

**Office of Administrative Hearings
Performance Oversight
FY2025-2026 Pre-Hearing Questions**

A. ORGANIZATION AND OPERATIONS

Governance and Personnel

- 1. Please provide a complete and current organizational chart for the agency and each division and subdivision within the agency, including:
 - a. The names and titles of all senior personnel;**
 - b. A description of the roles and responsibilities for each division and subdivision;**
 - c. A narrative explanation of any changes to the organizational chart made in the last calendar year; and**
 - d. An indication of whether any positions in the chart are vacant.****

[Please see Attachment No. 1 – Organizational Chart](#)

- 2. Please provide a complete, up-to-date list of contract workers working directly for your agency, ordered by program and activity, and including the following information for each position:
 - a. Title of position;**
 - b. Indication that the position is filled or vacant;**
 - c. Date employee began in the position;**
 - d. Whether the position must be filled to comply with federal or local law;**
 - e. If applicable, the federal or local law that requires the position be filled;**
 - f. The entity from which they are contracted; and**
 - g. The contracted annual cost.****

OAH does not currently have contract workers working for the agency.

- 3. Please provide, for each month of FY25 through FY26 to date, the net number of personnel separated from and hired to the agency.**

[Please see Attachment No. 3 - OAH Net Employees Separation List](#)

- 4. Does the agency conduct annual performance evaluations of all its employees? If so, who conducts such evaluations? What steps are taken to ensure that all office employees are meeting individual job requirements?**

OAH adheres to District statutes and regulations governing performance management, as well as contractual obligations in collective bargaining agreements to which OAH is a party. Both mid-level and senior managers at OAH monitor employee performance routinely and provide evaluations of employee performance at least twice during an evaluation year.

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- 5. Please provide the following for each collective bargaining agreement that is currently in effect for agency employees:**
- a. The bargaining unit (name and local number);**
 - b. The start and end date of each agreement;**
 - c. The number of employees covered;**
 - d. Whether the agency is currently bargaining;**
 - e. If currently bargaining, anticipated completion date;**
 - f. For each agreement, the union leader’s name title and contact information;**
and
 - g. A copy of the ratified collective bargaining agreement.**

OAH is a party to the collective bargaining agreement between the Government of the District of Columbia and the American Federation of State, County, and Municipal Employees (“AFSCME”), District Council 20, which covers employees working for the OAH Clerk of Court, as well as other professional staff at OAH. The compensation agreement for Compensation Units 1 and 2 of AFSCME is effective October 1, 2021 through September 30, 2025. The working conditions agreement is effective through September 30, 2010. The Office of Labor Relations and Collective Bargaining (“OLRCB”) is beginning negotiations on the compensation agreement; there is, however, no anticipated completion date at this time.

There is also a collective bargaining agreement between OAH and the Federation of Administrative Law Judges – D.C. (“FALJ-DC”) that covers ALJs. The most recent collective bargaining agreement is effective from October 1, 2020 through September 30, 2023. OAH, through OLRCB, and FALJ-DC have commenced negotiations for the successor agreement; there is, however, no anticipated completion date at this time.

- 6. Please list all employees currently detailed to or from your agency. For each detailed employee, include:**
- a. The reason for the detail;**
 - b. The job duties if detailed to your agency;**
 - c. The start date of detail;**
 - d. The agency the employee is detailed to/from; and**
 - e. The projected date of return.**

OAH does not currently have any employees on detail at other District agencies.

- 7. Please provide a copy of your agency’s Schedule A, as of the date of receipt of this questionnaire.**

[Please see Attachment No. 7 – OAH Schedule A](#)

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8. Please provide a list and description of all memorandums of understanding and memorandums of agreement in effect during [previous fiscal year] and [current fiscal year], to date.

FY 25		FY 26	
AGENCY	DURATION	AGENCY	DURATION
As Seller Agency			
DCPS	10/1/2024 – 9/30/2025	DCPS	UNDER REVIEW
DHCF	10/1/2024 – 9/30/2025	DHCF	UNDER REVIEW
DOES - OWH	10/1/2024 – 9/30/2025	DOES - OWH	UNDER REVIEW
DOES - PFL	10/1/2024 – 9/30/2025	DOES - PFL	UNDER REVIEW
DOES - UI	10/1/2024 – 9/30/2025	DOES - UI	UNDER REVIEW
HBX	10/1/2024 – 9/30/2025	HBX	10/1/2025 – 9/30/2026
RHC Mediation	4/7/2025 – 9/30/2025	RHC Mediation	10/1/2025 – 9/30/2026
		OAG-CSSD	10/1/2025 – 9/30/2026
As Buyer Agency			
ODDHH	10/1/2024 – 9/30/2025	ODR	UNDER REVIEW
DCHR – Enhanced HR Services	10/1/2024 – 9/30/2025	DCHR – HR Services	10/1/2025 – 9/30/2026
DCHR – Suitability (via OCA)	10/1/2024 – 9/30/2025	DCHR - Suitability (via OCA)	10/1/2025 – 9/30/2026

Finance and Budget

9. Please provide a status report, including timeframe of completion, for all projects for which your agency currently has capital funds available.

OAH currently has no projects funded with capital funds.

10. Please provide copies of all budget enhancement requests (The Form B or similar form) submitted in the formulation of the FY25 and FY26 proposed budgets.

This request asks for information that is protected from disclosure by the deliberative process and executive privileges.

11. Please list all budget enhancements in FY26 and provide a status report on the implementation of each enhancement.

This request asks for information that is protected from disclosure by the deliberative process and executive privileges.

Commented [CC1]: See memo from OBPM directing all agencies to not answer questions about enhancement requests.

Commented [CC2]: See memo from OBPM

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12. Please fill out the attached spreadsheet titled “Question 12 Grants Received,” and list all federal and/or private grants received by your agency in FY25 and FY26 to date, current balances, and indicate any that lapsed during or at the end of [previous fiscal year]. Please submit the completed document in both Excel and PDF formats.

- a. Please include your Agency Code in the filename (e.g., question_12_AB0_2026.xls).**

OAH does not receive grants.

13. List all grants issued by your agency in FY25 and FY26, to date in the attachment labeled “Question 13 Grants Issued”.

- a. Please submit the completed document in both Excel and PDF formats.**
b. Please include your Agency Code in the filename (e.g., Question_13_AB0_2026.xls).

OAH does not issue grants.

Operations

14. For each objective and activity in the agency’s FY25 Performance Plan, please list:

- a. The measure of greatest improvement for the agency, and the actions the agency took to improve that measure’s outcome, efficiency or quantity; and**

OAH has collaborated with sister agencies to provide view-only access to OAH’s case management system, with an initial target goal of 50% agency participation. In FY 25, 72% of the agencies whose cases OAH hears have view access into the case management system. Agency access to OAH data builds consistency in reporting case status, dispositions, and payment of assessed fines.

- b. For all measures with missed targets (if any), explain the actions the agency is taking to improve that measure’s outcome, efficiency, or quantity.**

In FY 25, OAH missed its targets on the following performance measures:

- Case closure rate: Target: 100% (up is better); Actual: 64.3%
- Percent of all cases filed within the FY entered into the database within 3 days of filing: Target: 75% (up is better); Actual: 68.3%
- Percent of all cases open within approval more than 120 days at the end of the FY: Target 20% (down is better); Actual: 38.3%
- Percent of all non-unemployment insurance cases closed within the FY that were closed within 120 days: Target: 45% (up is better); Actual: 32.1%

OAH has experienced a significant increase in case volume over the past few years. This surge in cases has placed unprecedented pressure on the organization, highlighting

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the urgent need for additional staffing to manage the growing workload. Various factors, including changes in regulatory policies, an increase in disputes requiring administrative hearings, and broader socio-economic trends, have contributed to this uptick. The strain on resources has become increasingly apparent, affecting the agency's ability to maintain efficiency and effectiveness. Despite the clear need for more staff to handle the increased workload, OAH's staffing levels have not kept pace. Last year, the agency was on the brink of expanding its team to better address the growing case load. However, the implementation of the waiver process requiring special permission to hire additional staff significantly curtailed these plans in FY25. As a result, the agency was unable to hire necessary personnel, exacerbating the challenges posed by the rising number of cases. The combination of increasing case volumes and staffing limitations has created a challenging environment for OAH. Addressing these issues will require strategic planning and potentially revisiting the waiver process to allow for more flexible and responsive hiring practices. Ensuring that OAH can expand its staff will be crucial in maintaining the quality and timeliness of its administrative hearings.

