



# The NAALJ News

## 2008 NAALJ ANNUAL CONFERENCE

### THE ADMINISTRATIVE JUDICIARY: DEFINING JUSTICE IN A CHANGED WORLD

**OCTOBER 11-15, 2008**  
**NEW YORK CITY**

**SPONSORED BY NEW YORK STATE  
ADMINISTRATIVE LAW JUDGES ASSOCIATION  
AND NEW YORK COUNTY LAWYERS ASSOCIATION**



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#### Special points of interest:

- NAALJ Annual October 11-15, 2008 New York City, NY
- NAALJ Midyear May 17-19, 2009 Little Rock, AR

For the first time since 1980, the National Association of Administrative Law Judiciary will hold its Annual Conference and Meeting in New York City, the "Capital of the World!" With its scores of ethnic groups, nationalities, languages, and religions, the City is in many ways a microcosm of the planet. Moreover, the New York City government employs more than 500 administrative law judges, encompassing both central panel and agency-based adjudication. This strong commitment to administrative adjudication makes the City an especially apt location for this 2008 NAALJ conference.

#### EDUCATIONAL TOPICS

The educational program will investigate the complex issue of justice in our world from many viewpoints. The program offers provocative new topics and fresh perspectives on traditional topics. The following is just a small sample:

- Access to Justice: Transparency, pro se litigants, use of plain language, cross-cultural competence, access for people with disabilities, the use of technology and best practices for Judges and Agencies.
- Judges are People Too: Integrating our personal and work lives.
- Blinking on the Bench: How Judges Judge: An interactive session focused on how judges make decisions and the differences between intuitive decision-making and deliberative decision-making on the bench.

- The Battle against Bias: Our Responsibility as Judges and Humans.
- Demystifying Scientific Evidence: Categorization and Prediction.
- Special Education (two sessions): Pro se parents, Autism Spectrum Disorders.
- New Tools and Common Traps in Online Legal Research.
- International Perspective: Administrative Law Developments in China.

The following distinguished Law Schools and Universities are represented by faculty or contributed other conference support: Albany Law School, Brooklyn Law School, Buffalo Law School, Cardozo School of Law, CUNY Law School, Columbia University Law School, Cornell Law School, Hofstra University School of Law, Hunter College, New York Law School, New York University School of Law, Pepperdine University School of Law, Seattle University School of Law, SUNY at Albany, Vanderbilt Law School, William and Mary Law School, and Yale Law School.

For a link to a detailed Conference Agenda, with course descriptions and speakers, please visit [www.nycla.org](http://www.nycla.org), [www.naalj.org](http://www.naalj.org), or [www.nysalja.org](http://www.nysalja.org).

#### ACCOMODATIONS

The conference will take place at the **New York Marriott Financial Center** (85 West Street, New York, NY 10006). This striking

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hotel, with a pool, sauna, and workout room, is located in the heart of New York's historic financial district, just a few blocks from the Hudson River and a waterfront park with breathtaking views of Ellis Island and the Statue of Liberty. All of downtown Manhattan is within walking distance of the hotel and three of the city's subway lines are only a few blocks away.

We have secured a remarkable hotel rate of \$229.00/night, a rate below the federal government per diem rate for New York City. Be sure to Reserve Early as this room block is limited and reservations will be handled on a first come, first serve basis. (800-228-9290)

#### CONFERENCE PARTNERS

Conference Hosts are the National Association of Administrative Law Judiciary (NAALJ), the New York State Administrative Law Judges Association (NYSALJA), and the New York County Lawyer's Association (NYCLA) CLE Institute. NYCLA will administer the

## Defining Justice in a Changed World (continued)

Conference CLE credits and assist participants from all states in acquiring CLE credit.

#### SOCIAL ACTIVITIES

Conference Attendees will have a number of opportunities to experience New York City, socialize and network before, during, and after the conference. Terrific sightseeing and shopping is available nearby. A list of nearby restaurants and walking tours will also be available. Arrangements have been made for discounts on Broadway Shows and other activities, a Sunday morning Chinatown Dim Sum Brunch at Golden Unicorn Restaurant, a Sunday evening Welcoming Reception and Awards Presentation, with Contributing Sponsor National Association of Women Judges, and many other events.

The nearby historic venues and museums are too numerous to list, but include Ellis Island, the Statue of Liberty, Wall Street, the South Street Seaport, the Smithsonian National Museum of the American Indian, the Museum of Jewish Heritage, and the Skyscraper Museum, all a short walk from the hotel.

