



NAHO NEWS

*...benefitting hearing officials
and the individuals they serve...*

NATIONAL ASSOCIATION OF HEARING OFFICIALS

DECEMBER 2020

Taking Care of Yourself During the Pandemic

Bonny M. Fetch (ND)

For most of us, 2020 stands out as the most stressful year we have ever experienced. Speaking for myself, it is rivaled only by the year I was first diagnosed with cancer. Besides the personal challenges wrought by the Coronavirus (COVID-19) pandemic, there has been a dramatic effect on how we work and how our workplaces have restructured.

For many, home has become the workplace. The job of a hearing official is inherently stressful. Prehearing work is often time-consuming. Hearings can be confrontational, lengthy, and arduous. It is often a struggle to find adequate time for decision writing. Any or all of these factors may lead to working longer hours beyond the normal work schedule to meet looming deadlines, taking away from personal, family time. Bringing those dynamics into the home most assuredly makes it more difficult to unplug from work mode and transition into personal and family life.

But whether or not you work from home, we have all had to make huge changes in our routines and our daily lives. There has been a flood of information and misinformation about the pandemic, resulting in uncertainty about pretty much every aspect of life. Feelings of anxiety, fear, sadness, isolation, lack of control over one's own life have been commonly reported during this time. Surveys show a major increase in the number of adults in the U.S. reporting

symptoms of stress, anxiety, and depression during the pandemic. It is crucial to develop and practice good self-care strategies to take care of your physical and mental health and cope during this challenging time.

The World Health Organization (WHO), the Centers for Disease Control and Prevention (CDC), and the Mayo Clinic provide a wealth of reputable information to aid in managing stress during the pandemic on their websites. This article is largely comprised of information found on those websites.

It is important to recognize symptoms of stress you may be experiencing. The following is not an exhaustive list, but may include some or more symptoms that job stress might be causing or contributing to.

SYMPTOMS OF STRESS

- Feeling irritable, angry, or in denial
- Feeling uncertain, anxious or nervous
- Lacking motivation
- Feeling tired, overwhelmed or burned out
- Feeling sad or depressed
- Having trouble sleeping
- Having trouble concentrating
- Lack of appetite or overeating
- Increased use of alcohol

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NAHO Annual Membership Meeting

Colleen Ulrich (GA)

On Sunday, September 20, 2020, NAHO hosted its Annual Membership Meeting virtually for the first time via Zoom due to the cancellation of the Fall 2020 conference amid the COVID shutdown. Thirty-one members participated in the online meeting highlighting the diligent strides our organization has made toward continuous improvement and education over the past year despite the pandemic. Read on to hear about our exciting progress!

PRESIDENT'S REPORT

President Toni Boone introduced the Board of Directors and discussed the various roles of the Board. Due to the challenges presented with the cancellation of the conference, President Boone and the Board felt that it was vital to update committee structures and responsibilities to expand our professional development and resource development to meet the new educational needs of our members. A motion was approved by consensus to approve an interim use of Ad-Hoc committees until a vote can be taken to update and change any by-laws at the Fall 2021 conference. These interim Ad-Hoc committees will remain intact until 2022. NAHO is currently updating the website to provide more online content of interest, offer various webinars and online learning opportunities, unveil an online mini-conference for Spring 2021, and develop groups to promote networking between conferences.

VICE-PRESIDENT'S REPORT

Vice-President Peter Halbach shared the challenges of "unplanning" the Fall 2020 conference due to COVID. In the meantime, Mr. Halbach discussed the need for NAHO to continue to broaden its horizons to reach excellence in professional learning as NAHO's mission to provide meaningful training to hearing officials is vital. As such, NAHO is focusing on continuing education with webinars and a mini-conference in the spring. The Philadelphia conference has been rescheduled for September 12 – 15, 2021, which has a plethora of exciting extra-curricular activities available such as gardens, museums, and sports! In looking toward the future,

NAHO is looking at possibilities for the 2022 conference in the Western US region. The National Judicial College has invited NAHO to use their campus facilities in Reno, Nevada. Members who have any great ideas for future conference locations or agencies who would like to help host a future conference are asked to contact Mr. Halbach.

