



This past year has also been a time to refine our adjustment to the post-COVID reality of teleworking—both in terms of how our teams interact, and in terms of how our facilities can better support remote and hybrid work with a smaller facilities footprint. The Spokane Valley facility move was completed this year. The Tacoma facility move will be done in early 2024, and the Seattle facility move will follow later in the year. The moves result in smaller footprints at all three locations.

We completed a major project to reorganize how we process notices and orders, with all publishing being consolidated into two teams—one in Olympia and another in Spokane Valley. And we continue to partner with our stakeholders to make progress on process refinements. The new notice of hearing for unemployment cases is one example. Another is the collaboration with the Employment Security Department to develop a new rule and process to handle certain types of cases in a more streamlined fashion.

The executive management team, which has been basically unchanged since 2018, is going through big changes as we go into 2024. Chief Equity and Access Officer Tony Griego recently joined the executive management team. In October, we welcomed Rob Cotton, our new Chief Financial Officer, due to Deborah Feinstein's retirement. Deputy Chief ALJ Johnette Sullivan—after 34 years at OAH—is retiring in February 2024.

Finally, after more than 14 years as the chief ALJ, I am retiring. As I reflect on my tenure at OAH, I am very proud of the OAH team and our partners. So much has been accomplished.

In 2009, OAH's work was handled by five siloed field offices, using their own systems and processes. Staff used a jumble of mismatched technology equipment to do their work. We had three unconnected legacy case tracking systems that only provided limited, segregated views of our workload. Our data was often anecdotal, unreliable, or non-existent. All case files were hard copy.

OAH was also seriously understaffed administratively. Managers wore many hats. Training was inconsistent between the field offices, and almost completely paper-based.











In April 2023, OAH added the Production Center to its Headquarters division. The Production Center has a dedicated staff and uses high-capacity production machines to handle printing and mailing of notices and orders for all caseloads.

Since 2014, OAH has handled work from 79 agencies and organizations. These range from large state agencies that refer tens of thousands of cases per year, to universities and colleges, to small local governments that might only use OAH once.

## Division Updates

The year 2023 saw OAH continue the evolution to a caseload-centric (as opposed to a facility-centered) leadership model. Here are some highlights from each of the four caseload divisions:

### Child and Family Care

Perhaps the biggest news out of the Child and Family Care Division was the selection of Micah Larripa as the new division chief ALJ in July 2023.

Intake, closure, and inventory remained steady across the division's caseloads and programs throughout the year. This allowed the division to begin to focus on harmonizing local practices with statewide standards for training, scheduling, and case workflows.

## Divisions

Headquarters

Child & Family Care

Public Assistance & Health

Regulatory & Education

Unemployment Insurance

### Public Assistance and Health

Calendar year 2023 was a year of transitions in the Public Assistance and Health Division with many comings and goings both in the ALJ ranks and with professional support staff. This mobility required us to develop a more robust cross-training program that will serve us well going forward.

The Health Care Authority caseload saw an uptick in the number of requests for hearings in 2023, significantly eclipsing the average number of cases received annually during the three years of the pandemic. However, the number of requests was still nowhere near pre-pandemic levels.

By contrast, the public assistance caseload came much closer to pre-pandemic intake numbers. OAH continued to hold mediations to quickly resolve cases for the Home and Community Services financial eligibility cases. Based on the excellent results, OAH hopes to expand mediation to other programs and caseloads in 2024.

## Regulatory and Education

The Regulatory and Education Division experienced an increase in cases as agencies continued to emerge from the pandemic. The Office of Superintendent of Public Instruction (OSPI) caseload intake reached record levels, exceeding the highest annual pre-pandemic intake.

Emerging caseloads included the long-term care appeals from Employment Security Department and Department of Social and Health Services, as well as appeals from the highway work zone speed safety camera program.

## Unemployment Insurance

The Unemployment Insurance Division reduced the pandemic-related case backlog by an average of more than 1650 appeals per month, despite a 40% reduction in staff from calendar year 2022.

The team also worked hard to improve the customer experience. In July, Spanish-language unemployment insurance hearings transitioned from project status and became a regular part of the division's operations.

In another effort to improve customer service, the division reimagined the unemployment insurance notice of hearing to provide a more accessible, simpler, and easier to understand document for participants.



## Customer Service Center

The OAH Customer Service Center remains focused on providing great customer service. One huge step forward this calendar year was moving to a much more stable phone system that has resolved virtually all technical issues.

Our customer service team is working hard to improve how we respond to callers, through increased mentoring and training opportunities. As the pandemic backlog nears an end, we are experiencing fewer frustrated callers.













## Key Strategic Projects/Innovations

### UI BAPs

Addressing the historic backlog of unemployment appeals has required an unprecedented hiring effort, tireless work by ALJs and staff, and a laser focus on innovation and process improvement. One of the more impactful innovations was adapting the brief adjudicative proceeding (BAP) to the unemployment insurance caseload.

In 2022, OAH collaborated with the Employment Security Department, the Commissioner's Review Office, the Unemployment Law Project, and other stakeholders to develop a new rule allowing OAH to handle certain unemployment cases through the more streamlined BAP process authorized by Washington's Administrative Procedure Act.

