

Agency Purpose

The Office of Administrative Hearings (OAH) is as an independent tribunal within the executive branch. Our office conducts hearings when a state or local law provides the right to challenge a government action through an administrative hearing. The services our agency provides are an important part of the state's guarantee of "due process of law."

For example, the judges of the OAH conduct hearings in cases involving:

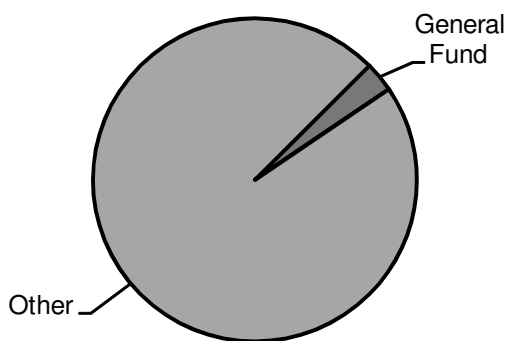
- discipline of professionals licensed by the state;
- rulemaking by state agencies;
- regulation of Minnesota utilities;
- claims of campaign practice violations;
- special education disputes; and,
- claims to workers' compensation benefits.

At a Glance

Annual Business Processes:

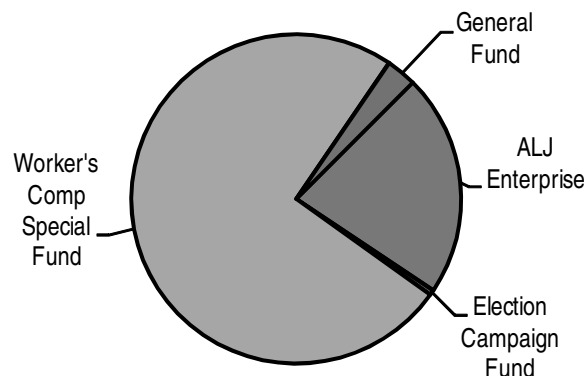
- Service to more than 80 state agencies and 40 local governmental units.
- 613 administrative rulemaking and contested case proceedings per year.
- 7,531 workers' compensation matters settled per year.
- 1,944 workers' compensation claim petitions and benefit requests adjudicated per year.
- 117 municipal boundary adjustments totaling 18,303 acres in 46 different counties.

Est. FY 2010-11 Expenditures by Fund



Source: Consolidated Fund Statement and MAPS.

Est. FY 2010-11 Expenditures by Fund Detail



Source: MAPS.

Strategies

OAH offers a wide-range of dispute-resolution services, namely:

- providing persons that are adversely affected by certain government actions with a full and fair opportunity to challenge those actions;
- ensuring that agency rules and rulemaking proceedings conform to the law and allowing the widest possible public participation in the formulation of agency rules;
- acting on petitions for orders for creation or dissolution of municipalities or for alterations of municipal boundaries through consolidation, annexation, or detachment of real property;

- encouraging and assisting disputing parties to resolve their differences through settlement, arbitration, and mediation; and
- providing injured workers, their employers, and workers' compensation insurers with prompt and impartial resolutions of claims for workers' compensation benefits.

Operations

The **Administrative Law Division** meets the administrative hearing needs of most state agencies and a number of local governments. The subject matter of "contested case" proceedings varies widely among the 120 agencies that present disputes for resolution. Accordingly, the Division deploys a highly-experienced team of generalist judges to locations across the state to conduct hearings and resolve disputes. Likewise, these judges are supported by a team of staff attorneys in Saint Paul who are subject-matter experts in at least one of the Division's "core areas" and cross-trained to provide support in other areas of the law.

The **Municipal Boundary Adjustment Unit** administers the uniform system of municipal boundary adjustments required by M.S. Chapter 414. The Assistant Chief Administrative Law Judge for Administrative Law issues order on petitions for creation or dissolution of municipalities or for alterations of municipal boundaries through consolidation, annexation, or detachment of real property.