15. List all new objectives, activities and projects in the agency's [current fiscal year] Performance Plan and explain why they were added.

OAH did not add new objectives, activities and projects to the agency's Performance Plan this fiscal year.

16. Describe problems and challenges, including chronic maintenance issues and design flaws, in agency-owned or leased facilities.

a. What capital or operating projects arose from these issues in FY25 and FY26 to date, including cost and actions taken?

While OAH does not maintain a Capital Budget, the agency offices are at the District-owned building located at 441 4th Street, NW. That building has on-going HVAC issues that make offices too cold in the winter and too warm during the spring and summer months. We have worked with the Department of General Services and they have provided temporary solutions. However, this is a chronic maintenance issue that is impacting the work environment for the staff at OAH.

Commented [CC3]: I think these are two separate questions and somehow we misnumbered them?

Commented [SR4R3]: This is the format of the original question.

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- 17. Please list each new initiative implemented by the agency during FY25 and FY26 to date. For each new initiative, please provide:**
- c. A description of the initiative;**
 - d. Actual start date;**
 - e. Actual or anticipated end date;**
 - f. The funding required to implement the initiative;**
 - g. Whether the initiative was mandated by legislative action;**
 - h. Problems or challenges faced in the program's implementation;**
 - i. The metrics the agency is collecting to measure the initiative's success; and**
 - j. An assessment of the initiative's success thus far.**

OAH had no new initiatives implemented during FY 25 and FY 26 to date.

- ~~18. Please attach a sample notice provided to litigants with an administrative decision (for DOES and OAH).~~

This question has been stricken by the Committee, and therefore no response is required.

- ~~19. What is the agency's process to ensure that its notices are lawful and accurate?~~
- ~~a. How often does the agency review the notices that it issues?~~
 - ~~b. Who reviews the notices and what do they look for?~~
 - ~~c. What is the process for revising the notices?~~
 - ~~d. What does the agency do when an employee or outside individual or organization identifies an error in a notice?~~
 - ~~e. How long does it take for the agency to act on these errors when raised? Provide the length of time to resolve the notice errors (and what type of errors those were) in FY25 to FY26 to date.~~

This question has been stricken by the Committee, and therefore no response is required.

- ~~20. What is the agency's process for drafting a new notice?~~
- ~~a. What steps are in place to verify that the notice is lawful and accurate?~~
 - ~~b. What steps are taken to ensure that unrepresented litigants can understand the notice?~~

This question has been stricken by the Committee, and therefore no response is required.

- ~~21. What is the most common and easiest way to submit a petition? Please explain the agency's process regarding notices that fail to state that a petition for review can be filed by email.~~

This question has been stricken by the Committee, and therefore no response is required.

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~~22. Does the agency provide notices with deadlines? Do the notices also mention the process of filing extensions? Has the agency encountered any instances where notices that are provided with deadlines fail to mention the possibility of extension?~~

This question has been stricken by the Committee, and therefore no response is required.

~~23. How does the agency calculate the deadlines in notices?~~

This question has been stricken by the Committee, and therefore no response is required.

~~24. How does the agency ensure notices include correctly calculated deadlines? For example, are notice deadlines calculated from the date on the notice, when the notice was sent, or when the notice was served. Please explain in detail.~~

This question has been stricken by the Committee, and therefore no response is required.

~~25. How often does the agency review its notices to ensure that they do not threaten or imply criminal prosecution based on a failure (or potential failure) to pay a debt? Please provide examples of wording used in previous notice templates the agency has issued in the past, and the current one.~~

This question has been stricken by the Committee, and therefore no response is required.

26. Please list any legislation that impacts your agency from FY25 and FY26 and provide a status report on the agency's implementation related to each piece of legislation.

The following legislation has been impactful for OAH, as noted below:

- **B25-0416/ L25-0301, Department of For-Hire Vehicles Delivery Vehicle Traffic Enforcement Expansion Amendment Act of 2023** (now known as "Carrier-for-Hire Oversight and Enforcement Act of 2024"): This Act permits DFHV to enforce traffic regulations against carrier-for-hire vehicles, defined as transportation services where a network of private operators, couriers, or carriers provide transportation of parcels, food, or beverages in the District for compensation. This legislation increases the scope of DFHV enforcement and increases OAH caseload. OAH implementation efforts related to this legislation included updating internal training materials, and revising associated templates for DFHV enforcement actions.
- **B26-0265 / L26-0055, Subtitle (VI)(G) of Fiscal Year 2026 Budget Support Act of 2025, the Carrier and Vehicle for-Hire Enforcement Amendment Act of 2025**: The subtitle amended current law to subject not only taxicabs and passenger vehicles for hire, but any "vehicle for hire," to impoundment by the Metropolitan Police

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Department (MPD) or other applicable authorized agent if the vehicle is: operated without a valid license; operated by an individual without a valid operator's license/permit; subject to two or more unpaid notices or cumulative unpaid infractions that equal to or exceed \$400; not licensed for intra-District operation; noncompliant under District law covering compulsory/no-fault motor vehicle insurance; or does not comply with District inspection standards. OAH implementation efforts related to this legislation included updating internal training materials, and revising associated templates for DFHV enforcement actions. OAH was also required to establish new emergency hearing procedures to address the impoundment cases. Additionally, OAH developed new internal administrative procedures to address DFHV's enforcement procedures that did not conform to legislative requirements.

- **B24-0301/L24-0333, Business and Entrepreneurship Support to Thrive Amendment Act of 2021 (The BEST Act):** The BEST Act made several substantive changes to the District's business licensing practices, impacting the substantive nature of DLCP enforcement actions and licensing appeals at OAH. OAH implementation efforts related to this legislation included updating internal training materials, and revising associated templates for DLCP enforcement actions.
- **B26-207/ L26-0025, Certified Business Enterprise Program Compliance and Enforcement Support Temporary Amendment Act of 2025:** This law continues emergency provisions previously passed by Council and enacts several substantive changes to DSLBD regulation of Certified Business Entities (CBEs). The temporary legislation expires March 29, 2026. This temporary legislation has led to confusion about whether OAH must conduct its hearings using *de novo* review or must defer to the fact findings of the prior, internal DSLBD investigation being appealed.
- **B26-0187/L26-0052, Peace DC Omnibus Amendment Act of 2025:** Although this bill makes several changes to various public safety laws, MPD recruitment requirements, and other aspects of the criminal justice system, it impacts OAH by stating that violations issued by WMATA will now be adjudicated under the Civil Infractions Act. OAH implementation efforts related to this legislation included updating internal training materials, and revising associated templates for WMATA enforcement actions.
- **Family Rehousing and Stabilization Program (FRSP) Legislation:** Legislation related to FRSP significantly impacts the agency. The dissolution of the program and deprivation of appeal rights at OAH have not resulted in a lessened caseload for appeals from these programs. Each case requires examination to ensure that, in fact, the only issue being contended is the statutory time limit in the program. Further, OAH has

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incorporated additional review processes to ensure that litigants are receiving the correct benefits now that benefits may be denied pending a decision. The issuance of bulk batches of determinations at once has also overburdened a team with resources stretched beyond capacity, who have to manage parsing through such cases in addition to all other public benefits matters. OAH has developed internal tracking materials to assist with timelines and rights and regulatory expirations. It has been challenging, however, to manage such data without proper notice flowing to OAH to inform the agency and its ALJs of such sudden changes. OAH is considering additional special review processes to maximize adjudication of cases in the continuum of care. Staffing shortages remain an impediment, however, to being able to manage and implement the process in response to the large number of filings related to public benefits.

