



## ADMINISTRATIVE CONFERENCE OF THE UNITED STATES

### **Current Adjudication Projects of the Administrative Conference of the United States**

#### OFFICE OF THE CHAIRMAN

*Model Adjudication Rules Working Group.* The Office of the Chairman of the Administrative Conference of the United States has established a working group—the Model Adjudication Rules Working Group—to review and revise the Conference’s Model Adjudication Rules. Released in 1993 by a similar working group of the Conference, the Model Adjudication Rules were designed for use by federal agencies to amend or develop their procedural rules for hearings conducted under the Administrative Procedure Act. Numerous agencies have relied on the Model Rules to improve existing adjudicative schemes, and newer agencies, like the Consumer Financial Protection Bureau, have relied on them to design new procedures. Significant changes in adjudicative practices and procedures since 1993—including use of electronic case management and video hearings—necessitate a careful review and revision of the Model Adjudication Rules.

Judge Thomas McCarthy of the Federal Mine Safety & Health Review Commission chairs the Working Group. Professor Kent Barnett of the University of Georgia School of Law serves as the Working Group’s Reporter.

#### RECOMMENDATION PROJECTS

*Administrative Judges.* This project explores agencies’ use of non-administrative law judges (non-ALJs) in hearings not governed the Administrative Procedure Act. It studies the use of non-ALJs across numerous agencies and offers recommendations on selection, supervision, evaluation, and removal practices. Professor Kent Barnett (see above) and the Institute for the Advancement of the American Legal System serve as co-consultants for the project.

*Electronic Case Management in Federal Administrative Adjudication.* The Conference is studying the use and incorporation of electronic case management in agency adjudication in order to make recommendations and share best practices. Electronic case management is a comprehensive system that enables an agency to manage its adjudications for increased efficiency and access. It encompasses not only the creation and maintenance of an electronic system in which users may file and manage documents, but also includes various procedural changes that must be made to accommodate such a system. The implementation of an electronic system can be instrumental in streamlining an agency’s adjudication practices, improving interagency communication and access, and upgrading technology in related functions, such as hearing recording systems.

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Additional information about these and other ongoing projects can be found on the Administrative Conference’s website at <https://www.acus.gov/current-projects>.