Please visit [www.nycla.org](http://www.nycla.org) for detailed and up-to-date information regarding conference social activities.

#### CONFERENCE SPONSORS

This remarkable conference would not be possible without the generous support of the following conference sponsors:

Primary Corporate Sponsor: WEST, A THOMSON REUTERS BUSINESS

Major Contributing Sponsor: LEXISNEXIS

Other Contributing Sponsors: Collegiate Apparel, Herff Jones, Inc., PEF Membership Benefits Program, CourtCall, AccuScribe Reporting, Inc., and LawLine.

Professional Organizations and Other Supporters: NYSBA Committee on Attorney in Public Service and Membership Committee, National Association of Women Judges, New York Law School, NALJ Foundation, NYC Office of Administrative Trials and Hearings, and the Office of the Administrative Justice Coordinator, NYC Mayor's Office.



Click this link to access the conferences online brochure <http://www.nycla.org/pdf/ALJbrochure.pdf>.

Register online by clicking this ([online link](#)) or use the Registration Form on page 11 of this Newsletter.

Remember to take advantage of the early registration deadline of August 15, 2008, and the reduced conference rate by maintaining your NAALJ membership or becoming a new NAALJ member.

## NEWS FROM STATE AFFILIATES

### Arkansas Affiliate News—Hosts of 2009 Midyear!

By **Barbara Webb, President**

The Arkansas Association of Administrative Adjudicators (ArkAAA) entered into a Memorandum of Understanding with NAALJ to co-host the 2009 Mid-Year Meeting and Conference. The Conference will be held at the Peabody Hotel in Little Rock, Arkansas, on May 17-19, 2009. The conference will include 12 hours of CLE credit hours, including 1 ethic hour.

Current sponsors include the University of Arkansas School of Law (Fayetteville), the University of Arkansas at Little Rock (UALR), William H. Bowen School of Law, the Arkansas Department of Human Services, Office of Appeals and Hearings. Toni White (Bogan), the ArkAAA President-Elect for 2009, will serve along with Steve Wise and David Mackey as Conference Co-Chairs.

Special Presenters include the Honorable Lavenski R. Smith and Honorable Bobby E. Shepherd of the Eighth Circuit Court of Appeals; Honorable Jim Hannah, Chief Justice of the Arkansas Supreme Court; Honorable Phyllis Carter, Chief ALJ, West Virginia Human Rights Commission & Instructor, National Judicial College; Professor Howard Brill, University of Arkansas Law School; and Professor Gregory Ogden, Pepperdine University School of Law. Other distinguished speakers are being arranged.

Check for 2009 Midyear Conference updates from time to time on our new website at [www.arkaaa.org](http://www.arkaaa.org).

A dynamic state capital, Little

Rock, Arkansas offers exciting nightlife, a vibrant downtown convention and entertainment district, a wealth of unique sightseeing, tours, excellent restaurants, shopping, museums and one-of-a-kind attractions like the new William J. Clinton Presidential Center & Park, the River Market, Heifer International Headquarters (a nationally recognized Green-building), the Old State House, the Governor's Mansion, the Capitol Buildings, Little Rock Central High School (the cradle of the civil rights movement); and for the sports enthusiast, the "Big Dam Bridge" (the world's longest 4,226 linear foot bridge built for pedestrians and bicyclists over the Arkansas River), Alltel Arena (hosting concerts, shows, and arena sporting events), and the new "state of the art" Dickey-Stephens Park (home of the Arkansas Traveler's Baseball Team). Arkansas, the "Natural State", also offers wonderful day-trip opportunities. Within one hour, you can drive from Little Rock to historic Hot Springs State Park and "Bathhouse Row." Within two hours, you can drive from Little Rock to the "Crater of Diamonds State Park", the only nationally-recognized authentic diamond mine in the United States of America in which you keep any diamonds you find, (largest finds include diamonds in excess of 14 carats) and many more scenic destinations.

Brittney Sherrod, a senior college student in the Pre-Law Undergraduate Scholar (PLUS) program at the UALR School of Law "shadowed" Toni White (Bogan) on June 20, 2008, in the DHS Office

of Appeals and Hearings. Toni reported "I picked Brittney up from the UALR Law School at 8:30 a.m.; she spent the morning speaking with me and meeting staff in the office; staff discussed their experiences in law school (how they chose to go to law school, classes they took, how they made it through law school, their various career choices, and how they ended up working for the agency (DHS) as ALJ's, etc.; I took Brittney to lunch; and I dropped her back at the law school after lunch." The PLUS summer program prepares students to take the LSAT; they meet with professors; they stay in dorms on UALR's campus; and they take classes at the law school to prepare them to write and argue legal briefs. The program lasts approximately 4 weeks. Brittney stated she did not realize how much reading and writing was involved in law school.

