

## 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 and enhance technological resources available to the OAH*

**Discussion:** 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 continue to enhance efficiency and productivity by utilizing automation to complete routine clerical tasks such as filing documents in docketing system and forwarding notice of the filing of such documents. To this end, OAH has implemented its proprietary automated electronic system to docket the tens of thousands of motions and other documents filed by parties each year. This has saved OAH thousands of dollars in labor costs and will continue to do so over the coming years as it has largely eliminated the work load associated with staff manually docketing such entries.

b. OAH will continue to refine and enhance its utilization of Google Email and Google Calendaring in conformity with ADOA requirements. To this end, OAH has developed proprietary methodologies to make Google compatible with OAH's existing docketing system, saving tens of thousands of dollars that would have otherwise been required to purchase and deploy new docketing system software.

In addition, OAH has developed a proprietary system to automatically preserve and download hearing recordings into OAH's docketing system. This substantially reduces the possibility of a hearing recording being lost during a manual downloading process and has also eliminated the work load associated with staff manually downloading hearing recordings.

c. OAH will continue to offer Google Meet video conferencing to parties for all hearings. Parties can appear by video conference for hearing from any location, saving litigants and witnesses travel time and associated expenses incurred when appearing for hearings in person at OAH. In addition, in cases which are open to the public, spectators can also observe hearings via Google Meet.

d. OAH will continue to transition all server functions to the cloud in the coming year.

- e. OAH is enhancing the functionality and security of its electronic filing portal to simplify and enhance litigants' ability to file motions and documents electronically with OAH.
- f. OAH will continue to regularly survey technological advances through relevant literature in order to stay abreast of and implement time and cost saving technologies.
- g. OAH will consult with other central panel directors regarding technological approaches to the delivery of efficient administrative hearing services.
- h. OAH will replace aging equipment and update software.

**Expected Outcome:** OAH will ensure greater business efficiency and continuity.

## **Strategic Issue 2:**

**Statement:** *To have all state agencies and superior courts exchange documents with OAH electronically.*

**Discussion:** All agencies save one for which OAH provides hearing services currently exchange requests for hearings, final agency actions, agency records, and decisions electronically. In addition, OAH has implemented electronic record exchange with the Maricopa County Superior Court for judicial appeals from final agency decisions.

**Challenge:** While all agencies save one have now converted to electronic documents, electronic exchange of documents with some of the superior courts in Arizona is still not available to OAH.

### **Strategies:**

- a. OAH will continue to work with any agency that has not yet converted to electronic documentation to accomplish that goal.
- b. OAH will continue to foster relationships among client agencies with differing technological capabilities to ensure that efficient and up to date methodologies are utilized for electronic filing.
- c. OAH will look for ways to implement, increase and enhance electronic filing for matters appealed to superior courts outside of Maricopa County. In the past fiscal year, several superior courts in Arizona have begun electronic filing through the E Courts filing system. OAH will work to obtain the ability to electronically file appeals records with those courts.

**Expected Outcome:** Both OAH and 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. After the advent of the COVID 19 pandemic, mediation resources at OAH have been somewhat underutilized.

**Strategies:**

- a. OAH has fully implemented mediation for several state agencies which send cases to OAH.
- 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 to litigation with an eye toward encouraging increased litigant utilization of mediation resources.
- c. OAH is assisting a state agency to implement a pilot program of mediation within that agency where mediation will be more efficient and effective for litigants with cases coming from that agency.
- d. OAH has 7 trained mediators, thus permitting OAH to expand the availability of mediation to parties seeking mediation. OAH will continue to offer parties and agencies expanded mediation resources.

**Expected Outcome:** OAH's expanding mediation resources will save parties time, effort, money and anxiety and conserve precious state resources. In turn, this will ultimately reduce state expenditures associated with protracted litigation in administrative proceedings.