- **B26-0164/ L26-0080, Rebalancing Expectations for Neighbors, Tenants, and Landlords (RENTAL) Act of 2025:** This legislation changed certain definitions and procedures for the exercise of Tenant Opportunity to Purchase Act (TOPA) rights which are adjudicated at OAH, including "qualified purchaser" and "offer of sale," which has affected who has proper standing to appear before OAH in order to assert TOPA rights and what the review process is. OAH has reviewed the legislation in full and developed internal memoranda to guide adjudication of these issues. As of January 2026, OAH is awaiting notice of DHCD regulations that will flow from the legislation.

27. Customer feedback

- a. How does the agency solicit feedback from customers (i.e., District residents served)? Please describe.**

Litigants can complete OAH's online survey or they are provided with an iPad for such feedback during in-person visits.

- b. What has the agency learned from this feedback?**

Customer feedback has shown that the Resource Center is very helpful and valuable to OAH's litigants.

- c. How has the agency changed its practices because of such feedback?**

OAH has worked to ensure that the Resource Center has been fully staffed to meet the needs of litigants who rely on the Resource Center for assistance with OAH's processes.

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Laws, Audits, and Reports

28. Please list all reporting requirements in the District of Columbia Code the agency is required to complete in FY25 and FY26, to date. For each requirement, please list the date the report was required and the date it was produced. If the agency did not produce the report on the mandated timeline, please explain why.

OAH is required to submit the following reports:

- OAH Agency Caseload Summary due by November 15, in accordance with D.C. Code § 2-1831.13(e). OAH submitted its Agency Caseload Summary for FY 24 on November 15, 2024, and the Agency Caseload Summary for FY 25 on November 14, 2025.
- OAH FY 24 Performance Accountability Report was due by January 15, 2025. OAH submitted its FY 24 PAR on January 15, 2025. OAH FY 25 Performance Accountability Report was due by January 15, 2026. OAH submitted its FY 25 PAR on January 15, 2026.
- OAH Annual Report due by December 30, in accordance with D.C. Code § 2-1831.05(a)(12). The FY 24 OAH Annual Report was submitted on December 31, 2024. The FY 25 OAH Annual Report was submitted on December 31, 2025.
- OAH Annual FOIA Report due at the end of December, in accordance with D.C. Code § 2-538(a). The FY 24 Annual FOIA Report was due December 27, 2024, and was submitted the same day. The FY 25 Annual FOIA Report was due December 5, 2025, and was submitted on December 1, 2025.
- OAH FY 25 Performance Plan was due by December 2, 2024. OAH transmitted its FY 25 Performance Plan on December 2, 2024. OAH FY 26 Performance Plan was due by December 1, 2025. OAH transmitted its FY 25 Performance Plan on December 1, 2025.

Commented [CC5]: LaShelle - need dates for FY24 and FY25

Commented [CC6]: Smruti - need dates for FY24 and FY25

Commented [CC7]: LaShelle - need dates for FY24 and FY25

29. Please identify any legislative modifications that would enable the agency to better meet its mission.

Commented [CC8]: MCC needs to answer this.

Title 31 Notices of Violation: In accordance with the OAH Establishment Act, OAH has the authority to adjudicate these cases. Multiple agencies issue NOV's alleging violations of Title 31, including DFHV and MPD. Many officers or inspectors contemporaneously issue both NOV's alleging violations of Title 31 and NOV's alleging violations of Title 18 (the Motor Vehicle Act), yet those violations are heard by two different agencies: DMV adjudicates Title 18 disputes and OAH adjudicates Title 31 disputes. This system is confusing not just to respondents, but also to agency officers or inspectors, as it is not always clear that there are two different agencies who hear appeals from those contemporaneously-issued tickets. DFHV inspectors and MPD officers must split their time between DMV and OAH. In particular, MPD officers who issue Title 31 and 18 tickets appear in front of DMV, but MPD officers rarely appear at hearings before OAH. In addition, Title 31 tickets are adjudicated using DMV's eTIMS adjudication system, into which OAH has extremely limited access. Eliminating this duplication of efforts by

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centralizing the adjudication of Title 31 and Title 18 tickets at DMV would maximize efficiency of government operations and MPD officers' and DFHV inspectors' time in the field. OAH spends an inordinate amount of time on adjudicating Title 31 tickets with a challenging system, whereas DMV has the capacity to leverage its existing use of the eTIMS system to accommodate Title 31 tickets. DFHV would also benefit from this proposed shift in jurisdiction to have its violations adjudicated more efficiently.

Family Rehousing and Stabilization Program (FRSP): The statutes describing a petitioner's right to request a fair hearing in multiples places (i.e., through their housing provider, through DHS, or at OAH) results in OAH receiving appeals over which it does not have jurisdiction. The process is confusing to petitioners and causes an inordinately large amount of work in cases over which OAH does not have jurisdiction. Modifying the statute to more specifically define what issues may be appealed to OAH and when they may be appealed would eliminate work on cases that should not be appealed to OAH, and would allow OAH to focus its time and resources on cases over which it does have jurisdiction.

30. Please list all regulations for which the agency is responsible for rulemaking, oversight, or implementation. Where available, please list by chapter and subject heading, including the date of the most recent revision.

OAH maintains responsibility for its rules of procedure, which may be found at 1 DCMR §§ 2800, *et seq.* and 2900, *et seq.* OAH engaged in a significant revision of the rules in FY 25, with the revised rules becoming effective December 1, 2024. Thereafter, OAH revised some procedural rules governing filing requirements in enforcement matters, with those rules becoming effective March 20, 2025 on an emergency basis and final rulemaking effective July 18, 2025.

31. Please identify any regulatory impediments to your agency's operations.

There are no regulatory impediments to OAH's operations to identify at this time. It should be highlighted that in accordance with D.C. Code § 2-1831.13(f), agencies are required to consult with OAH when contemplating regulatory changes that may impact OAH materially. OAH regularly communicates with sister agencies on regulatory processes to ensure that such collaboration on operational and legal processes continues.

32. Please explain the impact on your agency of any federal legislation or regulations adopted during FY25 and FY26, to date, that significantly affect agency operations or resources.

- **H.R.1, 119th Cong. (2025) ("One Big Beautiful Bill Act")**: As a result of Medicaid cuts, D.C. has had to create a new healthcare program to cover the population of people losing coverage as of Jan 1, 2026. OAH is the designated appeals entity for the Healthcare Benefit Exchange (HBX) decisions flowing from this new program (Healthy DC), which has created a new case type for OAH appeals. OAH has executed an MOU with HBX to outline its responsibilities as the designated appeals entity,

Commented [SR9]: AAs did not identify any regulatory (as opposed to legislative) impediments. I was a little concerned that this answer, coupled with #26, may make it seem like agencies have no issues, and all the blame is from legislation that wasn't thought through (i.e. Council). I added a regulatory reference as a note on agency collaboration (and maybe why there are none to identify), as well as to signal that this is a statutory requirement. We may need to raise this issue more in meetings with agencies.

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developed internal training materials to cover laws related to Healthy DC program administration, and created case flows and templates to ensure orderly adjudication of this case type. Along with the new case type, OAH is estimated to see an increase in Medicaid appeals based on renewed eligibility decisions that have ultimately deprived a good portion of the District's Medicaid population from receiving coverage. Though Healthy DC will cover a good portion of residents who lost Medicaid coverage, OAH still receives a high number of appeals from decisions due to a lack of understanding as to what is happening with their benefits. The changes flowing from this federal legislation also led to changes in D.C. Healthcare Alliance, which likewise led to a special review process for cases that involve parties contesting mass changes in the law.

