

2014 Budget Hearing Statement
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Department of Administrative Hearings
Friday, November 8, 2013

Good Morning Chairman Austin and members of the City Council. Thank you for the opportunity to speak before you today about the Department of Administrative Hearings (DOAH), what we have achieved this year, and what we plan to accomplish in 2014.

The mission of the Department is to provide quality administrative hearings for the City of Chicago in a timely and efficient manner, with respect for the dignity of individuals and their due process rights. DOAH is an independent entity that hears cases relating to violations of the Municipal Code, the Chicago Park District Code and the Chicago Transit Authority Code.

The Department continues to maintain an exceptionally high level of service to the public. We have accomplished this through cross-training personnel and identifying and employing various efficiencies.

The Department hires and trains outside attorneys to hear cases and act as administrative law judges. These administrative law judges preside over approximately 545,000 hearings per year. The Department hears cases that fall under the following categories:

- Buildings: including violations of zoning code, fire code, building code including targeting of gang and drug houses, vacant buildings and lead paint in buildings with minors.
- Environmental Safety and Consumer Affairs: including public passenger vehicle violations, false advertising/deceptive practices, unlicensed businesses, outdated food products, home repair and motor vehicle repair fraud, unstamped cigarette sales, tobacco sales to minors, overweight trucks, violations of sanitation and health codes including overflowing garbage dumpsters, unsanitary restaurants or stores, recycling violations, improper waste disposal and towed vehicles.
- Municipal: including police-issued tickets, non-payment of business taxes, wage garnishments, false burglar alarms, animal care and control, vehicle impoundments, debt determination including water debt, denials of parade permits and gun registrations, CHA tenant grievances, debarments and cannabis possession up to 15 grams.
- Vehicle: including parking tickets, booted vehicles, red light camera violations, and driver's license suspensions. DOAH anticipates that it will begin to hear automated speed enforcement cases in November.

The Department also remains committed to assisting *pro se* (self-represented) litigants to effectively navigate the administrative hearing process and the number of litigants taking advantage of this assistance is growing. The help desk at the Central Hearing Facility, which is staffed and independently operated by attorneys from the Coordinated Advice & Referral Program for Legal Services (CARPLS), is open four days a week. CARPLS is a non-profit legal aid service that gives low-income clients direct access to experienced attorneys through legal aid hotlines and court-based help desks. The help desk provides support to *pro se* litigants by educating them about their legal rights and remedies, providing practical “how to” advice on how to present their evidence and their side of the case and providing assistance in preparing motions. As CARPLS attorneys have become more experienced in a wider variety of municipal code violations, the services provided by the help desk have expanded to almost every type of violation adjudicated by DOAH. The help desk, which is jointly funded by the City and the Chicago Bar Foundation, assisted 1,769 low-income respondents during CARPLS fiscal year of 7/1/12 – 6/30/13, an increase of 23 percent over the same period last year.

A second source of assistance for respondents continues to be provided by the *Telephone Language Line Interpretation Service* (Language Line). This translation service is available for respondents whose first language is not English.

All hearing rooms at the Central Hearing Facility and neighborhood hearing sites provide access to Language Line interpreters. This service enables respondents to understand and fully participate in the administrative hearing process by enhancing the accurate translation of proceedings by providing ready telephone access to interpreters who are skilled in more than 170 languages. The average time to connect to an interpreter is, on average, under one minute. The top two translation requests are for Spanish and Polish. This service also promotes efficiency by eliminating the need for continuances caused by the absence of an interpreter. It also minimizes the inconvenience to non-English speaking respondents who no longer need to make additional court appearances because a friend or family member is not available to interpret at the first hearing.

We also make the Language Line service available at the information counters at all of our facilities through the use of dual handset telephones. In this way, both our customer service staff and the non-English speaking respondent are able to more effectively communicate once they are connected to the interpreter. In 2012, there were 30,385 minutes of interpretation service. As of August 31, 2013, DOAH has utilized 25,222 minutes of this service, an increase of 39 percent over the same period last year.

Quality training for staff and administrative law judges continues to be a key component to our successful operation. Since 2007, the Department has been certified annually by the Illinois Supreme Court’s Continuing Legal Education Board (MCLE Board) to provide mandatory continuing legal education to hearing officers. Certification by the MCLE

Board must be supported by a proven track record and this certification validates the quality of the Department's past and present training program.

During 2013, the number of matters that are administratively adjudicated has continued to increase, as evidenced by both the number of new case filings and the number of annual hearings. The Department has worked hard to efficiently handle the increased caseload by balancing the work force so that staff assignments are based upon work load.

DOAH will continue to monitor case filings and work loads in its four operating divisions and reassign current staff members to ensure that citations, FOIAs, customer service, and telephone inquiries are handled in a timely manner. As an additional efficiency, DOAH will continue to utilize two "floater" positions in DOAH's Support Services who can be assigned to the Central Hearing Facility to reduce wait times during peak periods at the Information Desk or assigned among the various operating divisions depending upon respective caseloads on a daily basis. As part of DOAH's ongoing initiative to enhance customer service, we also plan to train all customer service staff who work in the Central Hearing Facility to handle motions to set aside (MTSA). Assuming additional responsibilities concerning MTSA's better utilizes staff members working at Kiosks A, B and C, mitigates wait times at the Information Desk during peak periods, and improves customer service.

Goals for 2014

We continue to be focused on the Department's core mission. This includes a commitment to:

- Maintain an exceptionally high level of service to the public while focusing on treating all with respect.
- Respond effectively to the needs of the enforcing departments to ensure that hearings are scheduled in a timely manner.
- Ensure that an adequate number of hearing rooms are open, staffed and available to meet existing and future enforcement initiatives.

Thank you.

Dept. of Administrative Hearings

Mission is to provide fair and impartial administrative hearings for those cited with violations of the Municipal Code of Chicago

Forty-two (42) budgeted positions

