



NAHO News

June 2015

Message from the PRESIDENT

I have the pleasure of inviting you to the 2015 professional development conference that will be held in Scottsdale, AZ from Sunday, October 25 to Wednesday, October 28. This annual convocation of hearing officials and faculty promotes the advancement of knowledge in our world of adjudicatory hearings, provides training on a variety of subjects and allows for the exchange of ideas and experiences with peers. The temperature there in October is pleasantly in the 70's and 80's during the day with cooler evenings and the sun shines over 300 days a year. The city is located in the beautiful Sonoran desert and is bordered by Phoenix to the west and the McDowell Mountains to the east. It is a renowned tourist and wintering destination that draws over six million visitors a year.

The conference will take place at Chaparral Suites with its Spanish colonial architecture, lush greenery, two pools, fitness center, lounge, restaurant, and conference center. The hotel honors the discounted federal government lodging rate and provides cook-to-order breakfast every morning as well as a hospitality hour every afternoon from 5 to 7 p.m. in the clubhouse. It is located about 20 minutes from Phoenix International Airport and the

hotel provides free shuttle service to its guests from 6:00 a.m. to 9:00 p.m. The hotel is also located about a mile from historic Old Town Scottsdale, upscale Fashion Square Mall and the trendy Fifth Avenue district with its 220 eclectic shops and boutiques, lounges, 70 restaurants, museums and 50 art galleries. It's an easy walk or you can ride the roving golf buggies for just the price of a tip. Scottsdale offers many recreational venues including dozens of golf courses that host famous tournaments and the Phoenix metropolitan area is the sixth largest in the country with lots to see and do in downtown Phoenix where the Super Bowl festivities took place earlier this year.

The conference planning committee under the leadership of the vice-president has once again put together an impressive program of training and special events. The conference officially begins with roundtable sessions on Sunday morning and a welcome reception on Sunday evening. The following three days of academic programming will feature an opening keynote address by the Chief Justice of the Arizona Supreme Court as well workshops on pre-hearing conferences, decision writing, ethics, bias, the fundamentals of evidence, conduct and control of hearings, preserving the record,

history of administrative law, dealing with diversity, due process, the impact of social media on hearings and many more timely subjects. Our program qualifies for continuing legal education credits in most jurisdictions.

In addition to the stimulating and educational programs, there will be many opportunities to relax and to get to know your colleagues from across the country. The registration fee includes the Sunday evening reception, the daily complimentary breakfast and hospitality hour, the complimentary airport shuttle service, all training classes, the Monday luncheon with the Attorney General, refreshment breaks and the Tuesday evening awards banquet. Please watch for our training program in the upcoming brochure and make your plans to join us in October for this great training program.

I look forward to welcoming you to "the west's most western town" as the city's slogan states.

Norman J. Patenaude, President



Norman Patenaude (NH)

The Chaparral Suites, Scottsdale, AZ



Photos courtesy of www.ChaparralSuites.com

THE CONFERENCE CURRICULUM: OLD FAVORITES AND NEW FEATURES

Janice Deshais (CT)

NAHO's annual conferences are structured to provide an array of educational courses on topics of generalized administrative law and hearing practice and specialized topics. This year's conference will be no different as courses are planned on dealing with difficult lawyers and hearing participants; ruling on objections; decision-writing; ethical challenges for hearing officials; preparing and preserving a solid administrative record; managing a high-volume caseload; and discovering and dealing with your biases as a hearing official.

Sunday, October 25, 2015

President Norm Patenaude will kick off the Conference with a 9:00 am session that will introduce attendees to the conference venue and the program to come. At 9:30 am, back by request, we will offer three Roundtables: Advice for the New Hearing Official; Challenges for Experienced Hearing Officials; and Effective Management of Hearing Officials. These highly interactive sessions provide an opportunity to not only learn from our presenters, but to also share experiences and discuss issues with other hearing officials from all across the country.

The afternoon is yours to enjoy what should be beautiful weather by the pool or visit Old Town Scottsdale or the greater Phoenix area. At 6:00 pm, make sure to return to the hotel for what should be a wonderful Welcome Reception.

Monday October 26, 2015

The Honorable Scott Bales, Chief Justice of the Arizona Supreme Court, will open the Conference at 9:00 am. The first sessions of the day will start at 10:00 am and cover how to deal with difficult lawyers and hearing participants, evidence fundamentals and the history of administrative law.