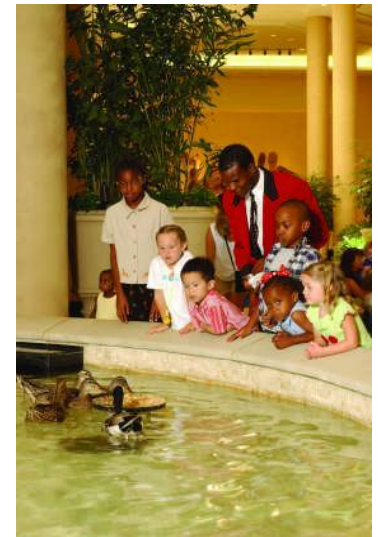
In other news, Toni White (Bogan) recently attended the NAALJ Mid-year Annual Conference in Harrisburg, Pennsylvania. Shannon Mashburn, ArkAAA Parliamentarian and website administrator, has been selected to assist Steve Wise, NAALJ President-Elect, and other committee members with technology issues; specifically, the NAALJ website.

For those of you looking for a possible career move, our website is also currently hosting NAALJ's Job Posting Information Bank. Recently posted was the position for Chief ALJ in Oregon.

Come check us out online at <http://www.arkaaa.org/jobs.html>



*Beautiful Peabody Hotel located in Downtown Little Rock*



*The Peabody Hotel is home of world-famous Peabody Ducks, who march down red carpet to the Lobby Fountain every day*

## NEWS FROM STATE AFFILIATES (continued)

### Iowa Affiliate News

**By Lynette Donner,  
President**

On April 28, 2008, the Iowa Association of Administrative Law Judges held its Spring ALJ CLE. Our keynote presenter was Patrick Bourcher, Vice President of Creighton University who made an excellent presentation on "A Unified Theory of Administrative Due Process." Supreme Court Justice David Wiggins' presentation on "Judicial Ethics and Professionalism" was well received. The program included a dynamic "Opinion Writing" session by ALJ Ann Brenden and excellent "Tips and Tidbits for Conducting Better Hearings" by ALJ Amy

Christensen. We were briefed on the judicial branch's E-filing initiative by a judicial branch's assistant IT director, Ken Bosier. Finally, world renowned eyewitness identification scholar, Professor Gary Wells, returned by popular demand with a fascinating session on "Legal Standards for Eyewitness Identification in Light of Eyewitness Science."

After the CLE, IAALJ held its annual meeting and elected the following officers for 2008-2009: Lynette Donner, president; Amy Christensen, vice president; Maggie LaMarche, secretary; and Phil Deats, treasurer.

Members Steve Wise and Deb Wise attended the NAALJ Midyear Conference in Harrisburg, PA in June. They would like to thank Professor John Gedid, Dean Linda Ammons, and the staff at Widener University School of Law for hosting a terrific conference with memorable events, particularly the reception and tour at Widener, and a great educational program.

IAALJ's Fall ALJ CLE will be held on September 22, 2008. Please check out our website for updates regarding CLEs and other events at:

<http://iaalj.home.mchsi.com>.



### Maryland-DC Affiliate News

**By Joan Davenport**

**MDCAAA Proposed Slate of Officers for 2008 – 2009 Term**

The proposed slate of officers for 2008-2009 is Joan Davenport, President-elect; Paul Handy, Vice President; Bill England, Treasurer; and Bob Mc Gowan, Secretary; continuing Board members are Tom Dewberry, Tyrone Butler, Savannah Little and Dennis Sober, Past President. Proposed new members are Samuel McClendon (DC OAH) and Scott Oakley (MD Sundry Claims Board). Jim Murray, (MD OAH) is the President for 2008 – 2009 term.

