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MD RELAY

February 11, 2019

TO: House Appropriations Committee
Subcommittee on Public Safety and Administration
Room 145, House Office Building (Hearing Date: 02/13/2019)
Annapolis, Maryland 21401

Senate Budget and Taxation Committee
Subcommittee on Public Safety, Transportation
and Environment (Hearing Date: 02/18/2019)
Schweinhaut Suite, Miller Senate Office Building
Annapolis, Maryland 21401

FROM: Thomas E. Dewberry 
Chief Administrative Law Judge

REF: Agency Code D99A11
Fiscal Year 2020 Budget

Recommended Action:

Concur with Governor's Allowance.

The agency agrees with the analyst's recommendation to concur with the Governor's Allowance.

Issue:

DLS recommends that OAH comment on why positive responses on the fairness of hearings are in decline.

OAH Response:

- As noted, "quality" is measured through the use of participant surveys that are mailed with the decision. Consequently, half of the survey recipients receive the survey at the same time that they receive the news that their position at the hearing was unsuccessful. OAH believes that parties are simply more likely to express dissatisfaction than they had been in the past.
- The desire to monitor quality must be balanced by the need for decisional independence. The OAH also measures the quality of ALJ performance through a rigorous, comprehensive evaluation process and by monitoring ALJ attendance at continuing legal education training sessions. OAH is confident that its ALJs provide fair, effective and efficient hearings.