



**OFFICE OF
ADMINISTRATIVE
TRIALS AND
HEARINGS**

**ANNUAL
REPORT
2013**

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Message from the Commissioner



The City of New York's Office of Administrative Trials and Hearings (OATH) is the nation's largest municipal administrative court, holding approximately 400,000 hearings each year throughout its four separate administrative tribunals. The majority of people who appear before OATH's administrative tribunals will represent themselves. For this reason, OATH continues to work diligently to implement creative solutions that improve the hearing process and make it easier for people to have their day in court.

In 2013, OATH launched a new, user-friendly website that empowers litigants by providing simple, clear instructions and exceedingly accessible information; OATH expanded access to its courts by transforming a tribunal with one Manhattan-based hearing location into a tribunal with hearing offices in all five boroughs; OATH created three different informational videos to help demystify the hearing process; it continued to produce new online request and application forms to ensure that OATH keeps pace with the 21st century expectations of the general public whom it serves; and it significantly increased the breadth of legal education and training that our judges and administrative law judges throughout the City receive through OATH's Administrative Judicial Institute.

OATH is dedicated to maintaining the superior level of service and legal expertise that the public has come to expect. I am proud to showcase some of our 2013 accomplishments in this report.

Sincerely,

A handwritten signature in black ink, appearing to read "Suzanne Beddoe".

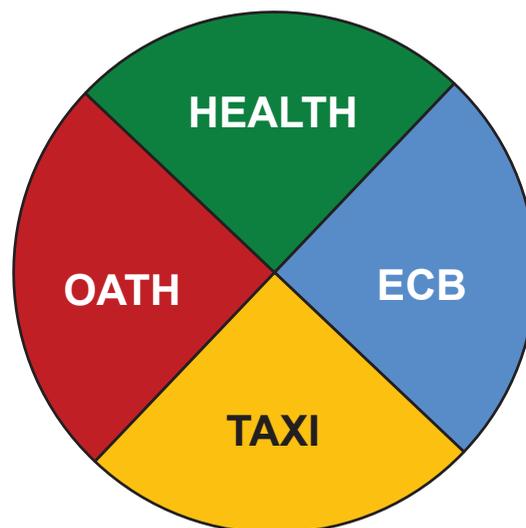
Suzanne Beddoe
Commissioner & Chief Administrative Law Judge

Agency Overview

OATH is the largest municipal administrative court in the nation, conducting nearly 400,000 hearings annually.

OATH is made up of four independent administrative tribunals:

- The Environmental Control Board (ECB) holds approximately 200,000 hearings annually on quality of life and public safety charges that are filed by 13 different City enforcement agencies including DOB, DSNY, FDNY and DEP
- The OATH Health Tribunal holds hearings on alleged violations of the City Health Code and other charges brought by the City's Department of Health and Mental Hygiene (DOHMH). The majority of the hearings involve food service establishments
- The OATH Taxi & Limousine Tribunal holds hearings on potential violations of TLC's rules and regulations, including cases brought against drivers by TLC, NYPD, Port Authority of NY and charges resulting from customer complaints
- The OATH Tribunal adjudicates a diverse range of matters including civil service disciplinary cases, human rights and discrimination cases, car seizure cases, license revocation cases and complex contractual disputes