**Comments About the 2007 NAALJ Conference**

There are many good things one can say about the 2007 NAALJ Annual Meeting in Washington DC. Personally I was proud that my brethren

here in Washington DC boldly displayed the important role that African American's have played in the Nations Capital and continue to play. I am speaking of the impressive historical tour of the US Capitol and the display about the slaves that labored to build that magnificent structure. Few people are aware of the significant role of African Americans in this city and surrounding area. In addition, the Judges from the DC Office of Administrative Hearings took the time to write and perform a play on the historical life of Supreme Court Justice Thurgood Marshall which was also very well done. But they did not stop there. The lunch buffet I attended was separated in four different cuisines representing a cultural cuisine to match each quadrant of our city, i.e., NW., NE., SW., and SE. Kudos to those who worked on the 2007 NAALJ

Annual Meeting.

Fred D. Carney, Jr, Esquire Administrative Law Judge District of Columbia Dept. of Employment Services

**Achieving a Diverse Judiciary and Its Impact on Public Confidence in the Judicial System**

A Program Sponsored by The American Bar Association Judicial Division Lawyers Conference, Judicial Division Standing Committee on Minorities in the Judiciary, Young Lawyers Division, and ABA-CLE in cooperation with the Council on Racial and Ethnic Justice was held on Tuesday, July 15, 2008.

NAALJ member, ALJ Joan Davenport participated in this teleconference and live audio webcast along with other participants who all represented

*(Continued on page 5)*



## NAALJ Nominating Committee Seeks Nominations Nomination Period Closes August 18, 2008

President David Brunke has appointed the following Nominating Committee to propose nominees for open positions of leadership within NAALJ.

**Chair, Catherine Bennett, Immediate Past President, Chair (NY)**  
cbennett@nysdta.org or (518) 266-3000

**Lois Oakley, Past President (GA)**  
loakley@osah.ga.gov or (404) 651-7850

**Tyrone Butler, Former President (DC)**  
tyrone.butler@dc.gov or (202) 442-9099

**Julian Mann, Past President (NC)**  
julian.mann@ncmail.net or (919) 733-2719

**Toni White (Bogan), Board Member (AR) (Term Expires 2008)**  
trwhite0831@sbcglobal.net or (501) 682-8622

Contact any of the committee members with your suggestions for NAALJ Officers and Board members for the 2008-2009 year. The Committee will select a slate of nominees, which will be announced before the October annual meeting.

Additional nominations may be made at the time of the election. Candidates must be current active members and must submit a resume and a statement of interest in the position for which they are being considered explaining the strengths they believe they bring to NAALJ's leadership team.

Elections will be held at the NAALJ membership meeting at the 2008 Annual conference in New York City on Tuesday, October 14, 2008 for the following positions:

**President**

**President-Elect**

**Treasurer**

**Secretary**

**Board of Governors (5)\***

\*4 vacancies with 2-year terms and 1 vacancy with 1 year remaining on the term.

In addition to the duties of these positions, elected officers and governors are expected, when feasible, to attend in person the Board meetings held at the Mid-year conference (1 meeting) and the Annual conference (2 meetings). Although presence in person is not mandatory, the interaction of the Officers and the Board of Governors adds a great deal to the leadership of NAALJ.

With that in mind, and considering the policies of many states and agencies do not provide funding for professional service, NAALJ has instituted a discretionary board reimbursement policy, which depending on NAALJ's fiscal soundness, provides partial expense reimbursement when such reimbursement is not otherwise available. For further information and a description of the duties of each position, please contact any member of the Nominating Committee or refer to the NAALJ Bylaws at:

<http://www.naalj.org/bylaws.html#officers>.

## Maryland-DC Affiliate News (continued)

(Continued from page 4)

diverse members of the bench, including state and federal administrative law judges, state and federal appellate judges, and state and federal trial judges.

The panelists discussed the impact of a diverse judiciary in American jurisprudence, examined the process of achieving a diverse judiciary, and described their pathways to the bench.

### Plays By ALJ Paul Handy Continue to Play to Audiences

NAALJ member, ALJ Paul Handy has had several productions of his original plays this year. "Full Truth," about Thurgood Marshall and Brown v. Board of Education,

which was presented at the 2007 NAALJ Conference, has been produced twice since then. First, it was performed at Thurgood Marshall Middle School in Temple Hills, Md., during February 2008's Black History Month, and then in March 2008 at the University of Baltimore School of Law. At UB, the Elder Theodore Barber Scholarship Foundation, co-founded by ALJ Claudia Barber, raised several thousand dollars for a law scholarship. Judge Handy's play, "Satellite Parking," dealing with mental illness, was presented in June 2008 at the Maryland State Bar Association conference in Ocean City, along with a panel discussion on commitment hearings. Finally, his play "Merryman" will be produced at the Southern States Bar Presidents Con-

ference in September 2008 in Annapolis, Maryland.