TREASURER'S REPORT

Treasurer Cindy Antrim highlighted the main income and expense line items for the July 2019-June 2020 budget. A motion was approved by consensus to approve the Treasurer's Report.

July 2019-June 2020 Income Highlights:"

Membership fees – \$ 11,455.06

Library fees – \$732.39

Certification fees – \$449.20

NAHO Merchandise - \$1890.80

Income totals - \$14,539.74

July 2019-June 2020 Expense Highlights:

Accounting & IRS Tax Prep - \$907.50

Board Conference Travel - \$8491.29

Future Conference Selection Committee:
\$1063.06

Liability Insurance Policies - \$3384.27

Newsletter & Marketing Design - \$1095.00

Website Production & Marketing - \$2332.80

Merchandise Purchase - \$4388.67

Total Expenses: \$22,270.38

Deposit for 2021 Conference - \$27,000.00

Ending Balances:

Checking \$11,603.30

Savings \$35,576.80

Total Account Balances - \$47,180.10

BY-LAWS COMMITTEE REPORT

Sarah Huber, Mountain Region representative, shared the By-Laws and Policies report. Since NAHO is incorporated in Kentucky, KRS 271B.8-200 allowed NAHO to offer a virtual meeting in lieu of an in-person meet-

ing without a change to the by-laws. In the coming year, changes to the by-laws will be proposed for membership vote.

MEMBERSHIP COMMITTEE REPORT

Membership Chair and Western Region representative, Marilyn Slifman, reported that at the time of the Annual Membership Meeting, NAHO had 249 current members and that 36 new members had been approved thus far in 2020. Additionally, in view of the cancellation of the 2020 conference, the Board approved granting an extended membership until 12/31/2021 to all new members and to any renewing members whose membership had lapsed in 2020, waiving the \$10 late fee. If you have questions about annual membership dues or renewals, please reach out to Marilyn Slifman.

CERTIFICATION COMMITTEE REPORT

Jimmy Stokes, Certification Committee Chair, highlighted that 98 NAHO members currently hold certification. In 2020 three members have earned certification and six members have earned recertification. During the NAHO meeting, Mr. Stokes requested that due to the Fall 2020 conference cancellation, members vote to give the Board of Directors the authority to extend the current certification for one year for those members whose certification expires this year. The motion was approved by consensus.

CONTINUING EDUCATION COMMITTEE REPORT

Continuing Education Chair and Northeast Region Representative, Mary Long, praised Clayton Mansfield, former chair, for the excellent foundation he provided for this committee. She reported on the continued progress this year. Videos are now available electronically with Vimeo and library cards are now available for the package price of 10 for \$100, with individual rentals for \$15. As an added benefit, many of the 2016-2019 classes have written materials included and upcoming

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FROM THE EDITOR

Welcome the Lessons

Bonny M. Fetch (ND)

It's fair to say that everyone has experienced an enormous amount of stress and strain this past year. It is understandable that the negative impacts of the pandemic may have made us forget there are still many positive things happening. And there are lessons to learn from this dark time and how we respond and how we can grow.

Following is a poem I wrote some years ago when it had been a difficult year for me. It gave me a fresh perspective then and it strikes that same chord for me now. I hope it might offer the same for you.

A New Year's Reflection

Bonny M. Fetch © 12/87

In the twilight I went walking
as the snowflakes kissed my ear,
a voice so softly whispered
"it's that special time of year."

I spun around, amazed,
for there was no one else in sight.
I realized you hear things
when you're by yourself at night.

Then again I heard it,
a voice so soft and low,
and I opened up my heart
for it was floating on the snow.

"This year is almost over,
the next will soon begin,
think of where you're going
and think of where you've been.

"You take so little time
to reflect upon your life,
you let the best go by
in the turmoil of the strife.