- **Federal Government Shutdown:** An indirect impact of the Federal Government's inability to pass a budget prior to the start of Fiscal Year 26 (resulting in a shutdown) revolved around confusion related to SNAP benefits, and led to a significant number of appeals filed at OAH by litigants who had not yet received an adverse decision on their benefits from DHS. Though such appeals would be considered "moot," they nonetheless resulted in OAH expending significant resources to address the litigants formally through the adjudicative process.
- **Federal Government Downsizing:** Programs within the Federal Government related to deferred resignations, reductions-in-force, and other personnel-related actions resulted in an increase in unemployment insurance cases. Due to the rise in filings, ALJs have had to increase the number of cases they adjudicate, and additional staff have been allocated to help accommodate the persistent increases in this case type, in addition to their duties in other areas.

33. Please list and describe any ongoing investigations, audits, or reports on your agency or any employee of your agency, or any investigations, studies, audits, or reports on your agency or any employee of your agency that were completed during FY25 and FY26 to date.

There are no ongoing or completed investigations, studies, audits, or reports on the agency or any of its employees that were completed during FY 25 or FY 26, to date.

34. Please identify and provide an update on what actions have been taken to address all recommendations made during the previous three years by:

- a. Office of the Inspector General;
- b. D.C. Auditor;
- c. Internal audit; and
- d. Any other federal or local oversight entities.

There have been no such recommendations made about OAH over the past three years.

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35. Please list all pending lawsuits in which the agency, or its officers or employees acting in their official capacities, are named as defendants, and for each case provide the following:

- a. The case name;
- b. Court where the suit was filed;
- c. Case docket number;
- d. Case status; and
- e. A brief description of the case

CASE NAME & COURT	NATURE OF ACTION	CURRENT STATUS OF LITIGATION
<p><i>Claudia Barber v. D.C., et al.</i>, U.S. District Court for the District of Columbia, Docket No.: 17-cv-00620-KBJ; 17-cv-01860-KBJ (consolidated)</p>	<p>Plaintiff alleged a violation of her procedural and substantive due process rights under the Fifth Amendment to the U.S. Constitution; a violation of the Equal Protection Clause under the Fourteenth Amendment to the U.S. Constitution; and a constitutional violation resulting from a custom or policy of the District of Columbia under 42 U.S.C. § 1983. In addition, Plaintiff brought a claim against several OAH employees for conspiring for the purpose of depriving Plaintiff of the equal protection of the laws, 42 U.S.C. § 1985(3), and for a violation of the District of Columbia Whistleblower Protection Act. Plaintiff also seeks relief pursuant to Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. §§ 2000, <i>et seq.</i> and the District of Columbia Human Rights Act, D.C. Code §§ 2-1401 <i>et seq.</i></p>	<p>On August 13, 2019, the United States District Court for the District of Columbia granted the District’s Motion to Dismiss which dismissed two OAH employees from the suit and multiple counts of the Plaintiff’s Complaint. The Court also ordered the Plaintiff to file an amended complaint consolidating the remaining claims. The Plaintiff’s Second Amended Complaint was filed on September 26, 2019. Depositions were conducted in the fall of 2020. On November 15, 2021, the case was reassigned to Judge Jia M. Cobb after Judge Ketanji Brown Jackson was appointed to the U.S. Court of Appeals for the D.C. Circuit. On December 31, 2025, the Court granted in part and denied in part Defendants’ Motion for Summary Judgment.</p>
<p><i>Eva Mae Givens (on behalf of herself and others similarly situated) v. Eugene Adams in his capacity as OAH Chief</i></p>	<p>Plaintiff alleged an improper calculation of income for the purpose of Medicaid eligibility and the failure to</p>	<p>Defendants filed a Motion to Dismiss on April 29, 2021. The U.S. District Court for the District of Columbia granted Defendants’</p>

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<p><i>Administrative Law Judge, et al.</i>, U.S. Court of Appeals for the D.C. Circuit, Docket No.: 23-7042</p>	<p>issue a fair hearing decision within 90 days.</p>	<p>Motion to Dismiss on September 30, 2022. Plaintiff appealed to the U.S. Court of Appeals for the D.C. Circuit. Oral argument was held February 13, 2024. On August 6, 2024, the D.C. Circuit affirmed the dismissal in part, and vacated it in part. The Court ordered a limited remand to the District Court as to the appellant’s calculation claim. The District Court dismissed the claims without prejudice on remand. Appellant filed a motion for clarification/ reconsideration, and d also appealed to the D.C. Circuit. The appeal is being held in abeyance pending the District Court’s decision on the motion for reconsideration.</p>
<p><i>Jennings v. D.C., et al.</i>, U.S. District Court for the District of Columbia, Docket No. 1:24-cv-00329</p>	<p>Plaintiff alleged hostile work environment, discrimination, and retaliation. Plaintiff seeks relief pursuant to Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. §§ 2000, <i>et seq.</i> and the District of Columbia Human Rights Act, D.C. Code §§ 2-1401 <i>et seq.</i></p>	<p>Defendants filed a Motion to Dismiss on June 17, 2024. On October 8, 2025, the Court granted in part and denied in part Defendants’ Motion to Dismiss. The case is currently in discovery.</p>
<p><i>Alvarado v. D.C., et al.</i>, D.C. Superior Court, Docket No, 2025-CAB-007128</p>	<p>Plaintiff alleged disparate treatment, retaliation, and hostile work environment. Plaintiff seeks relief pursuant to the District of Columbia Human Rights Act, D.C. Code §§ 2-1401 <i>et seq.</i></p>	<p>Defendants have not yet filed a responsive pleading in the matter, which is forthcoming.</p>

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36. Please list the total amount of money the agency or the District, on behalf of the agency, expended to settle claims against it, or its officers or employees acting in their official capacities, in FY25 and FY26 to date.

OAH has not expended any funds to settle claims against it, or its officers or employees acting in their official capacities, in FY25 and FY26 to date.

37. Please list each settlement the agency or the District, on behalf of the agency, entered into in FY25 and FY26 to date that involved claims against the agency, or its officers or employees in their official capacity, including any settlements covered by D.C. Code § 2-402(a)(3). For each settlement, provide:

- a. The amount of the settlement;
- b. If related to litigation, the case name and brief description; and
- c. If unrelated to litigation, please describe the underlying issue or reason for the settlement (e.g. administrative complaint, etc.).

OAH has not expended any funds to settle claims against it, or its officers or employees acting in their official capacities, in FY25 and FY26 to date.

38. Please list all administrative complaints or grievances that the agency received in FY25 and FY26 to date. For each complaint, list:

- a. The source of complaint;
- b. The process utilized to respond to the complaint or grievance;
- c. Any changes to agency policies or procedures that resulted from the complaint or grievance; and
- d. If resolved describe the resolution.

COMPLAINT & SOURCE	PROCESS	POLICY/ PROC. CHANGES	RESOLUTION
Employee filed internal complaint against another employee concerning unprofessional conduct	OAH HR Investigation	N/A	Reassignment of duties
Employee filed internal complaint against another employee concerning unprofessional conduct	OAH HR Investigation	N/A	Pending OAH HR Investigation

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- 39. Is the agency currently party to any active non-disclosure agreements? If so, please provide all allowable information on all such agreements, including:**
- a. The number of agreements;**
 - b. The department(s) within the agency associated with each agreement; and**
 - c. Whether any agreements are required for specific positions (please list each position by division and program and indicate whether the position is contracted)**

No.

