁵ For post-July 1, 2005 cases that are subject to AS 44.64.060, the option to file a “proposal for action” before the decision is made final functions as a substitute for requesting reconsideration, unless a separate statute continues to provide for post-final-decision reconsideration. 2 AAC 64.350.

⁶ By subject matter, the eighteen new superior court appeals filed in 2011 are follows: six child support appeals, five business or professional licensing matters; two tax appeals; and one appeal each from the categories environmental conservation, human rights, PFD eligibility, procurement and public offices.

Grouping	2011 Hours
Business, Professional & Occupational Licensing/Regulation	1,503
Child Support	2,332
Contracts and Procurement	680
Health & Social Services-related Licensing/Certification & Medicaid Audit	639
Human Rights	442
PFD Eligibility & Execution	513
Retirement and Benefits	922
Tax	872
Other	683
Total	8,586

Compared to the “*How we spent our time in 2011*” chart and data table, the chart and table below highlight a disconnect between the numbers of new cases by grouping and the hours devoted to the group for a given reporting period—i.e., a calendar year.

New cases by grouping and number for 2011



Grouping	2011 New Cases
Business, Professional & Occupational Licensing/Regulation	27
Child Support	256
Contracts and Procurement	17
Health & Social Services-related Licensing/Certification	21
Human Rights	13
PFD Eligibility, Execution & Fine/Forfeiture	72
Retirement and Benefits	23
Tax	18
Other	30
Total	477

Three variables explain this: (1) when the cases arrive; (2) how long it takes to resolve them; and (3) how complex they are. Except in fast-track cases, a significant amount of the most time-consuming work (decision writing) for a case that comes in during the last two or three months of the calendar year is likely to be performed the following calendar year. A case that comes in early in a calendar year but must be handled on a slower track (for instance, to allow for an attempt at alternative dispute resolution or to consider motions before reaching the hearing stage) may see a significant amount of work performed the following calendar year. No matter when it comes in or how quickly it can be brought to resolution, a complex case typically will require many more hours of work than a less complex one.

3. *Deadlines*

The cases OAH hears are subject to many deadlines. The OAH-specific deadlines imposed by AS 44.64.060 apply to most.⁷ In addition to the deadlines imposed by the OAH-specific statute, other statutes and regulations establish deadlines that apply to several case types. For instance, cease and desist order cases, summary suspension actions, some insurance cases, securities matters, child support appeals, and education-related facility grant cases all are subject to shorter deadlines than those imposed by AS 44.64.060. Some case types have shorter or different deadlines for getting the cases heard or for issuing the decision, or for both.

The key deadline for OAH to monitor for purposes of this report is the 120-days-from-hearing-request deadline for issuance of a proposed decision. Under AS 44.64.060(d), that deadline can be extended only by agreement of the parties, with the consent of the chief ALJ. This extension-on-consent tool is used in the more complex or unusual cases in which 120 days from filing of the hearing request does not allow adequate time for the case to be heard and a proposed decision to be drafted.⁸

In 2011, the 120-day deadline was met or not applicable in 92 percent of the 521 cases OAH closed. The deadline was not met in just 40 of the cases. In some instances, the case was very complex and the deadline was exceeded by just a few days or weeks.

A great many of the cases reached final resolution—not just a proposed decision—within 120 days, frequently within less than 40 days for fast-track cases such as child support. One-hundred and thirty-nine cases reached final resolution by or well before the proposed decision due date.

OAH manages its cases with the goal of meeting all applicable deadlines to the greatest extent possible. This is challenging, particularly when the need to meet the shorter deadlines in large numbers of cases (e.g., child support) competes for ALJ time required to keep the rest of

⁷ The following categories of cases were exempted from the AS 44.64.060 deadlines: tax appeals, Human Rights Commission cases, occupational safety and health cases, Violent Crime Compensation Board cases, and Professional Teaching Practices Commission cases. Voluntary referrals from agencies not required to send cases to OAH may be exempted from the AS 44.64.060 deadlines if the referral agreement between the chief ALJ and the referring agency so provides.