The **Workers Compensation Division** conducts pre-trial and trial functions associated with petitions for workers' compensation benefits. Those functions include disposing of motions, conducting settlement and pre-trial conferences, conducting trials, and issuing awards and final decisions. By "block assigning" a set of cases to each Compensation Judge, the Division is able to sharply reduce the average number of days that it takes an injured worker to receive a hearing date.

Key Goals and Measures

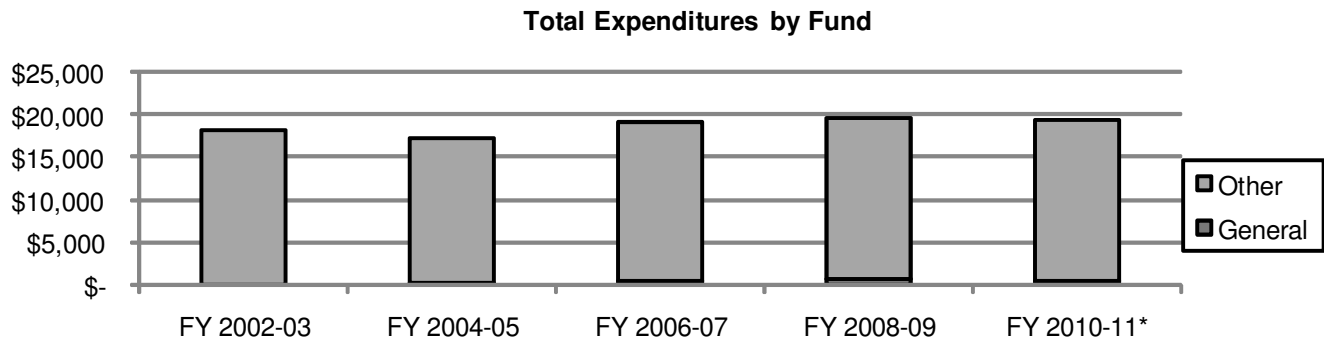
OAH's performance measures focus on our ability to clearly and correctly resolve disputes in the fewest number of days. We strive to provide quality services in a fraction of the time that is allowed by law to resolve our cases.

	Statutory Requirement	FY 2010 Average
• Average number of days for an Administrative Law Judge to issue a written opinion after the record closes.	90 days	27 days
• Average number of days for a Compensation Judge to issue final decisions after the record closes.	60 days	38 days
• Average number of days for a Compensation Judge to issue an order on a request for discontinuance of benefits.	5 days	3 days
• Average number of days for a Compensation Judge to issue an order for medical or rehabilitation requests.	30 days	19 days

OAH Cost and Quality Improvement Goal	Minnesota Milestone Indicator and OAH Strategic Plan Objective	Metric
Progress in reducing the time from an initial case filing to the date of an evidentiary hearing.	Indicator 36: Satisfaction with Services Indicator 37: Price of Services OAH Strategic Plan: III-C-1-b	Number of days from an initial case filing to the date set for an evidentiary hearing.
Progress in reducing the time from the closure of the hearing record to the issuance of a final decision.	Indicator 36: Satisfaction with Services Indicator 37: Price of Services OAH Strategic Plan: III-C-1-b	Number of days from the closure of the hearing record to the issuance of a final decision.
Increasing the number of agencies and local units of governments that utilize the agency's services.	Indicator 36: Satisfaction with Services Indicator 37: Price of Services OAH Strategic Plan: III-C-1 and IV-C	Number of filings by agency Length of client-agency roster

OAH Cost and Quality Improvement Goal	Minnesota Milestone Indicator and OAH Strategic Plan Objective	Metric
Qualitative improvements in the clarity of written decisions.	Indicator 36: Satisfaction with Services OAH Strategic Plan: Directions 2 and 3	Enrollment in agency-approved judicial writing courses. Reduction in the number of hours spent on peer review of judicial opinions.
Improving access to information on municipal boundary adjustments.	Indicator 36: Satisfaction with Services Indicator 37: Price of Services OAH Strategic Plan: IV-F	Range of case-related data that is accessible to the public through the Internet.