Data

- 40. In filterable and sortable spreadsheet, please list all electronic databases maintained by your agency, including the following:**
- a. A detailed description of the information tracked within each system;**
 - b. The age of the system and any discussion of substantial upgrades that have been made or are planned to the system; and**
 - c. Whether the public can be granted access to all or part of each system.**

[Please see Attachment No. 40 – OAH Databases](#)

- 41. Please provide a list of all studies, research papers, and analyses (“studies”) the agency or an agency’s employee requested, prepared, presented or contracted for during FY25. For each study please list:**
- a. The status;**
 - b. The purpose; and**
 - c. A link (if published) to the study, research paper or analysis.**

No studies were requested, prepared, presented, or contracted for during FY 25.

- 42. Please list contracts and procurements awarded, entered into, extended, or for which an option year was exercised, by the agency during FY25 and FY26, to date in the attached spreadsheet titled “Contracts and Procurements”.**
- a. Please include your Agency Code in the filename (e.g., AB0_2026_Contracts and Procurements.xls).**
 - b. You may add additional lines to the sheet but please do not change any other formatting.**

[Please see Attachment No. 42 – FS0 2026 Contracts and Procurement](#)

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43. Please provide the number of Freedom of Information Act (FOIA) requests for FY24, and FY25, to date, that were submitted to your agency. Include the number granted, partially granted, denied, and pending. In addition, please provide the average response time, the estimated number of FTEs required to process requests, the estimated number of hours spend responding to these requests, and the cost of compliance.

OAH assumes that this question is seeking data for FY 25 and FY 26, to date, and provides that data accordingly. Please refer to the table below:

	FY 25	FY 26, Q1
FOIA Requests Received	69	23
Granted	8	2
Partially Granted	41	13
Denied	0	0
Pending	0	2
Average Response Time	15 days	11 days
No. FTEs	1	1
No. Hours Spent	137.87 hours	23.42 hours
Cost of Compliance	\$10,813.14	\$1,836.83

44. Please provide an update on the Office’s efforts during FY24 and FY25, to date, towards completion of the public portal for searchable Final Orders. Please also describe whether portal will include the following features, once completed:

- a. Final orders from all jurisdictions under OAH**
- b. Final orders dating back to 2012**
- c. Full text search**
- d. Natural language or Boolean search capabilities**

On September 30, 2024, OAH published to the web a search portal which provides public access to OAH’s Final Orders (<https://ecourt.oah.dc.gov/public-portal/?q=node/417>). The database contains Final Orders from all jurisdictions, with the exception of a few of OAH’s jurisdictions that are excluded due to statutory or regulatory confidentiality limitations. At this time, OAH is only including Final Orders prospectively from September 30, 2024. Since 2016, OAH has issued over 100,000 Final Orders and currently does not have the manpower to redact and thereafter upload previously issued orders.

The Final Order search portal allows a user to search using parameters that are tied to data points in OAH’s case management system, such as case type, date, assigned ALJ, case number, and where not precluded by confidentiality limitations, party name. At this time, full text, natural language, or Boolean search capabilities are not available.

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45. Please list all fees assessed by the Office and the amount collected from each fee in FY24 and FY25, to date.

TOTAL FEES COLLECTED FOR HEARING RECORDINGS	
FY 25	\$600
FY 26 Q1	\$0

46. Regarding OAH’s eFiling Portal, please provide:

a. The percentage of cases in FY24 and in FY25 to date where at least one filing was made through the eFiling Portal;

Commented [CC10]: MCC needs to update with FY26Q1 data

PERCENTAGE OF CASES BY METHOD			
METHOD	FY 24	FY 25	FY 26 Q1
eFiling Portal	<1% (252)	1% (605)	<1% (143)
DPW Interface	33% (11,133)	41% (18,201)	79% (12,162)
Other*	66% (22,360)	58% (25,499)	20% (3,097)
*Other methods include mail, fax, walk-in, telephone, and email.			

b. The number of reported technological challenges with the portal in FY24 and FY25, to date, broken down by type of problem;

OAH has not received reports from Portal users regarding technological challenges they may have encountered.

c. The current status of plans to further develop the portal to allow limited public access to the OAH electronic case management system;

The eFiling Portal is a tremendous tool that will allow OAH to function more efficiently. In FY 25 and FY 26, to date, public adoption of the Portal was slow—most of the case filings, over 100,000, arrived via other methods. OAH continues to believe that expanding the Portal to allow litigants to see more case information will prompt further public use of the Portal. OAH is exploring opportunities to expand public access, but any such opportunities are currently limited by budgetary constraints.

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- d. **The number of paper filings from FY 22 to FY25, to date (also include whether the filing was made by a pro se litigant or by an attorney).**

OAH accepts filings in-person, by USPS, by email to oah.filing@dc.gov, via the eFiling Portal, and, in certain circumstances, by telephone. Filings in DPW cases may also be received via an electronic interface between eCourt and DPW’s electronic ticket management system. OAH does not track the method by which a filing is submitted except to distinguish between those filed via the eFiling Portal, DPW-OAH interface, and all other filings.

B. AGENCY SPECIFIC QUESTIONS

ALJ Staffing

47. **Please provide the average number of cases assigned to each Administrative Law Judge (ALJ) in FY25 and FY26, to date.**

Average Number of Cases Assigned per ALJ	
FY 25	561
FY 26 Q1	115

48. **How does OAH determine the maximum caseload for ALJs?**
a. **Please provide the Committee with a log of current caseload of each ALJ including name, salary, and agency cluster.**

Pursuant to the FALJ-OAH CBA, all ALJ salaries are the same: \$181,064 in FY 25.

The data below represents the number of cases open and assigned to each ALJ as of December 31, 2025. The data changes on a daily basis as cases are assigned to and closed by ALJs every day OAH is open. Please also note that this does not include cases involving Title 31 For-Hire Vehicle Notices of Infraction because those cases are adjudicated using a case management system into which OAH does not have visibility.

ALJ	Compensation	Enforcement - DPW	Licensing & Enforcement	Public Benefits	Rental Housing, Residency, DCPS	Unemployment Insurance
Alper		4		146		
Alvarado		68	190			
Bullock		8	116			
Campbell		9		97		
Carroll		94	14			
Cobbs	25	4				
Coppock	21	4				
Costa		63	239	5		1

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Crichlow		23	228			
Cruz		5		76		
Currie						
Deal		87		109		
Gilmore		64	237			
Goodie		8	1	384		
Gunn		14				42
Harvey		16	2			43
Kolawole		99	219		4	
Krishnamurthy		8				16
Lederstein	26	15	5			
Lopez		35		35		1
Lui		4	27			
Masulla		8	2		40	
Mazzuchelli		7				22
McClendon		10	161			
McDonald		46		397		
Newhouse		4	112			
Opkins		5				25
Raj		4	36			
Robinson		6			39	
Schwartz		10			6	
Sharkey			236			
Simons		6		28		
Taylor		33	4	576		
Teal		4	165			
Vergeer		69			68	
Weberman		15	7			49
Xie		4				25
Total	72	863	2001	1853	157	224

- b. Please confirm if there are plans to institute a maximum caseload amount for ALJs at OAH. If yes, list the maximum number of cases that ALJs can adjudicate.**

OAH has no such plans at this time.

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Caseloads

49. Is OAH appropriately staffed for its caseload?

OAH is not appropriately staffed for its caseload. At the end of FY 23, B. McNamee Consulting, Inc. conducted a staffing study in which it concluded, “[t]o meet case current volume, based on our Time Study analysis, BMC found that OAH will need to grow the number of staff working directly on cases from 61 to 71 full time equivalent employees (FTEs) and increase staff who do not work directly on cases by 3.25 FTE to be at capacity.” In FY 24, OAH’s staffing increased by 9 FTEs. However, OAH’s caseload has continued to increase. The increase in FTEs in FY 24 brought OAH close to the staffing levels recommended by BMC for OAH’s FY 23 caseload (26,353 new cases filed during FY 23), but OAH continues to need additional staff to manage its caseload. In FY 25, OAH saw 44,305 new filings, a 31% increase in the number of new cases filed as compared to FY 24. Since FY 21, the number of new filings in each fiscal year has almost tripled. Even with current staffing levels, OAH is experiencing increasing strain in keeping pace with caseload demands.