After a luncheon that will feature Arizona Attorney General Mark Brnovich, the afternoon will include sessions on decision writing, how to handle high volume hearings, dealing with HIPPA confidentiality issues

and ruling on objections. Two panel presentations will also be presented on Monday afternoon. The first will deal with the impact of social media on hearings and the second will define judicial demeanor, i.e., how to set the tone of a hearing and assure its success.



Janice Deshais (CT)

Tuesday October 27, 2015

Tuesday will open with the Annual Membership Meeting at 8:30 am. Following that session which will include the election of new officers and members of the Board, the morning will continue with a panel discussion on ethics for hearing officials, a presentation on due process and a session on how to assess witness credibility. The morning will finish with sessions that will include how hearing officials "find facts" and how to deal with diversity.

There will be plenty of time for you to enjoy lunch on your own before heading back for presentations on preparing and preserving an administrative record and how to handle high profile cases. The day will finish with three hour-long special classes, including how to take effective notes during a hearing and how to finally overcome your fear of public speaking.

Tuesday evening will feature our annual awards Banquet, which is a great time for us all to gather to reconnect with old and new friends and colleagues. The reception will start at 6:00 pm, followed by dinner at 7:00 pm.

Wednesday November 19, 2014

The final day of the conference will feature a special presentation on discovering and dealing with your own biases. Two more sessions will round out the morning. These sessions and the topic of the closing session of the Conference are still being finalized but promise to be interesting presentations to close out Conference 2015 with a bang!

Official NAHO Products Available at 2015 Conference

Toni Boone (OR)

NAHO offers a variety of items for purchase, at nominal prices, branded with NAHO's logo. Our most popular item, the tasteful NAHO lapel pin, will be available as usual. In addition, you will be able to order custom-embroidered NAHO jackets, shirts and blouses.

A new merchandise addition for 2015 is a baseball-style cap with the NAHO logo embroidered on it. The cap is a durable structured twill cap and will be available in both burgundy and navy. It will be ideal for wear under Scottsdale's sunny skies.

One of the more well-liked merchandise items at every NAHO conference is our computer/document bag with a zipper closure. This sturdy cloth case has pockets for everything from files to cellular telephones. We will have a number of these cases available for sale at the Scottsdale conference.

A popular apparel item at every conference is the NAHO t-shirt. This year we will have t-shirts available in both burgundy and navy and in a wider variety of sizes.

The upcoming conference in Scottsdale promises to be the best conference yet. We hope that you will attend. If you do, please stop by the merchandise booth to see the items that are available for purchase or that may be ordered. In the meantime, NAHO merchandise may be ordered year round via email at: inotenob@comcast.net

**More details about the curriculum and the Conference
will be featured in the 2015 Conference Brochure.**

Look for it this summer in your email box or online at www.naho.org.

NAHO Professional Development Conference 2015

Southwestern Skies in October

Jo Murphy (TN)

Let your imagination picture an abundance of sunshine with wide blue skies during the day, sunsets filled with the colors of the rainbow, and millions of sparkling stars during the evening. Doesn't this sound relaxing? You can experience these beautiful Southwestern skies and so much more by attending NAHO's 2015 Annual Professional Development Conference in Scottsdale, Arizona. We'll be heading for the city "Where the Old West Meets the New West" from October 25th through October 28th.

Between the conference sessions you may choose to relax at one of Scottsdale's famous spas then do some shopping in "Old Town Scottsdale" or at the Fashion Square Mall. You may want to check out some of the amazing art galleries, museums or simply experience a great meal. If you're more of an outdoor person, there are unlimited

adventures to peak your interest such as a swim at one of the hotel pools, a game of golf, jeep tour through the desert and/or mountains, trail rides, cookouts or a scenic trip outside the city. If you're into nightlife, you'll be interested to know that Scottsdale has been named by the New York Times as one of the "hippest and most happening places in the country". There's something for everyone. The average high temperature during October is 89 degrees and average low 56 degrees which is a perfect range for exploring.

The conference will be held at the Chaparral Suites in downtown Scottsdale. The hotel is only minutes from outstanding shopping and dining. Golf cart services are available as well as the free Scottsdale Trolley if you prefer a ride to a walk. Guests will enjoy spacious two-room suites set in the ambience of lush courtyards, 2 sparkling swimming pools and cascading fountains. Exceptional amenities include a cooked to order full American breakfast each morning,

complimentary evening reception with alcoholic and non-alcoholic beverages, airport shuttle service and Internet in your suite. The hotel grounds also have a nice restaurant and a cozy sports bar for those who don't wish to venture out on the town. Check out the hotel's website at www.chaparralsuites.com/. Full instructions regarding room reservations specifically for conference attendees will be included in the upcoming Conference Brochure.