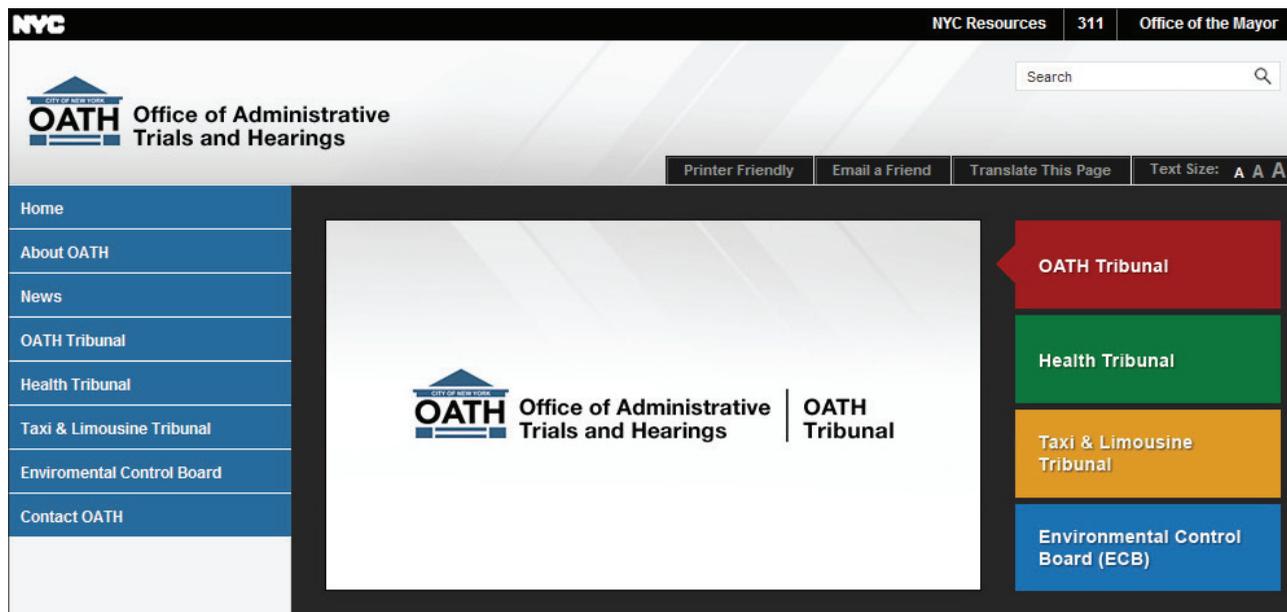


New Agency Website

For the first time in the agency's history, the four different tribunals that comprise OATH are accessible through one user-friendly website found at www.nyc.gov/oath

What makes the website helpful?

- It is easy to navigate due to a bold color scheme which makes each tribunal distinctive and respective programs and services are easy to locate
- Content is written in "plain language" making complex material easy to understand
- Recognizable, familiar icons clearly inform constituents of the many options available to them

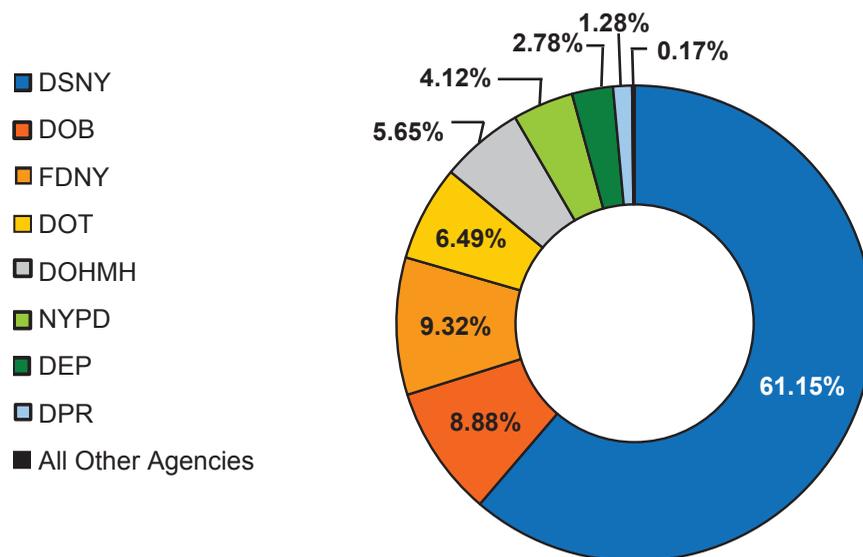


Environmental Control Board

2013 Highlights from the Environmental Control Board

- Reduced average wait time for decisions from 96 to 5 days
- Reduced average wait time for appeal decisions from 147 days to 92 days
- Increased the types of cases that can be contested online, by phone, or by mail from 300 to more than 650
- Conducted more than 4,250 One-Click (online) Hearings in 2013 and more than 10,600 online hearings have been conducted since the program began in 2011
- Conducted more than 1,200 Hearings by Phone in 2013 and more than 2,900 hearings have been conducted over the phone since the program began in 2011
- Released informational video that explains the hearing process