"For you're given many lessons
to learn along the way
and if you do not learn them
you'll repeat them all one day."



Bonny M. Fetch (ND)

I thought then of the pain and doubt
this year had brought for me.
"You don't learn from easy lessons,
it's the hardest ones, you see."

Then I stopped and all was quiet
as my tears fell on the snow.
I thanked God for the pain
and for all I'd come to know.

I looked up toward the starlight
at it's even, steady shine,
it would be all right, I knew,
the silent voice was mine.

**ON BEHALF OF ALL OF US AT NAHO
– For those who experienced the loss
of a friend or loved one this past year,
our deepest condolences. May your
remembrance of those dear ones be
comforting. 🙏**

Quotes from NAHO Webinars in September and November

Toni Boone (OR)

Virtual Access to Justice: Conducting Remote Hearings Using Video-Conferencing Platforms 09/24/2020

This session had 89 attendees, and many left positive messages on the chat function as they exited the class. Toni Boone, the class instructor, received many wonderful emails following the class as well.

These included:

"Loved your webinar on remote hearings!"

"I enjoyed your presentation!"

"Very informative and comprehensive!"

"Outstanding!"

"Great job today!"

"Appreciated the class today."

Developing the Record of In-Person, Video, and Telephonic Administrative Hearings 11/19/2020

Quotes from the 103 attendees include:

"Great work!"

"Thanks!"

"Thank you both [Toni Boone and Mick Gillette]! It was great!"

"Thank you for the informative webinar. I found it very helpful."

"This class on developing the record is my favorite class yet."

"I enjoyed today's webinar and I think that the idea of having monthly webinars in lieu of one virtual conference is excellent. It keeps the membership connected over time and may result in building relationships." 🙏

TAKING CARE OF YOURSELF DURING THE PANDEMIC *From page 1.*

If you recognize any of these symptoms in yourself, especially if they become pervasive, step back and consider adopting some of the following coping mechanisms.

1. KEEP UP WITH DAILY ROUTINES AS MUCH AS POSSIBLE

- Avoid the temptation to expand your work schedule beyond set times. Mark off your work schedule with a bright line, and do not allow the line between work time and personal time to blur.
- Go to bed and get up at your regular times.
- Eat meals at regular times.
- Continue to do normal activities at regular times.

2. TAKE CARE OF YOUR PHYSICAL HEALTH

- **Get enough sleep.** Sticking close to your regular sleep schedule will help you maintain better sleep.
- **Eat healthy.** Choose a well-balanced diet and avoid junk food and refined sugar. Limit caffeine which can further aggravate stress and anxiety.
- **Get regular physical activity and exercise.** It can help to reduce anxiety and improve mood.
- **Avoid alcohol and drugs.** These can increase stress and impair your ability to cope.
- **Limit screen time.** While it may be necessary for work, make a conscious effort to reduce the time spent in front of your computer, television, tablet and phone. Turn off electronic devices for some time each day, including 30 minutes before bedtime.
- **Relax and recharge.** Carve out some time just for yourself each day. There are innumerable ways to relax and recharge. Listen to music or play your own musical instrument, read, soak in an aromatic bubble bath, do art or some other creative project, cook, get out in nature, etc. Many people benefit from such practices as deep breathing, tai chi, yoga, or meditation. The point is, do whatever helps you relax and recharge.

3. TAKE CARE OF YOUR MENTAL HEALTH

Some of the factors involved in taking care of mental health are similar to or the same as taking care of physical health. The body-mind connection is a beautiful blend of both.

- **Maintain a regular schedule.** Keeping a regular routine is as important to mental health as it is to physical health. In addition to the benefits mentioned earlier, the predictability of a regular routine can help to make you feel more in control.
- **Limit exposure to news media.** It is important to keep informed about COVID-19, but a constant barrage of input from all types of media can heighten fears about the disease and exacerbate anxiety and even feelings of helplessness or hopelessness. Be sure to get information from reliable sources and limit social media which may be full of rumors and false information.
- **Use distraction to combat negative thoughts which contribute to anxiety and depression.** Stay busy - work on hobbies, start a new project, fix up your home, reorganize your closets, etc. Focus on doing something active to help manage anxiety and depression.
- **Focus on positive thoughts.** Make a choice to focus on the multitude of positive things in your life instead of dwelling on what is making you feel bad. Maintain a sense of hope and try to keep problems in perspective.