So mark your calendar and get ready to join colleagues and friends in Scottsdale, Arizona for the 2015 NAHO Annual Professional Development Conference October 25th through October 28th. Additional details will be updated periodically on the NAHO website at www.naho.org. You may also want to check out the official travel site for the Scottsdale Convention & Visitors Bureau at www.experiencescottsdale.com/. This could convince you to add another day or so to your trip for more adventure.

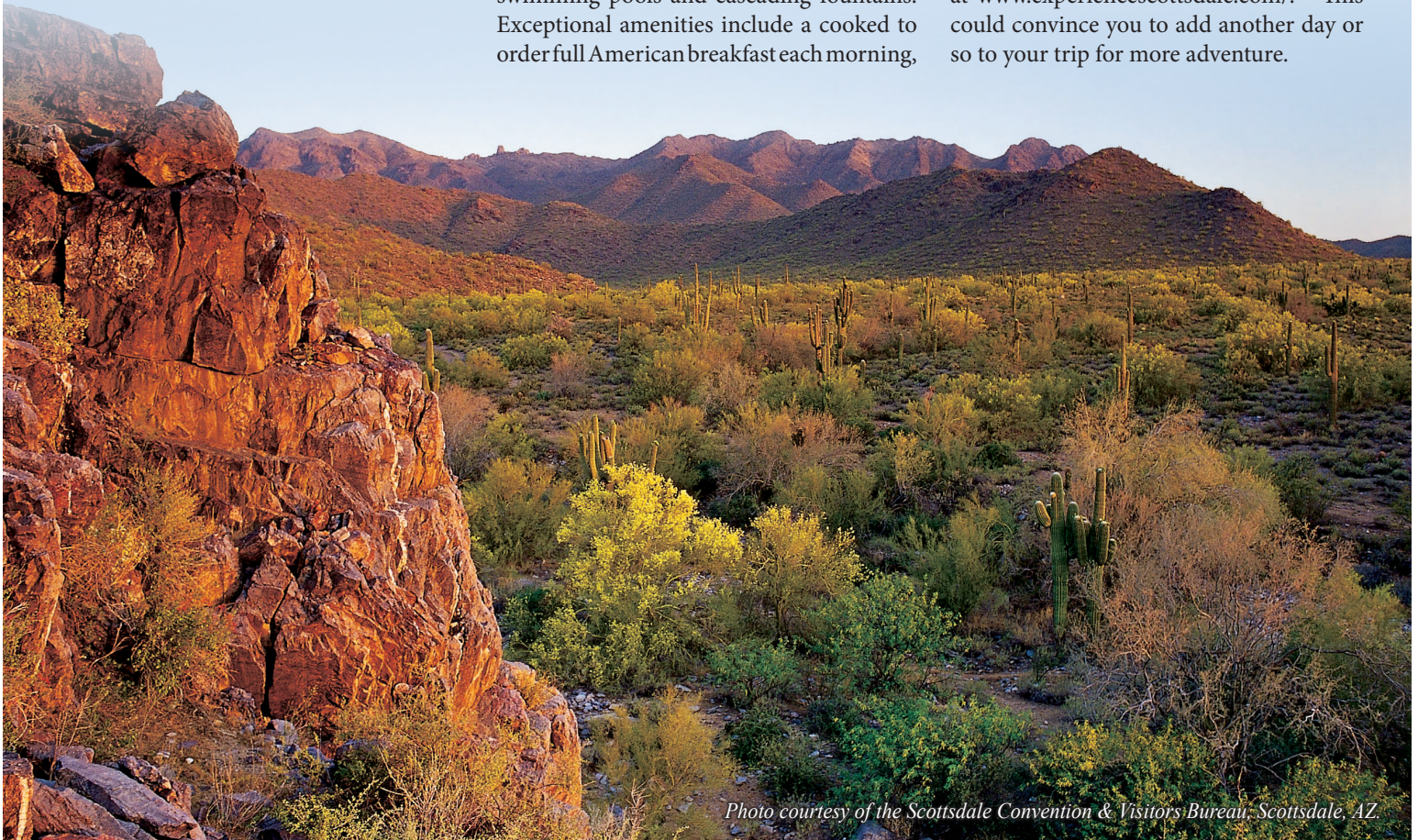


Photo courtesy of the Scottsdale Convention & Visitors Bureau, Scottsdale, AZ

\$500 National Judicial College Scholarship to be Awarded at NAHO Conference

Toni Boone (OR)

At the upcoming professional development conference, the National Judicial College will be providing a \$500 scholarship toward any resident (Reno-based) National Judicial College course or toward any on-line course NJC offers. The recipient will be selected at random during the meeting of NAHO's general membership at the conference.