Tickets received by the Environmental Control Board from Enforcement Agencies in 2013*



*January through November 30, 2013

Environmental Control Board

Informational Video for the Self-Represented

The Environmental Control Board (ECB) released a short informational video that explains how an in-person hearing at ECB works. The video can be viewed by members of the public by going to the ECB section of the OATH website at www.nyc.gov/oath



What does the video explain?

- What to bring to the hearing
- How to check-in upon arrival
- How the hearing is conducted
- Who may be present at the hearing
- How and when the judge's decision will be issued

Environmental Control Board

Convenient Online Forms

ECB is dedicated to keeping pace with the expectations of the public whom it serves. Since 2010, ECB has introduced online hearings, online appeals and various other online forms and applications.

In 2013, ECB created an online form for members of the public who would like to request a Hearing by Phone.

Schedule a Hearing by Phone



You can send ECB a request for a Hearing by Phone by using a simple [online form](#). The form must be submitted to ECB **before** the scheduled hearing date. ECB will then call you to schedule the Hearing by Phone.

OR



You can call ECB to schedule your Hearing by Phone. Please call **(212) 436-0777** **before** the scheduled hearing date.

Translation Services

If you feel more comfortable making your case in a language other than English, ECB will provide translation services immediately and free of charge.

The Judge's Decision

You will get the judge's decision in the mail within 30 days.

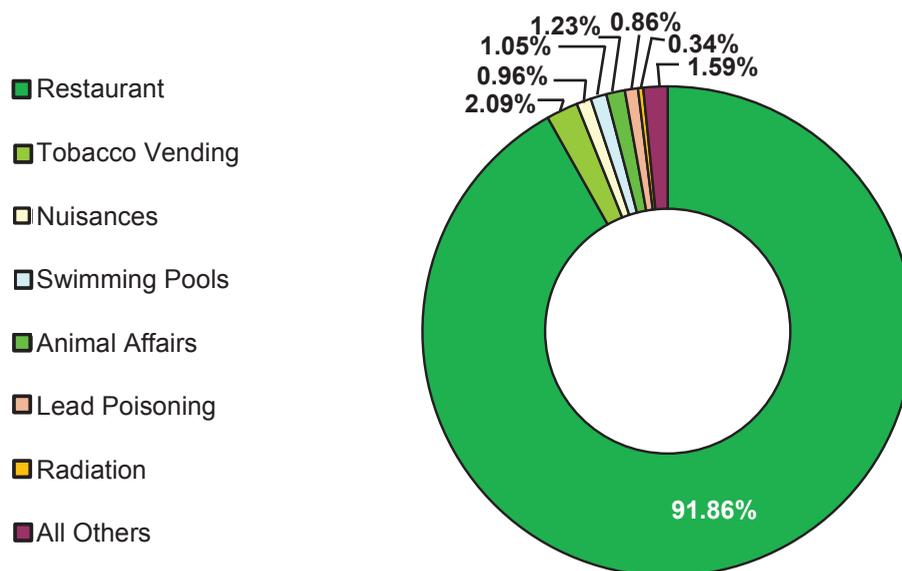
www.nyc.gov/oath

OATH Health Tribunal

2013 Highlights from the OATH Health Tribunal

- Expanded access and convenience by opening hearing offices in every borough
- Reduced average wait time for appeal decisions from more than 60 days to 40 days
- Conducted more than 650 One-Click (online) Hearings, a 200% increase from 2012
- Released informational video that explains the hearing process
- Developed online application and request forms
- Improved efficiency and reduced waste with the complete elimination of paper files

Types of violations received by
OATH Health Tribunal from
Department of Health and Mental
Hygiene (DOHMH) in 2013*



*January through November 30, 2013

OATH Health Tribunal

Informational Video for the Self-Represented

The OATH Health Tribunal released a short informational video that explains how an in-person hearing works. The video can be viewed by members of the public by going to the Health Tribunal section of the OATH website at www.nyc.gov/oath



What does the video explain?