### Title Changes for DC Commission on Human Rights Hearing Examiners

Because the role and responsibilities of the District of Columbia Commission on Hearing Rights Hearing Examiners closely mirrored the duties of administrative law judges, their titles have officially been changed to that of Administrative Law Judge. The newly titled ALJs Eli Bruch and Dianne Harris will be joining NAALJ, and are interested in actively participating in the activities of the affiliate, MDCAAA. Additionally, the vacant position of Chief Hearing Examiner, formerly held by the late Neil Alexander, has been changed to Chief Administrative Law Judge.



Retired Judge Barbara Kerr Howe and Assistant AG Michele Diamond perform Judge Paul Handy's play "Satellite Parking" at Maryland State Bar Assn's annual meeting

## President's Message—Onward to NYC!



**By L. David Brunke**

Having recently returned from the successful NAALJ Midyear Meeting and Educational Conference hosted by Widener University School of Law, I can easily attest that the NAALJ board is having a busy year. However, I first want to express a special thanks to Dean Linda L. Ammons, who graciously agreed to host the event, and to Vice Dean John L. Gedid, who also serves as the Director of the Widener Law and Government Institute, for crafting together such a superb educational program to meet the special needs of the administrative judiciary.

Secondly, on behalf of NAALJ, I want to express congratulations to our Secretariat, Laura Bierman, who has accepted a full-time position as Executive Director of the New York State League of Women Voters. Unfortunately for NAALJ, Laura will not be renewing her contract when it expires at the end of the calendar year due to the anticipated demands of her full-time executive position. As many members know, Laura has served faithfully as Secretariat for the past 10 years.

As reported in the last issue of the newsletter, the board continues to seek additional cost-effective ways to outsource management services. One ongoing example is the NY affiliate's trial use of a conference management company to assist with the hotel negotiations for the upcoming NYC annual conference. One key selling point is these companies can provide site selection and contract negotiations at no cost to NAALJ because hotels compensate them directly. In addition,

their product knowledge can be surprisingly extensive, as was recently pointed out to me by the company the NY affiliate is using.

In the last issue of the newsletter, Treasurer Tom Dewberry informed you that NAALJ's financial health was sound. Having just closed the books on the 2007–2008 fiscal year, I can report that NAALJ's income exceeded its expenses by \$13,161. The board expects expenses for the 2008-2009 will increase somewhat due to the one-time setup expenses of about \$2,100 associated with the purchase of the web-based management solution from MemberClicks and an associated recurring monthly charge associated of about \$170. In addition, membership services and bookkeeping expenses for the second half of the fiscal year are somewhat uncertain at this time, although some savings may occur due to the roll out of the Web-based solution. By now, regular members should have received their dues statements and affiliates their dues notices, which the board requests you pay as soon as possible since they are one of the relatively stable major revenue sources of the Association. Affiliate members do not receive dues notices since their dues are paid by their respective affiliate.

One of the goals of holding the recent Midyear Conference in Pennsylvania, a non-affiliate and non-central panel state, was to seek new members by laying the groundwork for the creation of a state affiliate. Initial feedback from Pennsylvania attendees has been extremely positive as to the need for an affiliate. It is now up to NAALJ to take advantage of the opportunity and fill the need that has been created. With several state affiliates

in neighboring states, and with the assistance of Vice Dean and member John L. Gedid, this should be an achievable goal.

In the last issue of the newsletter I asked members to volunteer to serve on committees and to email me their committee preferences. Although I did not expect my mail box to overflow with responses, I had anticipated more volunteers than I actually received. Nonetheless, I want to provide the members with another opportunity to respond. In addition, I will ask the affiliates to assist in recruiting committee members. On page 10 of this newsletter, you will find a list of the committees. Although several committees need members, those most in need, at least from my point of view, are the Membership (and Affiliates Support) Committee, now under newly appointed Chair and board member Kristin Miller (GA), the Education Committee under the leadership of Phyllis Carter (WV), and the Newsletter Committee. I can assure you that you will be able to control the amount of time you spend on committee activities and you will find the experience especially rewarding.

Lastly, I want to inform the members that the board recently accepted the resignation of board member Mattie Harvin Woode (WA) who has accepted a position as a Social Security Administration ALJ and, as a result, spent the summer relocating from the west coast to the east coast and transitioning into her new position. On behalf of NAALJ, I want to formally thank Mattie for serving on the board and also to let her know we look forward to when she will be able to again assume a more active role in the Association.

