

PERFORMANCE NOTE: AGENCY FORM

S.B. 191 1st

SHORT TITLE: Administrative Law Judge Amendments

Joint Rule 4-2-404 requires a Performance Review Note anytime the legislature significantly increases funding for: New agency New services or benefits Serving a new or larger population

DUE TO THE FISCAL ANALYSIS Wednesday, February 27, 2013

CONTACT INFORMATION

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HOW WILL THE PUBLIC BENEFIT?

1 What is the purpose and the duties of the new program, agency, services, or population served? JR4-2-404(4)(c)(i)

While DHRM is not sponsoring this bill we understand from the sponsor that the purpose of this bill is to provide a neutral administrative body to review and evaluate administrative law judge performance against measured performance standards and investigate administrative judicial complaints. A committee will also be established to make recommendations regarding investigative findings.

2 What services are provided by the funding increase? JR4-2-404(4)(c)(ii)

The services to be provided by any funding increase will be to provide agencies greater information in making performance determinations and evaluations. Investigations will also be conducted by individuals not associated with the proceedings lending increased credibility to the investigative determinations. The neutrality of these completed surveys and investigations will hopefully increase public confidence in the administrative

3 What are the expected outcomes of the new or expanded program and how will the public benefit? JR4-2-404(4)(c)(iii)

Based on discussions with the sponsor, the outcomes would be an increase in public confidence in the administrative hearing process.

4 How will the bill be implemented and what resources are available to achieve the expected outcomes? JR4-2-404(4)(c)(iv)

The bill is required to be implemented by the Department of Human Resource Management. As of this writing the resources are not readily available. Funding will be needed to perform the required functions of surveying judges and investigating complaints. These functions are labor intensive and will require developed expertise. Additional personnel will be needed to conduct and coordinate surveys. Further, personnel will be needed to conduct and conclude investigations and make reports and recommendations.

5 How will the proposed agency activities cause the expected outcomes and public benefit in 3?

By providing the public with an avenue to file complaints about administrative judicial conduct that will be reviewed by a body viewed as neutral, to some degree it moves the determination of judicial propriety away from the agency conducting the hearing to an independent body thereby enhancing perceived fairness.

2. PERFORMANCE MEASURES:

What measures will managers and policymakers use to know if the new or expanded program is providing the expected outcomes and public benefits? Provide one, two, and three year goals or targets, actual results and measures if available, to serve as a baseline, and outcomes.

Goal (public benefit):

Measure Title:

Description:

Surveys .

Fiscal Year:	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017
Target or Benchmark:					
Baseline:					

How will program managers collect this performance information and ensure its reliability?

Develop a system to measure and report performance against independent performance standards.
Develop minimum performance standards.

Goal (public benefit):

Measure Title:

Description:

Investigations.

Fiscal Year:	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017
Target or Benchmark:					
Baseline:					

How will program managers collect this performance information and ensure its reliability?

Develop a verified complaint process and procedure.
Track complaints and monitor percent that are referred to complaint committee.

Goal (public benefit):

Measure Title:

Description:

Fiscal Year:	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017
Target or Benchmark:					
Baseline:					

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