- What to bring to the hearing
- How to check-in upon arrival
- How the hearing is conducted
- Who may be present at the hearing
- How and when the judge's decision will be issued

OATH Health Tribunal

Expanding Access: Hearing Offices in Every Borough

In 2013, the OATH Health Tribunal opened its first-ever hearing office in Brooklyn, representing the fourth new Health Tribunal hearing office that OATH has opened. Since 2011, the Health Tribunal has been converted from a single, Manhattan-based office, into a tribunal that is comprised of fully-functional hearing offices in each of the five boroughs. Restaurant-owners no longer have to travel to Manhattan if they want to contest alleged violations at an in-person hearing.

OFFICE LOCATIONS

Bronx
3030 Third Avenue
Bronx, NY 10455
Tel: (212) 361-1000
Monday – Thursday
(9:00am – 5:00pm)

Brooklyn
9 Bond Street, 6th Floor
Brooklyn, NY 11201
Tel: (212) 361-1000
Monday – Friday
(9:00am – 5:00pm)

Manhattan
66 John Street, 11th Floor
New York, NY 10038
Tel: (212) 361-1000
Monday – Friday
(9:00am – 5:00pm)

Staten Island
350 Marks Place, Main Floor
Staten Island, NY 10301
Tel: (212) 361-1000
Tuesday
(9:00am – 4:00pm)

Queens
144-06 94th Ave. Main Floor
Jamaica, NY 11435
Tel: (212) 361-1000
Monday, Wednesday, Thursday & Friday
(9:00am – 5:00pm)



Suzanne Reddick, Esq.
Commissioner & Chief Administrative
Law Judge, OATH

Carol Moran, Esq.
Deputy Commissioner,
OATH Health Tribunal



An OATH Health Tribunal judge conducts a hearing at the Staten Island office. Health Department inspectors can testify from other OATH Health Tribunal hearing offices by using OATH's webcam technology.

(Back of OATH Health Tribunal informational brochure)

OATH Health Tribunal

Convenient Online Forms

The OATH Health Tribunal has created several new online request and application forms to make it easier to submit information to the Tribunal.

Restaurant-owners can now submit an online form to:

- Contest an alleged violation
- Appeal a judge's decision
- Reschedule a case
- Reopen a defaulted case

How to Reschedule Your Hearing:



Online - The easiest way is to [submit this electronic request form](#).



By Mail - To request to reschedule the case by mail, [print this form](#) (in PDF), and send it to the address listed on the top of the form.

You may make up to three requests for a new hearing date. All additional requests must be made in person, before a judge at the time of the scheduled hearing.

How to Reopen Your Defaulted Case



Online - The easiest way is to [submit this electronic request form](#).



By Mail - To apply to reopen by mail, [print this form](#) (in PDF), and send it to the address listed on the top of the form.

You may only request a new hearing once for each Notice of Violation that is in default, so make sure to follow the instructions carefully. If the request for a new hearing is received by the Health Tribunal within 60 days of the date the case first defaulted, then the Health Tribunal will grant the request.