### CALL FOR ROSSKOPF AWARD NOMINATIONS

Nominations are being accepted for the Rosskopf Award for Judicial Professionalism and Ethics. NAALJ confers this award to a judge who embodies the qualities of judicial success, such as moral courage, fairness, patience, mercy, decisiveness, innovation, intellect, intelligence, dignity, honesty and integrity. The first award was given posthumously to the Honorable Victor John (Vic) Rosskopf of Missouri, who was treasurer of NAALJ at the time of his death. In past years, the award has been given to Arthur A. Gladstone, Sammie Chess Jr., John W. Hardwicke, Stan Cygan, Janet Raider, and Ed Schoenbaum. Nomination letters should summarize the nominee's achievements and should be submitted no later than August 25, 2008. Nominations can be emailed to the Rosskopf Committee Chair, Ed Schoenbaum ([JudgeEdS@gmail.com](mailto:JudgeEdS@gmail.com)) with a copy to David Brunke [LBRUNKE@dot.state.tx.us](mailto:LBRUNKE@dot.state.tx.us).

## NEIL ALEXANDER SCHOLARSHIPS 2009

NAALJ is offering two \$500 scholarships to assist NAALJ members attend a one-week resident course at the National Judicial College (NJC) on the University of Nevada, Reno campus.

The scholarships are named the Neil Alexander Scholarships in honor of a NAALJ colleague, who at the time of his recent untimely death was chief hearing examiner of the D.C. Commission on Human Rights. Judge Alexander served as co-chair of the 2007 NAALJ Annual Conference in Washington, D.C.

The NAALJ scholarships are to be used in combination with two scholarships that have been awarded to NAALJ by NJC. The NJC scholarships are for a 50 percent tuition waiver for a one-week resident course. Civil mediation,

mediation for ALJs and other mediation courses are not eligible for the scholarships.

Additional expenses to attend a course (conference fee, lodging, meals, travel and incidentals) are the responsibility of the recipient or his or her employer.

To apply for the scholarships, fill out and submit the application by November 15, 2008, and send to Judge Phyllis Carter, West Virginia Human Right Commission, 1321 Plaza East - Room 108A, Charleston, WV 25301-1400.

The recipients of the scholarships will be selected and notified by December 15, 2008. You can download the scholarship application from:

[www.naalj.org/NAALJ\\_Scholarships.pdf](http://www.naalj.org/NAALJ_Scholarships.pdf)

Direct any questions to Judge

Carter at (304)558-2616 or [phylliscarter@wvdhhr.org](mailto:phylliscarter@wvdhhr.org).

For information on 2009 NJC course offerings, please go to [www.judges.org](http://www.judges.org) or request the 2009 course catalog by calling 800-25-JUDGE.

The recipients for 2008 were Judge James A. Monk, who conducts special education hearings for the New York Education Department. Judge Monk attended the NJC course Administrative Law Advanced in June 2008. You can find an article describing his experience below.

Judge Josephine C. Townsend, who is an ALJ for the Washington State Department of Licensing in Vancouver, WA, is looking forward to attending the NJC course Advanced Evidence in November 2008.



## NEIL ALEXANDER SCHOLARSHIP RECIPIENT THANKS NAALJ

**By James A. Monk  
Administrative Law Judge**

As the first recipient of the Neil Alexander Scholarship to attend a National Judicial College course, I am deeply honored to have had this opportunity. The teaching staff at NJC provided me valuable information to help me better serve the children of New York as ALJ for the State Education Department.

The course I took was titled "Administrative Law Ad-

vanced" and included stimulating and interactive discussions on topics such as Pre-hearing Logistics, Courtroom Security, Weighing Evidence, Alternative Dispute Resolution, Recognizing Cultural Diversity, and Improving the Quality of Written Decisions. Every one of these topics was exactly in line with my objectives in an attempt to improve and refine my judgment both on the bench and throughout my everyday living. I was

very fortunate to have a top notch faculty and a fantastic group of classmates (ALJs and Judges nationwide) make my experience in Reno both self fulfilling and downright terrific!

I urge my colleagues to apply for the Neil Alexander Scholarship in the future and thank everyone who established this very valuable scholarship opportunity for each very fortunate recipient! My thanks and deepest gratitude.



