

The Office of Administrative Hearings
Five-Year Strategic Plan

Mission Statement:

We will contribute to the quality of life in the State of Arizona by fairly and impartially hearing the contested matters of our fellow citizens arising out of state regulation.

Agency Description:

The Office of Administrative Hearings (OAH) is the main venue for administrative hearings in Arizona. Administrative Law Judges are assigned, on a temporary or permanent basis, to preside over contested cases.

Strategic Issue 1:

Statement: Stay up-to-date on Technology

Discussion: The OAH is technically sophisticated, and its efficiencies depend on developing, maintaining, and expanding automated technology.

Challenge: Technology is constantly changing with new possibilities being presented. In addition, software must be up-dated and equipment replaced in regular rotations.

Strategies:

- a. OAH will regularly survey technological advances through relevant literature.
- b. OAH will consult with other central panel directors regarding technological approaches to the delivery of efficient administrative hearing services.
- c. OAH will replace aging equipment and update software.

Expected Outcome: OAH will ensure business continuity.

Strategic Issue 2

Statement: To have all agencies served by OAH exchange documents with OAH electronically.

Discussion: The Arizona Healthcare Cost Containment System (AHCCCS), the Registrar of Contractors (ROC), and some other agencies currently exchange all request for hearings, final agency actions, agency records, and decisions electronically. Other agencies have yet to implement electronic exchange of agency records or final agency actions.

Challenge: While many agencies have now converted to electronic documents, some still have not.

Strategies:

- a. OAH will continue to assist agencies who have not yet converted to electronic documentation to accomplish that goal.
- b. OAH will continue to foster relationships among client agencies with differing technological capabilities.

Expected Outcome: Both OAH and the target agencies will experience increased efficiency and lower costs.

Strategic Issue 3

Statement: *To provide parties with options for mediation and other means of alternative dispute resolution.*

Discussion: Within the last ten years, alternative dispute resolution, and in particular, mediation, has become widespread as an alternative to expensive litigation. Mediation has been used not only to resolve judicial matters but administrative matters as well and has seen widespread acceptance among administrative agencies in several states. Mediation offers parties the ability to settle their disputes at a fraction of the cost that administrative litigation would otherwise entail. In addition, mediation offers state agencies the ability to reduce demands on already overburdened state resources which in turn reduces agency expenditures.

Challenge: Until FY 2016, OAH had not looked at utilizing mediation as a means of dispute resolution. In 2016, that focus changed and OAH began to offer mediation services to a limited number of agencies.

Strategies:

- a. OAH has implemented a pilot mediation program through two state agencies which send cases to OAH wherein OAH offers mediation services to parties. In addition, as a result of legislative changes, OAH will begin in August of FY2017 to adjudicate Arizona Division of Occupational Safety and Health (ADOSH) cases. ADOSH has historically relied on mediation in order to resolve contested cases and OAH is offering mediation services to parties in ADOSH matters.
- b. OAH will continue to educate agencies and the public about the benefits of mediation. OAH will continue to encourage agencies and the public to explore mediation and alternative dispute resolution alternatives to litigation.
- c. OAH now has four trained mediators, three of whom are full time OAH administrative law judges, to assist in mediating cases. In addition, as time and resources permit, all other all OAH administrative law judges will become trained mediators. As OAH's mediation resources increase, OAH will be able to expand the availability of mediation services to additional agencies.

Expected Outcome: OAH will implement mediation incrementally over the next few years, as resources become available, saving parties time, effort, money and anxiety and conserving precious state resources with the ultimate outcome of ultimately reducing state expenditures associated with protracted litigation in administrative proceedings.