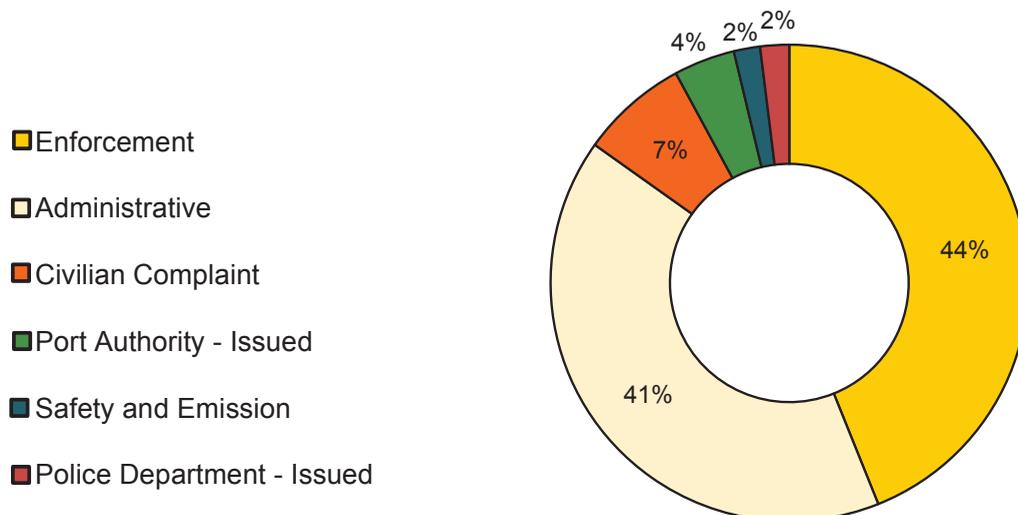
www.nyc.gov/oath

OATH Taxi & Limousine Tribunal

2013 Highlights from the OATH Taxi & Limousine Tribunal

- Reduced average wait time for appeal decisions by one month, from 95 days to under 65 days
- Translated all brochures and flyers into the top 6 languages spoken by visitors to Tribunal
- Created an instructional brochure on how to appeal a judge's decision
- Released informational video that explains the hearing process
- Made it simple for drivers to reschedule hearings

Types of violations received by OATH Taxi & Limousine Tribunal in 2013 *



*January through November 30, 2013

OATH Taxi & Limousine Tribunal

Informational Video for the Self-Represented

The OATH Taxi & Limousine Tribunal released a short informational video that explains how a hearing at the Taxi & Limousine Tribunal works. The video can be viewed by members of the public by going to the Taxi & Limousine Tribunal section of the OATH website at www.nyc.gov/oath



What does the video explain?

- What to bring to the hearing
- How to check-in upon arrival
- How the hearing is conducted
- Who may be present at the hearing
- How and when the judge's decision will be issued

OATH Taxi & Limousine Tribunal

Making Information Accessible

The OATH Taxi & Limousine Tribunal created a step-by-step instructional brochure that explains how to correctly file an appeal if a taxi driver or owner disagrees with a judge's decision. The brochure is available in six different languages. The first-of-its kind brochure makes the appeal process fairer as drivers and owners now have easy access to information that was previously hard to find.

Appeals Unit

Should I Appeal?

- Did the decision:
 - get the facts wrong?
 - ignore something presented at the hearing?
 - get the meaning of the law wrong?

If so, you have the right to appeal.

Just being unhappy about paying the penalty is not a reason to appeal.

Who can Appeal?

- Respondent**
The person named on the summons can appeal the OATH Taxi & Limousine Tribunal decision, once the Notice of Decision has been issued by the OATH Taxi Tribunal Judge.
- Representative**
A person authorized to represent the person named on the summons can also appeal the OATH Taxi & Limousine Tribunal decision. Representatives *must* include a notarized letter of authorization from the respondent or a notarized Power-of-Attorney form with the appeal.
- The Taxi & Limousine Commission (TLC)**
The Commission can appeal the OATH Taxi & Limousine Tribunal decision, once the Notice of Decision has been issued by the OATH Taxi Tribunal Judge.

How do I File an Appeal?

STEP 1
You should use the OATH Taxi & Limousine Tribunal's Appeal Form to file an appeal. You can find the appeal form online at www.nyc.gov/oath. Using this form will help you file the appeal correctly.