### 2008 Fellowship and 2009 Topic Announced

The National Association of Administrative Law Judges Foundation (NALJF) awards a fellowship including a \$1,000 stipend each year to a successful applicant who prepares an original paper on a topic relevant to administrative adjudication. This year's Fellowship has been awarded to A. Michael Nolan from Maryland on the topic "Deference to the Administrative Law Judge's Decision: Fact or Fiction?" The paper will be delivered at the NAALJ annual conference in New York City on October 14, 2008, and will be published in the Journal of the National Association of Administrative Law Judiciary.

The NALJF Fellowship Committee has also chosen the 2009 Fellowship topic: "Ethics and Integrity in Administrative Adjudication: Issues and Solutions." More information about the Fellowship Award can be found at <http://www.naalj.org/foundation.html>.

## Harrisburg 2008 Midyear—Enlightening and Helpful

**By Richard Boulanger  
Hearing Examiner, Vermont Agency of  
Transportation**

“Enlightening and helpful.” These words spoken by Widener Law and Government Institute Director John L. Gedid, in his welcome address, set the tone for the 2008 NAALJ midyear meeting held in Harrisburg Pennsylvania from June 24 to June 26. The conference host, the Widener University Law and Government Institute, is noted for its emphasis upon state administrative and constitutional law and administrative adjudication. This year’s theme, “Keystones of Justice: Improving ALJ trial skills.” attracted Administrative Law Judges from as far away as California, Florida, and Texas.

Ambience plays an important part in any conference experience, and our thoughtful hosts provided numerous amenities that help set the mood, including plenty of good food and refreshment; something always enlightening and helpful to this budget-minded pilgrim. Although I did not stay there, the Harrisburg Hilton hotel certainly appeared to meet and exceed NAALJ accommodation standards – good choice. And if you enjoy restaurant and pub fare, there were many good ones to choose from. A pleasant part of this ex-

perience was the chance to network with the over 80 Commonwealth of Pennsylvania ALJ’s, many from Worker’s Compensation, who attended. NAALJ business permeated the conference, with the New York and Arkansas affiliate participants providing information on upcoming conferences in New York City and Little Rock. The Harrisburg area offered several sightseeing options such as the beautiful State Capitol building. Possible nearby adventure trips included the Lancaster area and, of course, Gettysburg.

In fitting with the conference theme, many of the presentations concentrated on “the basics”, addressing problem areas such as adjudicator independence vs. uniformity, hearsay, credibility, bias, and ethics. Some of the presenters, such as Linda Ammons, Phyllis Carter, and Steve Wise, are familiar to NAALJ members. Others, such as Pennsylvania ALJ’s Thomas Cheffins and Felix Thau, should be. Greg Ogden provided attendees with his always enlightening and helpful updates on administrative law case law developments nationwide. He also conducted a session outlining some proposed revisions to the draft Model State Administrative Procedure Act. An afternoon-long panel discussion, focusing upon alternative dis-

pute resolution and featuring panelists from Pennsylvania and Washington provided an occasion for ADR practitioners to identify areas they can improve on and absorb enlightening and helpful tips.

The conference also provided the opportunity to learn more about Pennsylvania’s appeals process from state administrative agencies and how well it functions. Two presentations in particular were enlightening and helpful. Wednesday’s luncheon speaker, Justice Thomas Saylor of the Pennsylvania Supreme Court, was worth listening to. Drawing upon his Supreme Court experience, Justice Saylor provided an insightful view of how basic constitutional principles have and continue to impact administrative law and decision-making in Pennsylvania. Thursday afternoon’s panel discussion proved to be a real gem. Three justices from the Commonwealth Court of Pennsylvania, a specialized intermediate appellate court which handles appeals from state agencies, covered the appeals process and provided their views and insights.

Was this conference enlightening and helpful? You bet! Relaxing, too. Not once did I feel the need to squeeze my New York “big apple” conference stress ball. Now how about that!

### NCALJ-NHTSA FELLOWSHIP OPPORTUNITY

Our ABA counterpart, National Conference of the Administrative Law Judiciary (NCALJ) announces the reopening of the NCALJ/National Highway Traffic Safety Administration fellow position, which has traditionally been filled by a state ALJ. Past NHTSA fellows include Chris McNeill (OH), Ed Schoenbaum (IL), Lois Oakley (GA), and Yvette Diamond (MD). Everyone who has held this position has enjoyed it. The fellow receives \$1,000 a month and essentially does education and PR work for NHTSA. An ideal candidate would be a state ALJ who handles DUI cases. This announcement has a short turn around -- July 31, 2008.