Key indicators include:

- Case volumes continue to rise across several high-demand program areas.
- Case closure rates are declining, reflecting diminished capacity to keep up with increased filings.

If these trends persist, OAH will be unable to meet statutory adjudication deadlines. This is especially critical for Public Benefits cases, which carry extremely short statutory timeframes, for example:

- Shelter cases: 15 days from hearing
- Unemployment Insurance: 30 days from filing
- SNAP benefits: 60 days from filing
- Medicaid: 90 days from filing

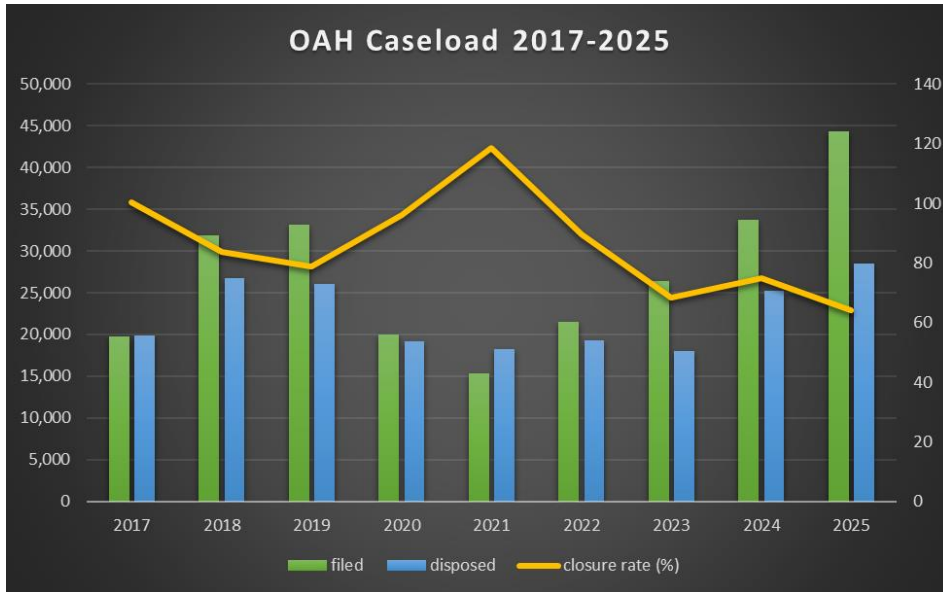
Without sufficient staffing to process and adjudicate these cases, OAH risks non-compliance with statutory mandates and harm to vulnerable District residents whose basic needs depend on timely decisions.

OAH’s current vacancy levels are the result of a system-level hiring barrier occurring in FY25, when District-wide hiring waiver requirements halted recruitment efforts for months across District agencies. This constraint left OAH without the staff needed to handle rising caseloads, support operational functions, and meet statutory obligations.

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50. How has OAH’s total caseload changed from FY 24 to FY 25–FY 26, to date, and what factors most contributed to those changes?

See below graph. OAH’s total caseload increased by 31% between FY 24 and FY 25 – from 33,745 to 44,305 new cases filed. Increased enforcement by the Department of Public Works (from 11,458 to 21,092 cases filed) and the Department of Licensing and Consumer Protection (from 938 to 1,403 cases filed) contributed to this overall increase as did increased appeals of decisions made by the Department of Human Services (from 3,790 to 5,171 cases filed) and the Department of Employment Services (from 1,665 to 2,559 cases filed).



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51. Which jurisdictions or case types account for the largest share of new filings in FY 25–FY 26, to date, and how does that compare to prior years?

Commented [CC11]: Will need to run data when data entry is done for FY26Q1

LARGEST SHARE OF CASES FILED						
FY 20	FY 21	FY 22	FY 23	FY 24	FY 25	FY 26 Q1
DOES (5,177)	DOES (4,596)	DPW (7,858)	DPW (8,888)	DPW (11,458)	DPW (21,092)	DPW (9,853)
DPW (5,083)	DCRA (4,239)	DCRA (7,134)	DOB (8,578)	DOB (9,563)	DOB (9,873)	DOB (2,700)
DCRA (3,182)	DPW (4,193)	DOES (2,050)	DHS (2,518)	DHS (3,790)	DHS (5,171)	DHS (1,100)
DHS (2,787)	DHS (1,119)	DHS (1,615)	DCRA (1,694)	DOES (1,665)	WMATA (3,479)	DOES (871)
DHCF (2,117)	DHCF (332)	DOH (879)	DOES (1,411)	DHCF (993)	DOES (2,559)	DHCF (212)

52. What portion of OAH’s current caseload consists of legacy or carryover cases from prior fiscal years, and why do those cases remain open?

As of December 31, 2025, OAH had 55,507 open cases. Of those, 16,619 were filed before FY 25. The chart below identifies the number of cases remaining open from each fiscal year as well as the agency from which the case originated.

	FY 17	FY 19	FY 20	FY 21	FY 22	FY 23	FY 24	TOTAL
DLCP							2	2
DOB							1638	1638
DOEE							1	1
DPW	2	16	62	1413	2283	4035	6959	14770
DHS-SHEL							8	8
WMATA							200	200
TOTAL	2	16	62	1413	2283	4035	8808	16619

The vast majority of cases that remain open from prior fiscal years are from enforcement agencies – the Department of Public Works, the Department of Buildings, etc. These are almost exclusively enforcement actions where OAH has not received an answer from the respondent, meaning that the case is eligible to be reviewed for possible default. OAH has limited staff capacity to process or adjudicate these default-eligible cases, and has made the policy decision to focus on processing and adjudicating cases with a live disputes or cases that involve public benefits or unemployment insurance. This policy decision focuses on ensuring that individuals in need of basic resources have their cases adjudicated as quickly as possible.

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53. What does OAH identify as its most significant caseload pressure point as of FY 26, to date?

Beyond insufficient staffing and the lack of funding to fill vacant positions, the continual changes in OAH’s jurisdiction over or surrounding the provision of public benefits cause significant difficulties in processing and adjudicating those cases, and dramatically increase workload for both staff and ALJs. A specific example would be the changes to the Rapid Rehousing legislation that have occurred over the last 18 months.

54. How does OAH define a “backlogged” case, and how many cases currently meet that definition in FY 25–FY 26, to date?

OAH determines that a backlog exists when the number of cases and/or the rate at which cases are filed in a particular jurisdiction exceeds the capacity of staff to process or ALJs to adjudicate those cases within applicable statutory deadlines or, absent specific statutory deadlines, within timelines identified in the agency’s KPIs.

AGENCY	CASES
Enforcement	
Department of Licensing and Consumer Protection	1,059
Department of Buildings	9,245
Department of Public Works	37,592
Washington Metropolitan Area Transit Authority	1,972
Public Benefits	
Department of Human Services - Shelter	557
TOTAL	50,425

With respect to Enforcement cases, these are almost exclusively cases in which OAH has not received a plea from the respondent within statutory or regulatory time limits, and therefore which are ripe for adjudication by default. With respect to WAMTA cases, the NOV’s filed by WMATA are almost entirely legally deficient. OAH has made the policy decision to spend its limited resources on live cases or cases involving public benefits rather than processing filings from WMATA just to dismiss them immediately.