Among the administrative law courses available from NJC's course catalog is its flagship administrative law course, "Administrative Law: Fair Hearing." It is an intensive, fundamental two-week course that provides specialized training for state and federal administrative law adjudicators. During the course, separate tracks are offered which recognize the differences between the conduct of low volume and high volume proceedings and allow the participants to focus on variant procedural elements. This year, it will be offered August 17-27 on NJC's Reno campus.

Another very popular course with administrative hearing officials is "Best Practices in Handling Cases With Self-Represented Litigants" which will be offered on the NJC campus July 13-16. "Best Practices in Handling Cases With Self-Represented Litigants," "Administrative Law: Fair Hearing" and all other NJC classes for administrative adjudicators will count toward certification by NAHO as a Certified Hearing Officer or Certified Administrative Law Judge.

If you weren't fortunate enough to have received the National Judicial College scholarship that was awarded at last year's NAHO conference but wish to attend an NJC class, don't worry. The National Judicial Colleges has other scholarships available. For more information regarding NJC courses for administrative adjudicators, go to this link: www.judges.org/alj/index.html

Scholarships Available for 2015 Professional Development Conference

Toni Boone (OR)

The NAHO Board of Directors has authorized a limited number of scholarships to NAHO members to attend the 2015 Professional Development Conference in Scottsdale, October 25-28. These NAHO scholarships cover the total conference registration fee and all group meals that are a part of the conference. NAHO scholarships do not cover travel expenses, lodging expenses or meals that are not provided as a part of the conference. Applicants for the NAHO scholarships must be members in good standing of NAHO.

The National Judicial College is also offering a scholarship to attend NAHO's upcoming conference. The NJC scholarship will cover the entire conference registration fee and all group meals that are a part of the conference. The NJC scholarship does not cover travel expenses, lodging expenses or meals that are not provided as a part of the conference. In order to apply for an NJC-sponsored scholarship to attend NAHO's upcoming conference, you must be an alumnus of the National Judicial College in addition to being a member in good standing of NAHO.

Those interested in applying for either or both scholarships must submit a letter to the NAHO Scholarship Committee with the following information:

- Verification that the applicant is a member in good standing of NAHO or has applied to become a NAHO member. Status may be verified by providing a NAHO membership number or by providing the date of application for membership.

- Employment information (employer, job title, length of time you have been a hearing official).
- Whether the applicant will be receiving any funding from your state or employer to attend the conference. If you will *not* be receiving any funding, please provide a letter from your supervisor/employer to that effect.
- Whether you are working on obtaining NAHO certification or recertification.
- Whether you have previously received a scholarship to attend a NAHO professional development conference and the year you received the scholarship.
- If you are applying for the NAHO conference scholarship awarded by NJC, please indicate the title of the last NJC course you completed, the location of the course and the year of completion.

Letters of application must be received by September 1, 2015, to be considered. Only application letters which provide all of the above information will be considered. Send your letter of application and any supporting information by e-mail to: inotenoob@comcast.net or by regular mail to:

Toni Boone, CALJ
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NAHO News

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NAHO “Speaker Resource” Offers Year-Round Training

Toni Boone (OR)

A vital part of NAHO’s mission is to improve the administrative hearing process by providing continuing education and training in administrative adjudication. In addition to its annual Professional Development Conference, you’re probably aware that NAHO holds an extensive and ever-growing library of instructional DVDs which members may rent. You might not be aware, however, that NAHO offers in-person training and education in administrative adjudication year round through the NAHO Speaker Resource.

Many NAHO members are unable to attend annual conferences. Yet, their need for continuing adjudicative education doesn’t end because they can’t attend a conference. Indeed, their need is probably greater. In an effort to supply that need, NAHO has developed a list of conference presenters and members who are experienced in teaching and/or training and who also have a background as an administrative hearing official, a judge in the traditional judiciary, or as a law professor. These members of NAHO’s

Speaker Resource are willing and available to travel to the location of a central adjudicative panel or an administrative agency to provide agency-specific or subject matter-specific training on an as-needed basis.