A favorite passage I use regularly as an affirmation for my yoga classes fits perfectly here:

“Every day, think as you wake up, today I am fortunate to be alive. I have a precious human life, I am not going to waste it. I am going to use all my energies to develop myself, to expand my heart out to others, to achieve enlightenment for the benefit of all beings. I am going to have kind thoughts towards others. I am not going to get angry or think badly about others. I am going to benefit others as much as I can.” ~ Dalai Lama XIV

- **Use your moral compass or spiritual life for support.** Drawing strength from a belief system can be comforting and supportive during this difficult time.
- **Set priorities.** Set reasonable schedules and goals to avoid becoming overwhelmed by

creating burdensome or unrealistic lists of things to accomplish while you are home more. Recognize that the road to achieving your goal may be long, so give yourself credit for each step of the way to achieving that goal, no matter how small.

- **Connect with others.** Staying at home and distancing does not mean you need to socially isolate. There are many ways to make virtual connections, by email, phone, texts, and various apps and on-line face to face connections. If you are working remotely from home, keep in contact with co-workers using these virtual means to maintain a sense of continuity with your employment.
- **Get help when you need it.** It is normal to feel stress and anxiety during a crisis. The extreme challenge of the COVID-19 pandemic is testing pretty much everyone's ability to cope. But if you find yourself feeling helpless, angry, sad, irritable, hopeless, fearful, anxious, or have trouble concentrating on typical tasks or routine chores, changes in appetite or difficulty sleeping, or increased body aches and pains, and these symptoms last for several days in a row or cause problems in your daily life so that you find it hard to carry out normal responsibilities, it is time to ask for help. You may use any of various sources to get help:

- 1) Talk to a close friend about your feelings. Sometimes just expressing your feelings can be therapeutic.
- 2) Contact a spiritual leader in your faith community.
- 3) Contact your Employee Assistance Program and ask for counseling or a referral to a mental health professional.
- 4) Contact your primary care provider or mental health professional.

In the final analysis, we cannot avoid all stress, nor should we. A good gauge is to have enough stress to keep you on your toes, but not enough to drain you. Aim for the sweet spot in the middle. And remember, this pandemic will not last forever. Take care of yourself and come out stronger and wiser. 🙏

Sources:
www.who.int #Healthy At Home – Mental Health
www.cdc.gov Employees: How to Cope with Job Stress and Build Resilience During the COVID-19 Pandemic; Coping with Stress for Workers
www.mayoclinic.org COVID-19 and Your Mental Health

How We Are (Still) Working

Janice B. Deshais (CT)

In June, some NAHO Board members shared their situations and thoughts about working remotely during the pandemic. (See NAHO News, June 2020, www.naho.org.) In what has turned out to be a long haul, most of us, even if we are back in our office and wearing masks, are still conducting hearings remotely. For some, it has become the new way all our hearings will be conducted from now on.

Some Board members have updated their reports and we have heard from other NAHO members about how they are adapting to this “new reality.” This information shows more than just “making do.” I see adaptation, creativity, dedication and a belief that we will do whatever it takes to continue to do our job to provide timely, fair and full hearings.

Here are some updates and additional thoughts on How We are Working.

Mary Long (PA), Northeast Regional Representative, ALJ, Pennsylvania Public Utility Commission

Even before working remotely, the vast majority of my hearings were conducted by telephone. Thus, for me, moving to a remote location was not a significant adjustment in that regard. However, while I was issued an agency laptop computer, I do not have an agency printer. Working remotely has forced me (finally) to read more material in electronic format. I have also had to adjust the way I take notes and keep my “tickle file.” I used to have a routine of color-coded tape tabs in my transcripts, for example. While I still print certain types of exhibits and filed written testimony in my technical cases, I now keep most of my notes for my simpler cases in individual Word documents and have reorganized my digital filing system. I use reminders in my Outlook calendar more heavily. I hope, over time, to become less paper dependent, and perhaps this will be a positive practice to come

from the pandemic.