STEP 2
The appeal has to be received by the OATH Taxi & Limousine Tribunal within **80 calendar days** from the Decision Date listed on the judge's decision.

STEP 3
If you wish to request a copy of the audio recording of the hearing before you file your appeal, you must make the request **within 7 calendar days** of the Decision Date on the decision. You **must** use the OATH Taxi & Limousine Tribunal *Request for Audio Recording of Hearing* form to make the request.

STEP 4
After completing all sections on the front side of the appeal form, use the space provided on the back side to explain why you think you should win your appeal.

The *Should I Appeal?* brochure provides information about:

- Who can file an appeal
- Important deadlines related to appeal applications
- Steps that must be taken to correctly file an appeal
- Documents that must be submitted with the appeal
- Options available after the appeal decision is rendered

OATH Taxi & Limousine Tribunal

Convenient Online Forms

The OATH Taxi & Limousine Tribunal is making it easier for drivers to interact with the Tribunal and submit important, time-sensitive applications or requests. In 2013, the Tribunal developed its first-ever online form, making it exceedingly simple for drivers to submit requests for a different hearing date.

The screenshot shows the OATH website interface. The header includes the OATH logo and the text "Office of Administrative Trials and Hearings". A navigation menu on the left lists various sections, with "Taxi & Limousine Tribunal" highlighted in orange. The main content area is titled "Request for a New Hearing Date - Online Form". It contains instructions: "A request to reschedule a Hearing must be made at least five business days before the first scheduled hearing." and "No more than one reschedule request at least five business days before the hearing will be granted." Below this, there are fields for "Respondent" information, including "Last Name", "First Name", and "Middle Initial", and a field for "Business Name". A note states "I am requesting a new hearing date for the following Summons:" followed by a field for "Summons Number(s)".

The graphic features the OATH Taxi & Limousine Tribunal logo at the top. Below the logo, the word "RESCHEDULES" is written in large, bold, yellow letters. To the right, a blue oval contains the text "Reschedule your hearing online at www.nyc.gov/oath". The main body of the graphic has a white background with a blue border. It contains the text: "You can now submit your reschedule request using a simple online form found on the OATH website". At the bottom, a blue banner with white text reads: "Reschedules must be submitted at least five (5) days before your hearing date."

How is the online form helpful to drivers who have been summoned to the Tribunal?

- Drivers don't have to call or visit the Tribunal during business hours to reschedule cases
- The form can be submitted instantly, making it easier to meet required deadlines
- The electronic request form can be translated into different languages
- Once the form is submitted, the driver will receive an automatic, date-stamped, confirmation email

OATH Tribunal

2013 Highlights from the OATH Tribunal

- Launched electronic case management system to increase efficiency and enable cases to be filed with the Tribunal electronically
- Enhanced public's access to information by making OATH Tribunal hearing calendar available on the OATH website
- Expanded the breadth of legal education and training methods provided through OATH's Administrative Judicial Institute
- Launched the OATH Honors Fellows Program to attract exceptional law school graduates to public service

Types of cases filed by NYC Agencies at the OATH Tribunal in 2013*



*January through November 30, 2013

OATH Tribunal

Increasing Efficiency: New Electronic Case Management System

In 2013, the OATH Tribunal deployed a brand new, electronic case management system that was developed to uniquely fit the needs of the Tribunal and its caseload.

How does the OATH Law Manager increase efficiency?

- The Tribunal can easily store and access all case-related items, including scanned and electronic documents, e-mails, and the digital audio recordings of court proceedings
- It provides City agencies with the ability to file cases with the Tribunal electronically
- It allows the parties who appear before OATH and members of the public to view the Tribunal's weekly hearing calendars online



OATH Tribunal

Increasing Cross-Cultural Understanding of Administrative Justice Systems and Sharing Best Practices

OATH is nationally recognized as an expert in transforming previously failing administrative tribunals. In 2013, OATH's Administrative Judicial Institute hosted a number of different delegations from other U.S. cities as well as foreign countries, that were interested in learning about OATH including:

- Delegation from the Korean Central Administrative Appeals Commission, a federal administrative body that hears a wide range of appeals brought by citizens in response to administrative agency decisions and actions
- Hon. Yang Linping, Director General of the State Compensation Commission of China's Supreme People's Court, focusing on judicial review of administrative agency decisions
- Delegation from People's Procuratorate of Fujian Province in China, interested in learning about the governing of administrative law in the U.S.