For example, if a workers’ compensation commission needed training specific to workers’ compensation hearings, they could contact NAHO. NAHO would then refer to its list of available speakers who have experience with workers’ compensation hearings and who are available to provide that commission with a brief seminar.

Alternatively, the administrative agency or central panel might request instruction on one or more specific subjects (e.g. Due Process, Hearing Management, Decision-Writing, Diversity, etc.) and NAHO would provide the names of instructors with experience teaching those subjects

The length of the seminar would depend on the needs of the agency or central panel and the availability of the instructor(s). Class

curriculum is determined by conference call(s). The presenter would then prepare the necessary training materials and travel to the agency/central panel locale to provide the training.

NAHO does not charge the agency or central panel for this type of training as the speakers donate their time as a service to NAHO and their fellow hearing officials. However, there are two prerequisites to receiving such training: (1) The agency or panel requesting the training must agree to cover the basic expenses of the speaker(s) who provide the training (transportation, lodging, cost of printing materials, etc.); and (2) All persons receiving the training must be active members in good standing of NAHO.

In the near future, NAHO will be offering on-line instruction through NAHO’s website. If you are interested in obtaining continuing adjudicative education from NAHO in the meantime, you should consider contacting the NAHO Speaker Resource at ino-tenoob@comcast.net

NAHO TECHNOLOGY COMMITTEE

Brian Ford (PA)

In late 2013, NAHO’s Board created the NAHO Technology Committee. Working in close coordination with NAHO’s librarian, the Technology Committee aims to modernize NAHO as an organization, thereby increasing NAHO’s services and supports to its members. The Technology Committee currently consists of Clayton Mansfield, (PA) and Brian Ford (PA).

In the context of NAHO, “technology” means much more than a website. Rather, the Technology Committee started its work by carefully assessing the tools that NAHO uses as an organization for the benefit of its members. It came as little surprise that the growth and vibrancy of NAHO’s membership has started to outpace the tools used by NAHO’s all-volunteer Board. Given the high level of service that NAHO members expect and deserve, the Technology Committee is currently tasked to help the Board select the tools that it will use to serve the membership going forward.

If your organization has implemented new technology, you know that these changes take time and are not always perfectly implemented. Nevertheless, the Technology Committee has every reason to believe that NAHO members will soon benefit from new technologies throughout the year. Members can look forward to better online membership management tools, a revitalized website, and more straightforward ways to interact with NAHO.

If you have ideas about how NAHO can better leverage technology to support its members, the Technology Committee welcomes your input and feedback. If you have significant experience with database management, website development, or best practices in rolling out new technological infrastructure within an organization - and are in a position to donate your time - please consider volunteering to join the Technology Committee!

NAHO CERTIFICATION

Michael G. Blain (FL)

What's in a name? When that name is followed by the title of Certified Administrative Law Judge (CALJ) or Certified Hearing Official (CHO) not only is the identity of the person in the name; but, also contained in the title is the unmistakable acknowledgement that the person bearing that name and title is dedicated to their profession. The title of CALJ or CHO sets forth without question the fact that the bearer has participated in a minimum of 52 hours of in-depth education in holding fair hearings and affording the participants due process along with having had a minimum of two years and in most cases a minimum of four years of experience in holding administrative hearings. CALJ and CHO certification also states without a doubt the person that attained that title possess the knowledge and experience necessary to conduct administrative hearings properly. Having received training in the areas of: Administrative Law, Due Process, Ethics, Evidence, Conduct and Control of Administrative Hearings, Credibility, Diversity or Multiculturalism, and Legal Research, along with elective areas and substantive program areas, these certification recipients have developed a strong foundation and understanding of basic and advanced theories and practices in the area of administrative hearings. Many times these certifications have answered the often asked question of "What makes you qualified to hold these hearings?"

In order to attain initial certification as a CALJ or CHO an applicant must be a current member in good standing of the National Association of Hearing Officials (NAHO), complete the required training along with the required years of experience and submit an application along with the appropriate application fee to the Certification Committee. Current educational and experience requirements can be found on the NAHO website at www.NAHO.org.

After obtaining initial certification a CALJ or CHO must qualify for re-certification once every three years. They must have attended one NAHO professional development conference or have completed a minimum of twelve hours of continuing legal education. This demonstrates a strong desire and a willingness to put forth the re-

quired effort to remain current in the ever changing trends and standards of administrative hearings. Prior to the end of the three year certification period the applicant must submit an application along with the appropriate application fee and proof of current membership to the Certification Committee. Any applicant failing to submit an application for re-certification prior to the end of their current certification period would be required to complete the entire initial certification process again.

