

Meeting with Specialist ALJ Staff

Re:

SHD Internal Assessment and Strategic

Planning Process:

December 21, 2012, 9:00AM

I. Pre-Hearing Topic, Issues and Recommendations:

1. Issue: No comments were offered.

II. Hearing Topic, Issues and Recommendations:

1. Issue: Use of Specialist by the PJs often resulting in **competing interests**.
  - a) While the Specialists report directly to the CALJ and are assigned special projects by the CALJ and have training responsibilities, the PJs expect and do use the Specialists to cover the office when the PJ is absent and to cover calendar assignments. This results in some frustration and leads to work overload.
  - b) How to Fix:**
    - 1) **Create two specialist designations: Program Specialist (PS) and Hearing Specialist (HS).**
    - 2) The PS would be responsible for new and on-going training of ALJs and Support staff at their regional office and Division-wide training as to their specialty.
    - 3) The HS would handle a higher number of hearings than the ALJ Is thereby offsetting the need to use the PSs for hearings, etc. The HS could also be used to provide back-up support to the PJ when absent and provide assistance to review decisions, prepare alternates, and perform ALJ of the Day or Duty Judge responsibilities.

III. Post-Hearing Topic, Issues and Recommendations:

1. Issue: Nothing specifically offered-rehearing comments captured on Other.

IV. Other Topic, Issues and Recommendations:

1. Issue: New ALJ Training:
  - a) If focused training is necessary, IHSS is the best alternative.
  - b) There should be a database developed for model decisions retrieved by issue code.
  - c) E-Notes need to be organized in a database with website access.
  - d) Training modules and handout materials should be developed with ready access so ALJs can review them as needed; the modules should also be

available to county and advocate staff through a web based system. Scenarios as a training tool should be used for issue identification and discussion. Mock hearings are also encouraged with training staff and peer critiques. Training should also focus on the role of the ALJ, the relationship (treating all people with courtesy, respect and dignity) the judge has with the parties and to support staff. There is a need for objective standards.

- e) New ALJs should sit in on as many hearings conducted by ALJs who have been pre-selected for doing model hearings.
  - f) New ALJs when being trained in all program areas should be given focused training in a specific program area and taken into the field to conduct a hearing and prepare a decision within that limited area before receiving further training in another program area. The idea here is to not cram too much in a short period of time. Doing otherwise results in overload and failure.
  - g) Training should be time limited with the ALJ being assigned to their PJ for further training; Use of RAs for further training can be an option.
  - h) New ALJ workload needs to be carefully monitored and calendar relief given as necessary to prevent against low morale.
  - i) Mentors should do all decision reviews so there is consistency and continuity as to Division 22 procedures and program requirements.
  - j) After the first year or so, training should be given when things have moved from the theoretical framework of the initial training, to one that is based on some experience, and where judges can ask questions, gaps can be filled in, and misunderstandings or caught. This phase of training is critical. Topic training should be given to new and journey level judges when there is change in law.
2. Training-Use of a Program Specialist-A deep class concept:
- a) The PS would have and continue to maintain expertise in a specific program area. The Specialist would have direct liaison responsibilities with program in the area of their expertise and meet with legal on any new and emerging issues. S/he would be the designated person for staff consultations within their area of expertise.
  - b) The PS would be responsible for preparing E-Notes for staff and prepare regulations changes/development within their area of specialty.
  - c) A Corp of PS could be designated to do new ALJ training. Use of RAs would be recommended with ALJ Is assigned to develop training skills for succession planning.
  - d) A PS needs to be designated to learn and take over the decision- writing program.
  - e) A PS needs to be designated to do the Para-regs.
  - f) The PS should be encouraged to access and use Program/Training Academy Staff to do training for ALJs.
  - g) PSs should be designated to do rehearing reviews.
3. Issue: A share point internet hub needs to be established-IT issue:
- a) The site would have E-Note updates.
  - b) It would provide a chat room or dialogue opportunity for ALJs to discuss issues, problems, solutions, etc.
  - c) Training materials could also be accessed at the site.

- d) The hub would enable judges statewide to get to know each other better.
4. Issue: Mentoring:
- a) Guidelines need to be established for mentors and mentoring.
    - 1) The role of the mentor needs to be defined.
    - 2) What is the role of the mentor to the mentee?
    - 3) What fundamental principles must be adhered to?
    - 4) Professional relationships must be modeled.
    - 5) What should happen if the mentor-mentee relationship is not working? Alternatives?
    - 6) The role of mentor to mentee does not include a performance review/reporting role unless the mentee is engaged in illegal activities.
    - 7) The mentor role as it relates to the PJ needs to be defined.
5. Issue: Organizational Structure of the Training, Quality Development Bureau:
- a) The Bureau should be led by a PJ.
  - b) The PJ would have supervisory responsibilities for the PS including rehearings and reporting directly to the CALJ.
6. Issue: Staff Meetings:
- a) PJs should have them at least monthly conducted by the HS and PS.
  - b) There should be an advance agenda setting out the discussion points, Issues to be shared, training subjects, and case sharing opportunities.
7. Issue: Statewide Staff Meetings:
- a) There should be statewide staff meetings at least twice a year for ALJs and Support staff.
  - b) They could be done by video.
  - c) They could be done regionally with North and South doing separate meetings to cut down on the number with a regional site selected.
8. Issue: What if cases could be scheduled by issue or program category?
- a) This is an IT issue.
  - b) If it could be done, calendaring might be a real challenge.
  - c) This would enable those judges to deepen their program knowledge, hearing time would decrease, writing time shortened, penalties reduced, and the error rate would go down.
  - d) The judges should be rotated every two years so all judges have an opportunity to have the broad spectrum or exposure to all programs.
9. Issue: Use of new ALJs who want to volunteer to work on special projects.
- a) New ALJs come in with a wealth of experience and are very enthusiastic about the work.
  - b) We should tap that resource and use it to develop procedures and advisory notes for all ALJs.
  - c) OIB manager is interested in developing this idea.