⁸ In addition to complexity of a case, the unavailability of the parties, witnesses or legal counsel due to medical conditions and emergencies, the need to await conclusion of a related case to make for a more efficient or consistent result, and late referral of cases have led to use of the extension-on-consent tool.

the cases on track for the 120-day proposed decision deadline. The goal of meeting that deadline in each case to which it applies sometimes must give way to the priority of resolving time-sensitive cases first.

B. Peer Review

Peer review serves two purposes: it promotes consistency in decisionmaking and it provides informal training opportunities (for both the reviewed and the reviewing ALJ). OAH's peer review system consists of selectively assigning an ALJ to review the proposed decision and/or to observe the hearing conducted by another ALJ on a case-specific basis. The reviewing ALJ provides written or oral feedback to the reviewed ALJ. The reviewing ALJ also is available for consultations on questions of law or procedure.

In 2011, a formal peer review assignment was made in 87 of the 477 new cases. Formal peer review assignments are made with the goal of ensuring that an ALJ venturing into a new subject area receives the benefit of informal training from a peer who has already worked in the subject area. This type of peer review has been and continues to be a key part of the training process for new ALJs.

Group peer review of decisions or case management strategy is conducted when appropriate, such as when an ALJ faces an issue of first impression. Group peer review can be a good tool to promote consistency among ALJs on such issues. Additionally, discussion sessions involving all of the ALJs are conducted periodically on a variety of issues as part of the effort to promote consistency.

C. Publication

OAH is required to "make final agency decisions reached after administrative hearings available online through an electronic data base." AS 44.64.090(a). In 2011, OAH continued to expand its on-line publication project through which decisions are posted in a user-friendly, keyword searchable format on OAH's web page. OAH has web posted approximately 1,700 decisions and provides links to on-line decisions posted by the Commercial Fisheries Entry Commission; Department of Health and Social Services (in-house fair hearings unit decisions); the Regulatory Commission of Alaska; the Employment Security Division (unemployment insurance appeals); the Workers' Compensation Appeals Commission; and the Workers' Compensation Board.

The publication project is well underway. Efforts continue to expand availability of administrative adjudication decisions from other agencies and from the courts.

D. Regulations

OAH's chief ALJ was given authority to "adopt regulations ... to carry out the duties of the office" as well as to "review and comment on regulations proposed by state agencies to govern procedures in administrative hearings." AS 44.64.020(a)(8)&(11). In particular, the chief ALJ was required to adopt a hearing officer code of conduct, which applies to hearing officers of

all agencies, not just to OAH ALJs. Regulations on procedures for OAH cases and for the Code of Hearing Officer Conduct have been adopted and took effect July 2, 2006. No amendments to the 2006 regulations were proposed in 2011.

OAH routinely tracks notices of other state agencies' proposed regulations, looking for those that have the potential "to govern procedures in administrative hearings." In 2011, OAH reviewed 116 sets of proposed regulations. Most did not implicate hearing procedures or did not raise any concerns about how those procedures were addressed. OAH commented on one set of proposed regulations: Workers' Compensation Board Commission regulations proposed by the Department of Labor and Workforce Development.

E. Monitoring and Surveys

OAH is required to "survey administrative hearing participants and use other methods to monitor the quality of administrative hearings held by the office and other state agencies[.]" AS 44.64.020(a)(7). The purpose of the surveys and other monitoring is to enable the chief ALJ to include in the annual report recommendations for statutory changes.

OAH continued the written survey process throughout 2011, sending surveys to parties in past OAH-heard cases and cases heard by the Workers' Compensation Appeals Commission, the Workers' Compensation Board, and the Department of Health and Social Services (in-house hearing unit that hears public benefits cases).

The number of responses dropped slightly compared to 2010. The return rate continues to be disproportionately high in the PFD appeals because the PFD division self-initiates submittal of survey forms in cases not randomly selected for survey distribution by OAH. Just three responses were received from parties/attorneys in cases not heard by OAH. All were from cases heard by the Workers' Compensation Board.

Responses were generally positive and narrative comments were more often than not constructive. Even if not satisfied with the outcome of the case, the vast majority of people responding were satisfied with the adjudication process overall.

The data from the 2011 survey responses is summarized in Appendix A.

The written survey process will continue in 2012 and, resources permitting, will expand to include parties in cases heard by some or all of the following executive branch adjudicatory agencies:

- Commercial Fisheries Entry Commission;
- Department of Education and Early Development (special education hearings);
- Department of Labor and Workforce Development (employment security hearings);
- Division of Motor Vehicles;
- Regulatory Commission of Alaska.