Toni Boone (OR), President, ALJ (retired), Administrative Hearings Division, NV Dept of Motor Vehicles

I am still doing as much teaching as ever for the NJC—I’m just doing it online now (through WebEx, mostly). The agencies who are asking NJC to provide “custom courses” are all still asking them to provide best practices for conducting remote hearings, among other things. Individual states and the NJC have been providing such classes regularly and the offices of the court administrators in many states have wonderful guidelines on conducting remote hearings. Nonetheless, what I have heard (since June) from hearing officials regarding “how they work” is consistent—there is still much uneasiness, concern and apprehension regarding conducting hearings remotely, whether by video-conference or by telephone.

In addition, I am regularly receiving emails from NAHO members, former NJC students, and others who are concerned that they might be doing something wrong in conducting remote hearings. They are worried that record retention rules or FOIA concerns have suddenly changed because many hearings are being done remotely. I am worried that they may be seeking something to worry about. (Perhaps it is the atmosphere of the pandemic.) I just know that the nervousness regarding conducting hearings in a different way remains, even with training on conducting hearings of this type and despite their growing experience in conducting hearings of this type.

Marilyn Slifman, Western Region Representative, Contract Hearing Officer, Orange County (CA) Animal Care
My hearings are now telephonic. All hearings are audio recorded. Docu-



Janice B. Deshais (CT)

mentary or video evidence both parties intend to submit is sent to me before the hearing. At the start of the hearing, I identify all documents and videos that I have received. Where video or cloud-based videos have been submitted to me, I state the running time as shown on the video or site to which I have been directed to view.

Cindy Antrim-Rutledge, Treasurer, and Colleen Ulrich, Secretary, Gwinnett County (GA) Public Schools, Student Discipline and Behavioral Interventions

We are back to doing face-to-face hearings with COVID safety protocols in place. We held our first “group” hearing [December 2] with 7 students, 7 parents, 3 assistant principals, 2 hearing officers, and 1 interpreter all in the same room. (Try singing that right along to the tune of the “Twelve Days of Christmas.” LOL!)

We are very creative with seating, plexiglass, masks, and cleaning. We share flyers on safety protocols for disciplinary hearings with participants (parents, visitors and staff) prior to the hearing to outline all safety protocols.

Janice Deshais (CT), Past President, Hearing Officer, CT Dept of Energy and Environmental Protection

I continue to conduct pre-hearing conferences and hearings through Zoom.

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How We Are (Still) Working *From page 5.*

I have used other platforms such as Teams and WebEx, but find I am most familiar with Zoom and tend to use it if I can. I have experienced an occasional technical glitch, but internet connectivity issues and operator errors were to blame. Frustrating as that was, I am not sure any of these new technologies are foolproof and we have to remember that.

The other problem I have encountered is the phenomenon known as “Zoom bombing.” This is a most unfortunate experience that I have had to deal with in meetings or hearings that are for public comment or information. I removed the trouble-makers but not before my hearing “room” was populated with profanities and threatening pictures. This can be an upsetting experience and very disruptive to you as the hearing officer. Zoom has added some security measures to their platform to help prevent intruders, but it is difficult for hearing officials who conduct public hearings. I now require registration and that has helped. In addition, all notices of public hearing advise that anyone disrupting a hearing will be removed and that anyone registering without a full name or using an obscene identification will not be admitted from the waiting room. In short, I handle bombers as I would a disruptive person at a hearing – don’t let them in or get them out!

MISCELLANEOUS MEMBER REPORTS

I have heard from a few members about how they are facing the “trials” of remote hearings.