With respect to Public Benefits cases, OAH has seen increases in the number of cases filed since the end of the federal emergency related to the pandemic and the resulting end of moratoria on suspensions, reductions, or terminations of benefits. In addition, statutory and regulatory changes with respect to some programs have divested OAH of jurisdiction over cases that were already filed. These factors, combined with limited availability of staff from sister agencies to attend hearings, have resulted in the backlogs identified above. As an example, the changes in legislation regarding shelter cases, specifically Family Rehousing and Stabilization Program (FRSP), significantly limited the instances where OAH has jurisdiction. OAH is typically unable to determine from an initial appeal whether it has jurisdiction to hear the appeal. In order to determine whether a case contains issues

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over which OAH has jurisdiction, FRSP cases are not assigned to an ALJ for adjudication until DHS issues an Administrative Review decision, which could take months.

55. Which jurisdictions or case types have the highest proportion of cases open beyond statutory mandates or internal deadlines, and why?

Commented [CC12]: Needs work

With respect to internal deadlines for adjudication, there is no one case type that has a larger proportion of cases adjudicated beyond those deadlines; rather, a small number of cases in all case types are adjudicated beyond internal deadlines. The reasons are myriad – parties requesting delays, the complexity of the case, the length of the hearing, the number of issues for adjudication, the novelty of the issues to be decided, the volume of evidence submitted by parties, all impact whether deadlines are met in those cases.

With respect to statutory or regulatory deadlines, not all cases have statutorily or regulatory mandated deadlines for adjudication. [Attachment 55 - Statutory and Regulatory Deadlines](#) identifies the specific deadlines applicable to cases adjudicated at OAH.

In public benefits cases, statutory and regulatory changes with respect to some programs have divested OAH of jurisdiction over cases that were already filed. These factors, combined with limited availability of staff from sister agencies to attend hearings, have resulted in a large number of cases being open beyond the statutory deadlines. As an example, the changes in the Family Rehousing and Stabilization Program (FRSP) significantly limited the instances where OAH has jurisdiction. OAH is typically unable to determine from an initial appeal whether it has jurisdiction to hear the appeal. In order to determine whether a case contains issues over which OAH has jurisdiction, FRSP cases were not assigned until DHS issued an Administrative Review decision, which could take months.

In other jurisdictions, the reasons for not meeting statutory or regulatory deadlines mirror those for not meeting internal deadlines: parties requesting delays, the complexity of the case, the length of the hearing, the number of issues for adjudication, the novelty of the issues to be decided, and the volume of evidence submitted by parties all impact whether a deadline can be met.

56. What are the primary causes of delays in moving cases from filing to initial event, and to final disposition? How does OAH triage or prioritize aging cases when caseload volume exceeds staffing capacity?

See answers to Q54 and Q55. In addition, regarding moving cases from filing to initial event, the primary cause of delays is insufficient staffing and a large number of vacancies in the Clerk's Office. Regarding triaging/prioritizing aging cases, OAH has made the policy decision to prioritize those cases involving issues of public health, benefits, and safety. Within that rubric, OAH addresses the oldest cases with live disputes first.

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57. Which agency clusters require the greatest amount of staff time per case, and what factors drive that resource intensity?

OAH does not track time spent on each case and has no quantitative data to support our conclusions. However, the following case types generally require the greatest amount of staff time per case:

Shelter-Family Rehousing and Stabilization Program (FRSP). As described previously, changes in legislation regarding FRSP significantly limited the instances where OAH has jurisdiction. Nonetheless, due to the language of the statute and regulations, petitioners continue to file appeals at OAH. Staff must still process the appeal, an ALJ must still review the case to see whether OAH has jurisdiction, and then an order must be prepared and served. OAH lacks jurisdiction to hear the vast majority of these cases, and yet staff and ALJ time and resources are expended in reviewing and adjudicating these appeals.

DHS Shelter, Medicaid, SNAP, and Medicaid EPD waiver. Statutory provisions allow petitioners to file appeals over the phone. OAH staff devote a very large amount of time obtaining as much information from petitioners about the decision being appealed, but the decision from which a petitioner is appealing is rarely provided. This consumes significant staff time to obtain the necessary information to open a case and significant ALJ time during initial hearings discerning what decision is being appealed and what the issues for hearing actually are.

58. How does OAH assess the relative complexity of cases across agencies when assigning ALJs and support staff?

OAH divides case-specific work into six different sections or Clusters. ALJs and support staff are assigned to one of five clusters; all staff actively working on cases work with cases in the sixth cluster which encompasses enforcement cases from the Department of Public Works and Notices of Infraction under the purview of the Department of For-Hire Vehicles.

With respect to assigning support staff to each Cluster, OAH takes into consideration the volume of cases; the typical volume of evidence; the typical number of hearings required; the complexity of procedural hearings necessary before an evidentiary hearing is conducted; the difficulty or complexity in managing case filings or working with litigants; and whether there are multiple litigants associated with one case.

With respect to assigning ALJs to each Cluster, OAH takes into consideration the volume of cases; any statutory or regulatory deadlines; the volume and type of evidence submitted; the number and type of hearings usually required prior to conducting an evidentiary hearing and the number of pre-hearing procedural issues that are typically raised; the number, complexity, and novelty of legal issues involved; the number of litigants associated with a typical case; the length and complexity of evidentiary hearings; and the length and complexity of the final orders.

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59. Are there agencies or case types whose cases disproportionately consume ALJ time, clerk resources, or continuances? Please explain in detail and provide charts if necessary.

See answer to Q57. In addition, OAH spends a disproportionately large amount of time processing and adjudicating Title 31 For-Hire Vehicle Notices of Violation. OAH does not have visibility into the case management system (eTIMS, contracted for by DMV) and therefore does not have quantitative data to support this. However, OAH’s lack of access to the eTIMS system causes difficulties scheduling cases, drafting and serving orders, and managing cases ripe for default because no timely answer has been filed. Reassigning Title 31 NOV’s to DMV for adjudication would allow OAH to reallocate its resources to address the growing number of cases at OAH involving health and public benefits.

60. Does OAH account for agency-caused delays (e.g., failure to appear, incomplete records) when managing overall caseload capacity? Please explain in detail.

OAH does not take this into account when managing overall caseload capacity.

61. How does OAH allocate funding, staffing, and other operational resources across agencies and jurisdictional clusters based on caseload volume, complexity, and time to disposition in FY 25–FY 26, to date? Please explain the methodology used to make these allocation decisions and provide a chart showing, by agency or cluster: (a) total cases filed and pending; (b) estimated staff and ALJ time devoted; and (c) the corresponding allocation of budgeted resources.

See answer to Q58.

(a) Below is a chart showing the number of cases filed in FY 25; of those cases filed in FY 25, the number of cases remaining open as of October 26, 2025; and the number of cases filed in FY 26Q1. It is important to note that this is a snapshot of a single point in time and does not necessarily reflect the flow of cases through the adjudication process at OAH.

Commented [CC13]: Need to pull data for FY26Q1 when data entry is complete.

AGENCY	CASES FILED FY25	OPEN AS OF 10/26/25	CASES FILED FY26Q1
DC Public Schools	92	3	40
Department of Behavioral Health	10	5	5
Department of Buildings	9873	7566	2700
Department of Consumer and Regulatory Affairs	1	0	0
Department of Employment Services – OPFL	17	0	3
Department of Employment Services – UI	2504	17	853
Department of Employment Services – OWH	38	18	15

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Department of Energy and Environment	248	154	44
Department of For-Hire Vehicles	11	2	14
Department of Health	307	153	42
Department of Health Care Finance	993	200	212
Department of Housing and Community Development	195	93	36
Department of Human Services - Public Benefits	2230	354	628
Department of Human Services - Shelter	2941	1122	472
Department of Licensing and Consumer Protection	1403	1074	368
Department of Public Works	21092	17728	9853
Department of Small and Local Business Development	4	3	1
Department of Transportation	90	52	40
Department on Disability Services	12	5	8
Fire and Emergency Medical Services	55	39	1
Health Benefit Exchange Authority	112	7	39
Metropolitan Police Department	131	63	10
Office of Planning	3	2	0
Office of Risk Management	31	15	8
Office of Tax and Revenue	82	19	6
Office of the Attorney General - Child Support Services Division	16	5	2
Office of the State Superintendent of Education	22	7	2
Washington Metropolitan Area Transit Authority	1792	1772	0
GRAND TOTAL	44305	30478	15402

(b) OAH does not track the amount of time ALJs or support staff devote to cases .