Beginning with May of 2011, the court system began providing OAH with monthly reports on the administrative appeals filed in the superior courts. The table below breaks out the administrative appeals filed into four subcategories: Division of Motor Vehicles (DMV), Employment Security, Corrections (prisoner) and “All Other.”

DMV	Employment Security	Corrections	All Other	TOTAL
7	1	29	71	108

The “All Other” subset includes appeals from executive branch and municipal agency decisions. For the eight-month period, prisoner appeals accounted for 27 percent and DMV appeals for six percent of the total.

F. Training

OAH’s training mandate extends beyond providing training to OAH employed or retained ALJs and hearing officers. It requires that OAH

make available and facilitate training and continuing education programs and services in administrative procedure, administrative adjudication, substantive law, alternate dispute resolution, and technical matters for administrative law judges *and other administrative adjudicators*[.]

AS 44.64.020(a)(6) (emphasis added). To satisfy this mandate, OAH’s training plan consists of the following components:

- Informal training for OAH ALJs through peer review assignments, periodic conferences among the ALJs, and circulation of case decisions and other materials of interest;
- Formal training for OAH ALJs by attendance at continuing education courses offered by professional associations and the National Judicial College;
- Informal training for state administrative adjudicators by email circulation or web posting of periodic electronic bulletins/newsletters reporting on developments of interest in administrative law;
- Formal training for non-OAH administrative adjudicators through participation by OAH representatives in periodic, agency-specific conferences;
- Formal training for administrative adjudicators in the form of course offerings made available by OAH.

During 2011, OAH’s ALJs presented or participated in training and continuing education courses in administrative law, ethics and mediation. OAH presented the following training to others involved in the adjudication process:

- Code of Hearing Officer Conduct training for more than two dozen executive branch employee or contractor hearing officers and administrative law judges, and to the full Workers' Compensation Board;
- A short continuing legal education session on a specific code of conduct opinion for more than 30 hearing officer and attorney participants;
- Hearing process training for final decisionmakers to the ABC Board and the Real Estate Commission.

G. Code of Hearing Officer Conduct Administration

In addition to developing the Code of Hearing Officer Conduct, the chief ALJ plays an on-going role in administering the code. By statute, complaints alleging violation of the code must be considered by the chief ALJ, who determines whether they meet the standard for referral to the attorney general for investigation.⁹ Under the code, mitigation of an alleged violation may exist if the accused hearing officer relied upon a written opinion from the chief ALJ or the attorney general.¹⁰ The chief ALJ, therefore, must field questions from hearing officers about code compliance requirements and, in appropriate circumstances, issue written opinions.

In 2011, no complaints of violation of the Code of Hearing Officer Conduct were filed with the chief ALJ. The chief ALJ fielded several questions about code requirements and issued one formal opinion addressing deliberative processes.

H. Workers' Compensation Appeals Commission Recruitment

Under AS 23.30.007, the chief ALJ has the duty to recruit for vacancies on the Workers' Compensation Appeals Commission and to appoint persons to serve as the *pro tempore* chair of that commission if the chair is absent or cannot hear an appeal due to a conflict. The chief ALJ reviews the qualifications of the applicants for commission positions and must forward to the Governor at least three names for consideration when the attorney-chair position is vacant and at least two names for each commissioner vacancy.

In 2011, the chief ALJ conducted recruitment of applicants for a representative-of-employers commission seat with a term expiring in 2011 and for a representative-of-employees seat to fill a vacancy created by the passing of one of the commissioners. Six individuals applied for the seats (two for the representative-of-employers seat and four for the representative-of-employees seat). All applicants met the minimum qualifications and their names were forwarded to the governor.

OAH also provided an ALJ to serve as *pro tempore* chair for two appeals in which the commission's chair had a conflict and provided *pro-tempore* chair oversight of day-to-day operations during a period in which the chair took leave.

⁹ AS 44.64.050(c). Complaints alleging violations by the chief ALJ are considered by the attorney general. AS 44.64.050(e).

¹⁰ 2 AAC 64.060(c).