1. One member had a particularly challenging situation and devised a great way to provide hearings. She normally conducts one-on-one hearings in a small hearing room at her office. Her office is closed to the public and she cannot conduct online hearings as the majority of people who request

hearings do not own or have access to computers and language issues present obstacles for phone hearings.

To continue to provide hearings, this member set up a computer at a desk in her agency’s lobby. Through Teams, she is able to link to the computer and conduct the hearing from her office upstairs. Before the hearing, she places copies of all the information needed at the desk. The petitioner comes to the lobby (and can bring one person to help with language) and sees signage to direct him or her to the desk. A security guard in the lobby can assist if needed. The hearing proceeds, and the hearing officer provides a complete hearing without any contact!

2. Another member told me he has increased the number of matters he accepts “on the papers” without a hearing. He realizes this is something fairly unique for him, as he conducts very specialized types of hearings and the agency’s rules of practice allow for this procedure, particularly in emergency situations. However, he suggests that this might be a solution for some hearing officials to consider.
3. Finally, one of our members has never stopped doing in-person hearings! His agency has installed plexiglass that he sits behind while conducting a hearing and face masks have been required since June. Admittedly, COVID had not been a significant problem in his part of the country, but the recent increase in cases is making him wonder how much longer this will continue.

Well folks, that’s it for now. Let’s hope that there is a light at the end of this long tunnel soon. In the meantime, it is great to see that we hearing officials are finding ways to carry on and provide hearings for the agencies we serve! 🏠

NAHO Annual Membership Meeting *From page 2.*

webinars will be recorded and available for rental. The NAHO website includes a plethora of information with a list of categories for certification. Start your path toward certification today.

COMMUNICATIONS COMMITTEE REPORT

Bobbie Marshall, Southwest Region representative, and Janice Deshais, Immediate Past President, gave their reports on the Communications Committee. Ms. Marshall shared that major changes are coming to the website to facilitate NAHO’s ongoing progress on communications and professional learning. Additionally, be sure to follow all the current social media profiles for NAHO: Facebook, Twitter, and LinkedIn. Share posts with your colleagues and spread the great news of NAHO! Ms. Deshais highlighted that NAHO has already published two newsletters this year. Bonny Fetch, Editor, and Ms. Deshais, Associate Editor, are always looking for members to submit ideas for news and special interest stories. The newsletter is a great way to inform members about “just in time” topics such as mental health and virtual hearings, which of course, is very timely and useful these days. Submit your ideas today. Tell us what is important to YOU.

MERCHANDISE COMMITTEE REPORT

After an update on current NAHO merchandising and NAHO face mask prototypes, President Boone shared that merchandise is available on the website.

ADJOURNMENT

Various members commended the virtual format and the diligent work of the Board and committees throughout the year. The meeting was adjourned until the next Annual Membership Meeting on Tuesday, September 14, 2021, in Philadelphia, Pennsylvania. 🏠

Bending the Bend

Peter Halbach (ND)

Helen Keller once said, “A bend in the road is not the end of the road, unless you fail to make the turn.”

This year NAHO was compelled to cancel (postpone) its Annual Professional Development Conference which had been set for Philadelphia in September 2020. If you are familiar with NAHO’s history, you know that the annual conference has been at the core of what we do, providing education, training, and networking opportunities to hearing officials. If you are not, I recommend reading the “History of NAHO,” by Bonny M. Fetch (ND), Past-President and NAHO Historian/Archivist, found at <https://naho.org/History-of-NAHO>. For us, “Professional Development” is not a slogan, but a mission.

NAHO did not take this unfortunate circumstance as the end of the road, not for the

organization, not even for this year. Responding with monthly webinars, free to its members, NAHO has continued to offer opportunities to learn and grow. The response of the membership has been heartening and compelling, as discussed elsewhere in this newsletter.

We will have live conferences again. The next is scheduled for Philadelphia in September 2021. Meanwhile, we will not be confined to an annual conference, as the need for continuing training and education persists throughout the year. In addition to our conferences and library resources as we have known them in the past, we will go forward with not only live webinars but with online streaming and virtual conferences.