Budget Trends



Source data for the previous chart is the Minnesota Accounting and Procurement System (MAPS) as of 08/24/10.
* FY 2010-11 is estimated, not actual

OAH currently maintains a staff of 77 full-time equivalent positions, and its FY 2010-11 biennial budget totals \$19.1 million.

The Administrative Law Division has a \$4.1 million biennial budget, which is funded by a special revenue revolving fund. Deposits into that fund are collected from state agencies and local governments through hourly charges for administrative law judges and staff attorneys. That division also receives a \$130,000 biennial appropriation from the General Fund to the general account of the state elections campaign fund. This funding is used to manage processes related to campaign and election law complaints.

The Municipal Boundary Adjustment Unit currently receives a \$267,000 annual appropriation from the General Fund to manage functions related to petitions for creation or dissolution of municipalities or for alterations of municipal boundaries through consolidation, annexation, or detachment of real property.

The Workers' Compensation Division has a \$14.5 million biennial budget funded by an appropriation, by the legislature, from the state's workers' compensation special compensation fund.

Among the strategic, operational and financial challenges that the OAH will face in FY 2012-2013 are:

- Management of the Administrative Law Division's special revenue fund and the Workers Compensation special compensation fund at a time when there is volatility in the number of cases being referred to OAH.

- Minimizing the litigation costs assessed against the agency for the defense of the 2010 amendments to the Fair Campaign Practices Act, in *MCCL v. Swanson*, Case No. 10-CV-2938 DWF/JSM (D. Minn. 2010).
- Completing succession planning, so that our agency can continue to deliver expertise in highly-specialized areas of the law, at locations all across Minnesota, following the retirement of some OAH judges.
- Engineering around the limitations of legacy case management systems within the Department of Labor and Industry so as to resolve the claims of injured workers in a timely, efficient and cost-effective manner.

Contact

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ADMINISTRATIVE HEARINGS

Agency Overview

Dollars in Thousands

	Current		Forecast Base		Biennium 2012-13
	FY2010	FY2011	FY2012	FY2013	
<u>Direct Appropriations by Fund</u>					
General					
Current Appropriation	397	267	397	267	664
Forecast Base	397	267	397	267	664
Change		0	0	0	0
% Biennial Change from 2010-11					0%
Workers Compensation					
Current Appropriation	7,250	7,250	7,250	7,250	14,500
Forecast Base	7,250	7,250	7,250	7,250	14,500
Change		0	0	0	0
% Biennial Change from 2010-11					0%
<u>Expenditures by Fund</u>					
Direct Appropriations					
General	348	316	352	312	664
Workers Compensation	6,914	7,586	7,250	7,250	14,500
Statutory Appropriations					
Administrative Hearings	2,290	2,341	2,250	2,280	4,530
Workers Comp Transcript	21	20	25	25	50
Total	9,573	10,263	9,877	9,867	19,744
<u>Expenditures by Category</u>					
Total Compensation	7,668	8,064	8,001	8,026	16,027
Other Operating Expenses	1,905	2,199	1,876	1,841	3,717
Total	9,573	10,263	9,877	9,867	19,744
<u>Expenditures by Program</u>					
Administrative Hearings	9,573	10,263	9,877	9,867	19,744
Total	9,573	10,263	9,877	9,867	19,744
Full-Time Equivalents (FTE)	76.9	76.7	76.7	76.9	

ADMINISTRATIVE HEARINGS

Agency Revenue Summary

Dollars in Thousands

	Actual FY2010	Budgeted FY2011	Current Law		Biennium 2012-13
			FY2012	FY2013	
<i>Non Dedicated Revenue:</i>					
Departmental Earnings:					
General	24	29	29	29	58
Total Non-Dedicated Receipts	24	29	29	29	58
<i>Dedicated Receipts:</i>					
Departmental Earnings:					
Administrative Hearings	2,066	2,250	2,250	2,280	4,530
Workers Comp Transcript	4	6	6	6	12
Total Dedicated Receipts	2,070	2,256	2,256	2,286	4,542
Agency Total Revenue	2,094	2,285	2,285	2,315	4,600