In addition to rule development, project teams developed new templates and processes, including processes to allow claimants to file declarations online with fillable forms. OAH has been conducting these BAPs for more than 20 months now. The results have been positive.

Because the BAP process is more streamlined than a full hearing process, judges assigned to BAPs can resolve 70 cases per week as opposed to 24 for the full hearing process. Not all cases are suitable for a BAP process, but having this process allows us to match appropriate cases with this more streamlined procedure.

During the first 16.5 months using the new process, 10,397 of 88,214 cases (12%) were resolved through BAPs, despite the program only using 3-6% of ALJ resources for the unemployment insurance caseload. These are not just procedural dismissals. 92% of these cases were evaluated by the judge and resolved on the merits without needing a hearing.



The claimant always has the right to demand a full hearing at any point before the judge issues the BAP order.

*Administrative Law Judge Marek Falk and Lead Administrative Law Judge Sarah Garrod and were instrumental in refining the new BAP processes.*

















## ATJ Conference

The biannual Access to Justice Conference brings together community members, legal system advocates, judges, attorneys, and policymakers across Washington State.

At the 2023 Washington State Access to Justice Conference, OAH presented on the Spanish hearing program and suitable representative ADA accommodations.

*From left to right, Lead Administrative Law Judge Don Dowie, Chief Administrative Law Judge Lorraine Lee, Deputy Chief Administrative Law Judge Johnette Sullivan, Innovation and Change Leader Diane Jennings, and Legal Assistant Carla Sullivan.*

## Central Panel Directors' Conference Fostering Collaboration, Innovation, and Best Practices in Administrative Law

OAH teamed up with the Alaska Office of Administrative Hearings to host the 2023 Central Panel Directors' Conference in Seattle. This annual conference brings together central panel adjudication leaders from around the nation.

This year the event brought together 60 attendees from 20 different central panels, along with representatives from the Washington State Bar Association,

*Rica Helberg, Performance Reporting and Data Integrity Manager, and Barb Cleveland, Executive Assistant to the Chief ALJ.*





# OAH by the Numbers

## Cases Received by Caseload

OAH Workload CY 2019 vs. CY 2022	Received					Trends
	CY19	CY20	CY21	CY22	CY23	
Employment Security Department (ESD)	29,673	60,584	88,810	62,669	39,869	
DSHS Division of Child Support (DCS)	8,330	6,980	6,698	6,522	6,530	
DSHS Public Assistance (PA)	3,691	2,591	2,155	2,749	4,501	
Health Care Authority (HCA)	4,779	2,412	2,239	2,509	2,783	
Department of Children, Youth, and Families (DCYF)	1,257	1,069	850	696	632	
Office of the Superintendent of Public Instruction (OSPI)	305	262	255	280	353	
Department of Labor and Industries (LI)	333	337	166	105	216	
DSHS Licensing (LIC)	382	233	222	132	164	
Paid Family and Medical Leave (PFML)	-	156	215	140	121	
Liquor and Cannabis Board (LCB)	179	74	114	82	116	
Office of the Insurance Commissioner (INS)	29	68	95	128	43	
Department of Fish and Wildlife (DFW)	-	43	24	23	33	
Washington State University (WSU)	21	18	28	12	21	
Department of Financial Institutions (DFI)	27	34	15	13	19	
Department of Licensing (DOL)	26	6	12	10	17	
Criminal Justice Training Commission (CJTC)	-	-	-	2	17	
Attorney General's Office (AGO)	13	4	4	8	10	
Gambling Commission (GMB)	70	23	21	13	9	
Office of Minority and Women's Business Enterprises (OMWB)	10	4	6	4	6	
Colleges (CLG)	1	1	4	5	5	
Government - County and Local (GOV)	4	12	4	5	5	
Energy Facility Site Evaluation Council (EFSEC)	-	-	1	2	4	
Washington State Patrol (WSP)	15	9	4	4	3	
Department of Agriculture (AGR)	1	1	3	1	3	
Office of Financial Management (OFM)	1	-	-	-	2	
Department of Transportation (DOT)	5	6	1	2	1	
Workforce Training and Education Coordinating Board (WTECB)	1	1	-	-	1	
Department of Transportation (TOLL)	100	247	181	-	-	
Lottery Commission (LTY)	4	3	3	-	-	
Department of Archaeology and Historic Preservation (AHP)	-	2	1	-	-	
Department of Health (DOH)	-	-	1	-	-	
Legislative Ethics Board (LEB)	-	-	1	1	-	
Washington Student Achievement Council (WSAC)	2	-	1	-	-	
Human Rights Commission (HRC)	2	1	-	3	-	
Department of Early Learning (DEL)	2	-	-	-	-	
Department of Service for the Blind (DSB)	1	-	-	-	-	
Juvenile Rehabilitation Reimbursement (JRA)	4	-	-	-	-	
Department of Retirement Services (DRS)	-	-	-	-	-	
Pollution Liability Insurance Agency (PLIA)	-	-	-	1	-	
Discontinuance of Service (DOS)	-	-	-	1	-	
<b>TOTALS</b>	<b>49,268</b>	<b>75,181</b>	<b>102,134</b>	<b>76,122</b>	<b>55,484</b>	