(c) See Attachment 1 – Organizational Chart and answer to Q48(a).

62. To what extent have vacancies, turnover, or training gaps affected OAH’s ability to close cases on time? Please explain in detail.

Vacancies reduce man hours available to process and adjudicate cases; the fewer staff available to process and the fewer ALJs available to adjudicate cases means that time to final disposition increases. Insofar as there has been turnover, the time needed to properly train individuals means that efficiency of work is reduced. Insofar as training is incomplete, correcting mistakes negatively affects efficiency.

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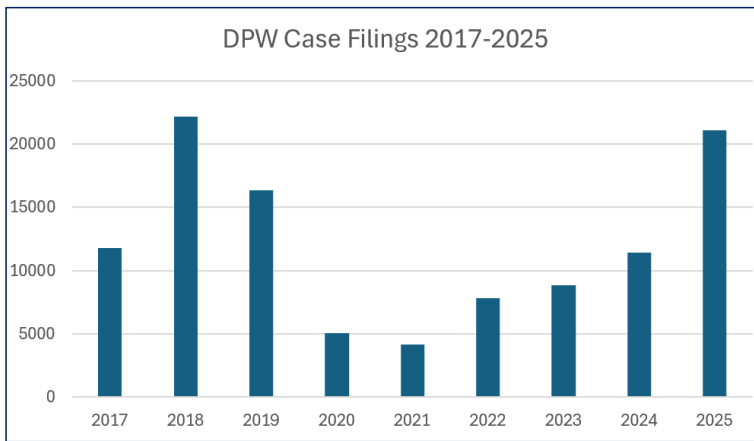
63. How many cases has OAH closed in FY 25 and FY 26, to date? Please provide a chart based on case type and agency.

AGENCY	FY 25	FY 26 Q1
DC Public Schools	98	39
Department of Behavioral Health	9	2
Department of Buildings	9177	1099
Department of Consumer and Regulatory Affairs	446	37
Department of Employment Services-UI	2472	748
Department of Employment Services-OPFL	22	2
Department of Employment Services-OWH	31	10
Department of Energy and Environment	163	18
Department of For-Hire Vehicles	11	16
Department of Health	272	43
Department of Health Care Finance	1032	183
Department of Housing and Community Development	183	28
Department of Human Services-Shelter	2221	481
Department of Human Services-Public Benefits	2572	385
Department of Licensing and Consumer Protection	957	209
Department of Public Works	5275	764
Department of Small and Local Business Development	2	0
Department of the Environment	0	0
Department of Transportation	70	74
Department on Disability Services	15	3
Fire and Emergency Medical Services	32	4
Health Benefit Exchange Authority	99	32
Metropolitan Police Department	126	32
Office of Planning	19	0
Office of Risk Management	50	11
Office of Tax and Revenue	188	11
Office of the Attorney General - Child Support Services Division	16	2
Office of the Secretary	0	0
Office of the State Superintendent of Education	17	7
Office of Victim Services and Justice Grants	0	0
Washington Metropolitan Area Transit Authority	2891	1
GRAND TOTAL	28477	4241

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64. Which case types have the lowest closure rates, and what barriers exist that prevent faster resolution?

Notices of Violation filed by DPW had the lowest case closure rate in FY 25: 21,092 cases were filed but only 5,275 cases were disposed (a case closure rate of 25%). The number of DPW cases filed at OAH was increasing prior to the pandemic, and has been steadily increasing again since FY 21, as shown in this graph:



OAH simply does not have the capacity to process and adjudicate over 20,000 NOV's filed by DPW every year.

Other licensing and enforcement cases arising from NOIs issued by such agencies as Fire and Emergency Medical Services (58% case closure rate), Department of Energy and Environment (66% case closure rate), Department of Licensing and Consumer Protection (68% case closure rate), and Department of Transportation (78% case closure rate) have lower case closure rates as well. Because the number of new cases filed at OAH has outpaced staff capacity to process and adjudicate those cases, OAH made the policy decision to prioritize those cases involving issues of public health, benefits, and safety. This prioritization shifts staff resources away from licensing and enforcement cases, which results in lower case closure rates for those cases.

Commented [CC14]: MCC needs to answer this

Commented [SR15]: How does PB case prioritization result in lower L&E closure rates? This seems disjointed.

Commented [CC16R15]: @Radkar, Smrut (OAH) does this modification clarify the connection?

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65. How does the use of mediation, settlement, or voluntary withdrawal impact OAH's overall case throughput?

Mediation is conducted by OAH ALJs and attorneys in OAH's Office of the General Counsel. It is employed as much as possible in all cases where appropriate, particularly with cases involving a high degree of complexity that would be anticipated to consume a large amount of resources. If a case is mediated successfully to settlement, the amount of staff time devoted to processing and adjudicating the case is reduced dramatically.

When parties settle a matter prior to complete adjudication – either through mediation at OAH or through consent outside of the litigation – or when a litigant voluntarily withdraws a case, the resources needed to process and adjudicate the case are reduced.

However, it is OAH's experience that some agencies do not notify OAH that it has settled a matter until after the case has been fully adjudicated (usually by default). Rather than increasing the efficiency of adjudication, settlement or withdrawal in this context increases the work necessary to adjudicate a case and wastes OAH's limited resources.

66. Are there any operational changes, if any, that have most directly improved case closure rates in FY 25 and FY 26, to date?

No. Any internal operational changes have a minimal effect on case closure rates. Rather, case closure rates are a direct result of the number of cases filed either by enforcement agencies or individuals filing appeals (over which OAH has no control) and the staff available to perform the work necessary to process and adjudicate those cases.

67. How does OAH communicate caseload strain or systemic delays to referring agencies? What have been those agencies responses? What resources have they offered?

OAH maintains regular and ad-hoc contacts with key stakeholders at other agencies to communicate caseload strains and systemic delays. Agency counterparts address the issues by eliciting the participation of other internal stakeholders to comprehensively investigate problems and respond with proposed solutions. Resolution, however, may be limited by agency bandwidth and/or resources to address the issue.

OAH also offers agencies the ability to view certain data related to caseloads directly from the case management system for quick reference and ongoing supervision.

In addition, OAH ALJs may address repeat agency behavior that contributes to delayed hearings or prolonged cases formally, through orders issued to those agencies, as applicable to the facts of the case being adjudicated. Similar to the response above regarding communications with other agencies about caseloads and operations, resolution may be limited by agency bandwidth and/or resources to address the issue, notwithstanding the identification of errors in an order. When errors remain unaddressed by an agency,

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however, the impact results in the limited resources of residents and OAH being wasted on legally deficient filings. Other issues that occur, and are addressed by order, include failures to appear, respond, file voluntary dismissals, or timely submit continuances. The impact of these failures to adhere to OAH Rules results in delayed, and in some cases unnecessarily prolonged, adjudication.

68. What mechanisms exist to help OAH address repeat agency behavior that contributes to delayed hearings or prolonged cases?

Please refer to the response to Q67.

OAH confers on at least a quarterly basis with agencies within its jurisdiction to communicate issues or symptoms of systemic challenges. Ad-hoc meetings are also held frequently to address urgent issues occurring outside of the regular meeting cycles.

Additionally, individual ALJs have powers conferred by statute to manage and address repeat agency behavior exhibited in any particular case through application of OAH Rules, with the ultimate potential consequence being dismissal. An ALJ may impose sanctions, but contempt proceedings require application to Superior Court for the District of Columbia.