Marisa Senigo, OATH Assistant Commissioner for Public Affairs; Sally Ryu, Korean Translator; Jonghyun Park, Consul at the Consulate General of Korea; Hong Seong-chill, Chairman of the Central Administrative Appeals Commission; Kwon Kun-Sang, Director of Administrative Appeals at the Anti-Corruption & Civil Rights Commission

OATH Tribunal

Resource & Training Center for Administrative Law Judges

OATH's Administrative Judicial Institute (AJI) was created to serve as a judicial resource to provide training, continuing education, research and support services for judges. The Institute serves all the administrative law judges and tribunals throughout New York City and makes its programs available to state and federal administrative law judges as well. The Institute is an accredited Continuing Legal Education (CLE) provider.

In 2013, the Institute presented 75 programs and training classes, a 25% increase from 2012. These programs were presented to more than 1,900 attendees, a 43% increase from 2012.

Programs for ECB Judges

- Pest Control
- Street Light and Power: What ECB ALJs Need to Know
- ECB Reviewer Training: Developing Best Practices
- ECB Tribunal Judicial Skills Workshops Week I
- ECB Tribunal Judicial Skills Workshops Week II
- ECB Tribunal Judicial Skills Workshops Week III
- ECB, the Appeals Process and the Board
- Vendor Law Training
- Animal Related Violations
- An Introduction to Adjudicating Water Code NOVs at ECB
- Illegal Dumping and Theft of Recycling

Programs for OATH Health Tribunal Judges

- Judicial Ethics Class for Health ALJs
- Animal Related Violations
- New judge training: Five-day intensive substantive law and court room skills training course

Programs for OATH Taxi & Limousine Tribunal Judges

- Decision Writing for the OATH Taxi & Limousine Tribunal
- Reviewing Decisions: A Primer
- Street Hail Livery Vehicles & Governing Rules
- New judge training: Five-day intensive substantive law and court room skills training course

Programs for Non-Judicial Personnel

- Leadership Skills Training
- OATH – New York City's Central Administrative Law Tribunal: A Guide for Practitioners

Programs for All Administrative Law Judges

- Forensic Linguistics: Analyzing Written and Oral Language Evidence
- The Science of Decisions Making: Emotion, Reason and Cognitive Traps
- The Engaged Judge: Leadership and Neutrality in Practice
- Electronic Evidence: Admissibility Issues
- Beyond Words: Nonverbal Communication Research & Judicial Implications
- Judicial Mindfulness: Application of Mindfulness Practices for Judges
- Judicial Ethics: Everything You Don't Know from the Code to the Commission on Judicial Conduct
- Judicial Opinion Writing for New York City and State ALJs
- Security in Cyberspace in Social Media for Judges & Lawyers
- Key to Evidentiary Topics for Administrative Law Judges

OATH Tribunal

Expanding Legal Education and Training for City Administrative Law Judges

OATH's Administrative Judicial Institute (AJI) is accredited by the New York State Continuing Legal Education Board (CLE Board). In 2013, the Institute received approval from the CLE Board to accredit non-traditional formats for its programs, including presentations through live videoconferencing and videotape replays of previously presented programs.

How does the new accreditation status benefit the AJI, judges and the public?

- Utilizing OATH's videoconferencing technology makes administering trainings more efficient
- There will be an increase in the number and types of trainings that can be offered by the AJI
- Alternative training methods make it more convenient for judges to attend and receive training
- Better-trained judges results in higher-quality and better informed decision-making