III. Recommendations of the Chief Administrative Law Judge

In addition to the description of activities, OAH's annual report is to include "recommendations for statutory changes that may be needed in relation to the administrative hearings held by the office or other state agencies[.]" AS 44.64.020(a)(7). OAH continues to recommend consideration of changes outlined below.

A. Recommendation: Amend OAH's Statutes

A few provisions in AS 44.64 should be amended to address issues OAH has identified in working with the procedural and other requirements. Examples of such issues include:

(1) limitations posed by the deadline for final decisionmaker action being triggered by distribution of the proposed decision, which

(a) can leave the final decisionmaker with inadequate time to consider the parties' proposals for action, especially if transmittal of the proposals is delayed due to mail service problems, and

(b) can restrict the ability to permit responses to proposals for action even in cases in which an opportunity to respond is necessary to provide due process;

(2) lack of a deadline for final decisionmaker action on a revised proposed decision issued following a return of the case to the ALJ for supplemental work under AS 44.64.060(e)(2);

(3) lack of a provision authorizing an ALJ or chief ALJ override of a party's refusal to consent to an extension of the AS 44.64.060(d) deadline if an override is necessary to provide due process;

(4) lack of flexibility to allow parties to respond to one another's proposals for action, when appropriate.

B. Recommendation: Amend the Administrative Procedures Act (APA)

The APA adjudication provisions (AS 44.62.330 – AS 44.62.630) should be amended to modernize the antiquated provisions on (1) initiation of proceedings; (2) amendment of accusations; (3) default hearing procedures; (4) hearing notice requirement; (5) hearing venue; (6) hearsay limitations; (7) distribution of proposed decisions; and (8) reconsideration. The amendments also should harmonize APA adjudication requirements with those of OAH, and provide more flexibility in hearing processes, whether the hearings are conducted by OAH or by agencies directly.

C. Recommendation: Provide Specific Statutory Subpoena Power

Appropriate provisions should be added in AS titles 14 and 39 to give OAH subpoena power in retirement and benefits cases. OAH hears Public Employees' Retirement System (PERS) and Teachers' Retirement System (TRS) cases under a grant of broad jurisdiction in those two titles, as the successor to the adjudicatory role of the former PERS and TRS boards. The former boards' subpoena power was repealed when the boards were eliminated, but the legislation giving OAH jurisdiction to hear these cases omitted to include subpoena power. New statutory authority is necessary for OAH to issue subpoenas in these cases.

D. Recommendation (contingent): Remove PFD Execution Appeals from APA

AS 43.23 should be amended to remove the PFD execution appeals from the requirement for an APA hearing, in favor of a simpler, more flexible hearing process, better suited to these narrowly-focused appeals. This recommendation is contingent upon the outcome of Recommendation B. If the APA adjudication provisions are amended, as suggested in that recommendation, to include more flexibility to conduct hearings less formally, it likely will be unnecessary to remove the PFD execution appeals from APA coverage.

IV. Conclusion

In 2011, OAH's activities continued to focus on its core function—adjudication of executive branch cases—and especially on resolving disputes between agencies and private parties using alternative dispute resolution techniques. OAH also was able to continuing making progress on the ancillary functions, especially monitoring executive branch adjudicatory processes and publishing decisions. OAH looks forward to expanding the training and monitoring functions in the coming years, while maintaining high standards for the delivery of fair, efficient and cost effective hearings and alternative dispute resolution processes.