The evolution of NAHO will be reflected in changes to our website as well as our commit-

tees. Your conference planning committee is now a continuing education committee. Planning is under way right now for a mini virtual conference in the Spring of 2021.



Peter Halbach (ND)

No, NAHO is not missing the turn, but bending with the bend. The postponement of the 2020 annual conference is not so much a bump in the road, but the ramp to NAHO’s future. 🏹

MEMBERSHIP CORNER

Marilyn Slifman (CA)

It is time to renew! NAHO’s Annual Professional Development Conference has always generated new and



Marilyn Slifman (CA)

renewing memberships. The 2020 conference was postponed and the pandemic impacted some members and agencies who were unable to commit to renewals during 2020.

The Board of Directors removed the \$10 late fee for all renewing members in July, and offered all new and 2020 renewing members

an extended membership through the end of 2021. This means that if your membership lapsed in 2020, you can still renew it by Dec. 31 and have your membership marked paid in full through the end of 2021.

NAHO’s membership had remained at about 300 active members before the pandemic. At the virtual Annual Membership Meeting in September, I reported that we had 249 members. I am pleased to report that since then our active membership has increased to 263.

The Membership Committee has proposed more benefits for renewals and new members for 2021. These proposals are presently before the Board, so watch NAHO’s website and your emails for the latest updates. New and renewing groups continue to have the opportunity for customized training by one of NAHO’s expert instructors, by webinar now, and after the pandemic resuming to optional on-site training.

Additionally, in early 2021, NAHO’s website will offer more member benefits in On-Demand Learning for webinars and replays, Speaker’s Bureau, Practice Groups, (and, yes please!) NAHO insignia merchandise, and more.

Renewal dues have not increased. They remain at:

- 1 Year - \$50 (Associate Members \$35)
- 3 Years - \$115 (Associate members \$100)
- Groups of 5 or more renewing at the same time: \$40 each for 1 year

To renew, log in with your email and password at www.naho.org. For groups, have your Administrator contact me for the discount and an invoice. If you need to reset your email or password, there is a link on the homepage, or you can email me for assistance at marilyn.slifman@naho.org.

Thank you to all the members who communicated with me and with your Regional Representatives in these past months. 🏹

Warmest Holiday and New Year’s wishes to you all.

Get the Most from Your NAHO Membership: On Demand Learning

Mary Long (PA)

Whether you are an experienced hearing officer or newly appointed, your bench skills are your most important professional asset. The NAHO On Demand video library can help you polish skills you already have or provide you with a foundation for new skills that you need to effectively do your job. These courses are taught by expert hearing officers from across the country.

Many of the more recent recordings also have written materials which are available for you to access in the Member's Section of the NAHO website. Each title costs just \$15 to rent. An "On Demand 10 Title Bundle" (formerly the "library card") can be purchased for \$100.

Popular Titles Borrowed in 2020:

2008-04
Writing the Decision: Nuts and Bolts
(Geller, Hemenway)

1998-02
Decision Writing (Burnett)

1999-04
Judicial Demeanor and Temperament
(Geller, Hemenway)

New Titles:

Missed NAHO's monthly webinars in September, October or November? These titles are available to rent:

2020-01
Virtual Access to Justice: Conducting Remote Hearings Using Video Conferencing Platforms (Toni Boone)

2020-02
Medicaid Disability Adjudication
(Colleen Clark) (*Coming Soon*)

2020-03

Developing the Record of In-Person, Video, and Telephonic Administrative Hearings (Toni Boone/Mick Gillette) (*Coming Soon*)

Note to 2020 Library Card Members:

If you purchased a library card during 2020, please use up your remaining rentals by April 1, 2021. If you aren't sure how many titles you have left, please email me:

mary.long@naho.org 📧



Mary Long (PA)

Recent NAHO Certifications

Jimmy Stokes (GA)

Earlier this year the Board of Directors and Certification Committee approved Patricia Bradach (WY), Rebecca Ophus (ID), Susan Dixon (FL), Rodney Moorehead (VI), and Norman Patenaude (NH) for recertification. They also approved for new certification Toyya Williams, CHO (SC), and Lori Woodward, CHO (WV).