The NAHO Board of Directors has approved a one-time extension for any CALJ or CHO whose certification expired on December 31, 2014. In order to receive re-certification that would be considered continuous and not require completion of the entire initial certification process again these applicants must have their application for re-certification submitted to the Certification Committee prior to June 30, 2015.

Through the first four months of 2015, the Certification Committee has received three applications for initial certification and seven applications for re-certification. Of these ten applications seven applications have been forwarded to the Board of Directors and approved, one has received a recommendation for approval from the Certification Committee and will be submitted to the Board at the next meeting and two are in the process of review or awaiting additional documentation.

The current Certification committee is comprised of: Richard Murrell (TN), Member, Jimmy Stokes (GA), Member, Robert Pullman-Miles (CA), Member, Eric Moody (ID), Member and Michael G. Blain (FL), Chair.

The Certification Committee stands ready to answer any questions that you may or assist you in any way possible in your efforts to attain certification or re-certification. Please contact any member with any question or request that you may have.

Keep your eyes on the website www.NAHO.org for revision to the certification information and applications.

*Beautiful
Desert
Scenery
to Enjoy at
Conference 2015*



*Photos courtesy of the
Scottsdale Convention & Visitors Bureau,
Scottsdale, AZ.*

NOMINATIONS OPEN FOR ELECTION TO THE NAHO BOARD OF DIRECTORS

Bonny Fetch (ND)

It is time to elect a new Board of Directors to serve a two-year term from January 1, 2016, through December 31, 2017. There are ten elected positions, President, Vice-President, Secretary, Treasurer, and 6 Regional Representatives. The Board also includes two non-elected positions, Immediate Past-President, and an at-large member appointed by the President and approved by the Board.



Bonny M. Fetch (ND)

Board members serve as volunteers. Board members may recoup certain out of pocket expenses or partial expenses, depending upon NAHO's fiscal circumstances, but there is no remuneration for a Board member's time. The Board meets monthly via teleconference call, and annually in person a day or two before the Annual Professional Development Conference. The Board may also meet in person at mid-year. Board members are expected to serve on committees and assist at the annual conference.

All NAHO members nominated for an elected office must be members in good standing. Associate members are not eligible to vote or serve on the Board. A member may not serve more than two consecutive terms in any office.

If you are interested in nominating someone or running for the Board, please note:

- 1) The time frame for submitting nominations is June 1, 2015, through June 30, 2015. A member may nominate another mem-

ber or submit their own name. If a member nominates someone else, the Committee will contact that person to ascertain their interest in running for the position. Anyone not willing to run will not be placed on the ballot.

- 2) Candidates for President, Vice-President, Secretary, and Treasurer may be from any geographical region. Candidates for Regional Representatives must be from the regions they represent. The regions are:

Northeast - Connecticut, Delaware, District of Columbia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Puerto Rico, Rhode Island, Vermont, and Virgin Islands.

Central - Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, Ohio, and Wisconsin.

Southeast - Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee, Virginia, and West Virginia.

Southwest - Arkansas, Louisiana, New Mexico, Oklahoma, and Texas.

Western - Alaska, Arizona, California, Guam, Hawaii, Idaho, Nevada, Oregon, Utah, Washington, and American Samoa.

Mountain - Colorado, Kansas, Montana, Nebraska, North Dakota, South Dakota, and Wyoming.

- 3) Nominations must include the

nominee's name and a brief biographical sketch (not more than 12 lines, single-spaced), and must be received by Andrea Boardman, Chairperson, at the email address or mailing address listed below no later than 5:00 p.m. ET on June 30, 2015. (If you mail the information, be sure to mail it so that it will be received by June 30, 2015).

Ballots will be sent electronically to NAHO members on July 1, 2015. You may request a paper ballot if you prefer. Ballots must be returned no later than July 30, 2015. Any ballots received after that date will not be counted. The Nominating Committee will meet and prepare an official result of the balloting and certify the results to the President. The newly elected Board members will be installed at this year's conference in Scottsdale, Arizona, in October 2015.

If you have additional questions about NAHO ELECTION 2015, please contact a member of the Nominating Committee. The Nominating Committee members are:

- Andrea Boardman, Chair
andreabrdmn@comcast.net
NAHO
P.O. Box 100
Hebron, CT 06248
- Michael G. Blain
justplainblain@comcast.net
- Bonny Fetch
bonnyfetch@gmail.com
- Norman J. Patenaude is a Committee member in an advisory capacity.
normpaten@comcast.net