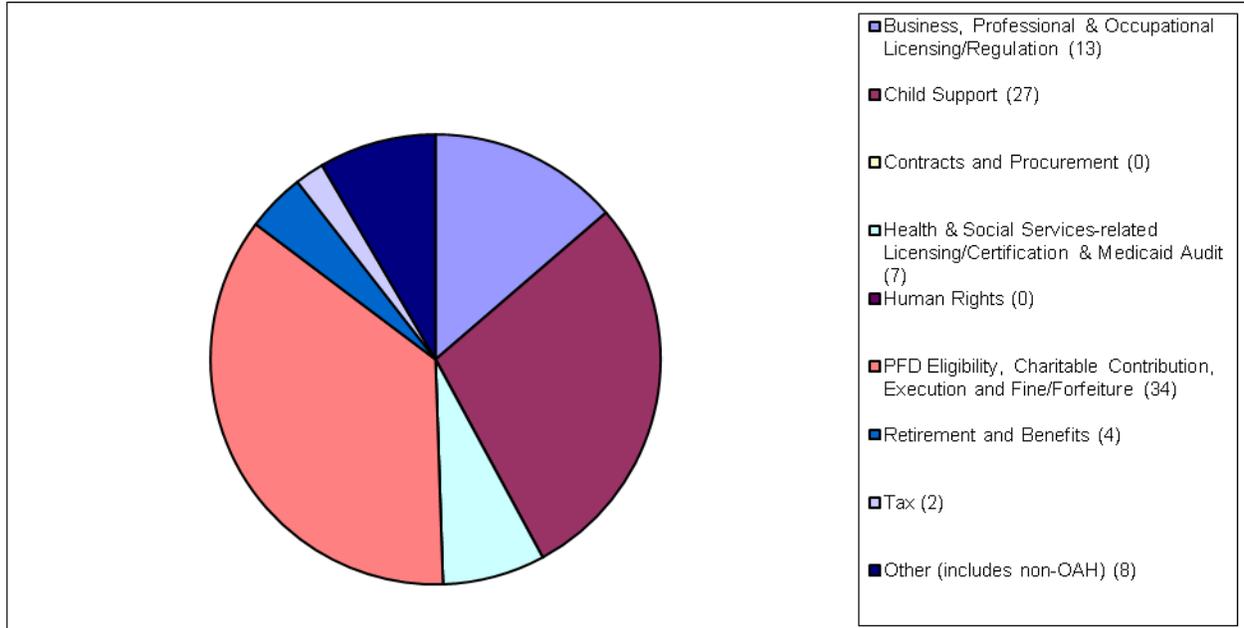
Submitted effective the 31st day of January, 2012.

Terry L. Thurbon
Chief Administrative Law Judge

Appendix A

Survey Results: January 2011-December 2011

Number of Responses by Case Group



Demographics of Hearing Participants Responding

Question	Number Responding				
	What was your role in this case?	Private Party		Agency Party	
	24		34		30
Where do you live?	Rural Alaska		City in Alaska		Outside Alaska
	4		69		3
Including this one, in how many hearings have you participated?	One	2-5	6-10	11-20	20 or more
	15	23	4	3	42

Administrative Law Judge/Hearing Officer	Yes	No	N/A
1. Did the judge/hearing officer start the proceedings on time?	81	5	9
2. Was the judge/hearing officer familiar with the issues in the case?	82	7	6
3. Did the judge/hearing officer pay attention during the proceedings?	85	3	7
4. Did the judge/hearing officer show you respect?	85	3	7
5. Did the judge/hearing officer remain even-tempered in the proceedings?	85	2	8

6. Did the judge/hearing officer give you (or your attorney) opportunities to speak?	86	0	9
7. Did the judge/hearing officer make clear decisions and rulings during the hearing, such as when objections were raised or requests were made?	80	5	10
8. Did the judge/hearing officer resolve problems that came up during the case fairly and efficiently?	80	7	7
9. Did the judge/hearing officer issue written decisions and orders in a timely fashion?	90	3	1

Written Documents	Yes	No	N/A
1. Was information provided in notices useful?	88	4	3
2. Were decisions and orders written in clear, understandable language?	90	4	1
3. Did the decision describe the facts clearly and accurately?	86	8	1
4. Did the decision and any orders include clear explanations of the law?	88	6	1
5. Did the decision's analysis include enough detail to explain the result?	88	6	1

Facilities and Staff	Yes	No	N/A
1. Were hearing support staff helpful in answering general (non-legal) questions or redirecting calls to others who could answer them?	72	5	17
2. Was the location of the hearing room accessible?	49	6	39
3. For in-person hearings: was the hearing room (size, set up, temperature) suitable for the type of proceeding?	43	7	43
4. For telephone hearings: was the sound quality of the telephone connection good?	61	5	27
5. For participants who listened to a recording of the hearing or other proceedings: was the sound quality of the recording adequate?	17	3	74

Overall Satisfaction	Yes	No
Do you agree with the final result in the case?	69	21
Whether or not you agree with the final result, were you satisfied with the hearing process overall?	83	8