In September, the Board and Committee approved the recertification of Colleen Ulrich, CHO(GA). Colleen serves as a hearing officer for the Gwinnett County Schools and is the current NAHO Secretary. Also approved for CHO recertification was Mary Dempsey. Mary is the Director of Appeals for the Montgomery County School System in Rockville, MD. Jim Gerl, a very popular NAHO lecturer, was approved for recertification as a CHO. Jim is a partner in the Scotty and Gerl law firm and serves as a consultant and hearing officer for the State of Pennsylvania.

At its November meeting, the NAHO Board approved the application for Kristi Logan as a CHO. Kristi is a hearing examiner for the West Virginia Department of Human Resources.

The Certification Committee is composed of Richard Murrell, Tennessee; Ben Brauer, Maryland; Mayor Robert Pullen-Miles, California; Michelle Guilfoyle-Douglass, Florida; and Jimmy C. Stokes, Georgia. Questions regarding certification should be addressed to Jimmy Stokes at jstokes@gael.org or 770-601-3798. 📧



Jimmy Stokes (GA)

Conducting Hearings During the COVID Crisis

Janice Deshais (CT)

In the June newsletter, I invited members and others to share tips and advice on conducting hearings remotely to send them to me at Janice. Deshais@naho.org. My offer still stands, so feel free to continue to provide your thoughts to me. I did want to share some ideas and concerns I have received in the past months.

One member told me she takes more care in developing the record, and thanked NAHO for having a recent online class on that very subject. (Developing the Record, November 19, 2020.) Many folks are requiring all document submissions to take place before the hearing begins, with new documentation submitted at the hearing allowed only in special circumstances. One member said she has developed a “tickler file” to stay more organized in online hearings. A young father shared a funny story about his toddler’s interruption of a hearing, but admitted that he had to be more careful about having a quiet room for conducting hearings. Finally, several members have told me that they are much more competent with technology these days, and more than a few have admitted to thinking that online hearings are more efficient and

productive.

I have also received some concerns and issues. Some hearing officials have shared that they are thinking more about assessing witness credibility these days, and worrying that this is more difficult in an online hearing. I reached out to NAHO President Toni Boone for her thoughts. She agreed that it seems that hearing officials are not as comfortable at trying to assess credibility online as they are in person, but did not believe such concerns were totally justified. Toni emphasized that the techniques for assessing credibility are essentially the same for online hearings as they are for in-person hearings. And, she noted, the hearing official can both see and hear the witnesses. Toni noted that because we might be so accustomed to conducting our hearings in person, doing it online feels foreign or incorrect somehow, but the fundamentals are the same.

Personally, I find I am more “deliberate” in my assessment. I often ask more questions on the record (even if I am fairly certain of the answer) and find I allow the parties to ask more questions of a potential witness than I might have

in the past. I also require statements of credentials (whether they be resumes or CVs) be clearly accepted by the parties and I make sure that it is clear on the record whether the witness is an expert or a fact witness. I do this in in-person hearings, but I find I take more “belt and suspenders” steps in an online hearing. I also want to remind everyone reading this that the NAHO library has classes on witness credibility and other related subjects that can provide a comforting refresher.

Finally, I have heard from many members that they are more stressed than they ever were before. In addition to using the methods and techniques for organizing and conducting hearings more effectively and efficiently (again, I recommend a look at some of the classes offered in the NAHO library), I highly recommend your participation in NAHO’s next online meditation session (Reducing Stress Through Guided Meditation, December 17, 2020). Led by Past President and yoga instructor Bonny Fetch, this 35-minute session will refresh you, relax you, and teach you how you can reduce your stress naturally. Go to www.naho.org for more details. 🙏



Happy Holidays

*May the Season bring you and your family much joy
and may you find many reasons to celebrate.*