NCALJ and NHTSA are offering an opportunity to promote traffic safety, improve community outreach, provide quality education and promote confidence and trust in the judiciary. NHTSA Judicial Fellowships are excellent opportunities for members of the American Bar Association's Judicial Division to take part in judicial outreach and share expertise regarding traffic safety issues. The duties include being a teacher, writer, community outreach activist, consultant, liaison, reporter and spokesperson. The mission of the judicial fellow will be to serve as a conduit to deliver resources, research and educational opportunities available through NHTSA and its cooperative partners to judges and citizens in their jurisdictions and where possible, promote NHTSA's priorities.

If you are a sitting judge and a member of the Administrative Law Judiciary, and are interested in learning more about this salaried position, please contact Gena Taylor at TaylorE@staff.abanet.org or (800) 238-2667, ext. 6716. The deadline for all applications is July 31, 2008. For more information on NCALJ, please visit <http://www.abanet.org/jd/ncalj/home.html>. To find out more about NHTSA, please visit their website at [www.nhtsa.gov](http://www.nhtsa.gov).

Please click the link below for the full announcement with the details for the fellow position.

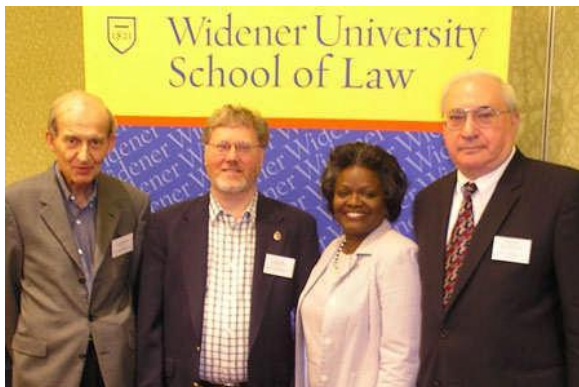
<http://www.abanet.org/jd/nhtsa/pdf/NCALJFellowDes08.pdf>

Please click the link below for the application for the fellow position.

<http://www.abanet.org/jd/nhtsa/pdf/FellowshipApplicationupdatedMay08.pdf>



### Harrisburg, PA Midyear 2008 Conference Photos



*NAALJ Officers David Brunke and Steve Wise with Widener Dean Linda Ammons and Professor John Gedid*



*PA Supreme Ct. Justice Thomas Saylor keynote address.*



*Professors Greg Ogden and John Gedid discuss MSAPA*



*Widener Reception: Henry Armstrong (WV), Beverly Nash (DC); Wayne Brooks (MD), Laurie Bennett (MD)*



*Judge Felix Thau (PA) challenges ALJs to recognize their biases*



*ADR Masters: Charles McCullough (WA); David Torrey (PA); David Cicola, (PA)*



*Widener Reception: Kathy DiLorenzo (PA), Richard Boulanger (VT); Cathy Bennett (NY); Nancy Goodwin (PA); John Farrell (NY)*

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THE NEWSLETTER OF THE NATIONAL  
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**2008 NAALJ ANNUAL MEETING AND CONFERENCE-REGISTRATION FORM**

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I AM A CURRENT MEMBER OF \_\_\_\_\_ NAALJ \_\_\_\_\_ CCAT

**GENERAL REGISTRATION**

Registration fee includes: refreshments, Sunday reception, Banquet, course materials and CLE accreditation.

\_\_\_\_\_ \$425 Current NAALJ & CCAT members if paid by August 15, 2008

\_\_\_\_\_ \$495 Current NAALJ & CCAT members if paid after August 15, 2008

\_\_\_\_\_ \$495 Non-members\* if paid by August 15, 2008

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\_\_\_\_\_ \* Become a member of NAALJ for \$50 and register at the membership rate

Government Agencies funding 10 or more ALIs are entitled to a special discount. Contact a Conference Co-Chair for further information and registration details.

**GUEST REGISTRATION**

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I plan to attend the Sunday morning Dim Sum brunch. (Y) \_\_\_\_\_ (N) \_\_\_\_\_

I plan to attend the Welcome Reception, Sunday, October 12. (Y) \_\_\_\_\_ (N) \_\_\_\_\_

I plan to attend the Banquet, Tuesday, October 14. (Y) \_\_\_\_\_ (N) \_\_\_\_\_

\_\_\_\_\_ I have a special dietary request. (Please specify) \_\_\_\_\_

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