



# Advancing Excellence in Administrative Adjudication

Annual Report of the  
Illinois Bureau of Administrative Hearings

Fiscal Year 2024



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The Illinois Bureau of Administrative Hearings (Bureau), housed within the Department of Central Management Services (CMS), presents this annual report in compliance with Executive Order 2017-04, detailing its Fiscal Year (FY) 2024 activities and key recommendations for the continued advancement of administrative justice and adjudication excellence.

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# REPORT HIGHLIGHTS

## Introduction

The Bureau plays a critical role in supporting state government agencies by offering its voluntary adjudication services to those without in-house hearings units. In doing so, the Bureau enables these agencies to concentrate fully on their primary missions without the administrative burden of managing adjudication processes internally or the fiscal burden of contracting for external support. The Bureau's adjudicators are specially trained and experienced in administrative law procedures, providing a neutral and impartial forum for resolving disputes on regulatory and administrative matters.

More broadly, the Bureau is dedicated to collaborating with all stakeholders to coordinate statewide initiatives that enhance access to justice, modernize hearings technology, and offer learning and professional development opportunities for the state's adjudicators at no cost to them or their employing agencies.

## Overview of FY 2024

### **Adjudication Services**

The Bureau experienced a nearly 20% demand increase in the number of hearings requested in FY 2024 as compared to FY 2023. Additionally, the Bureau began the process of onboarding the Illinois Department of Transportation (IDOT), integrating their regulations and procedures into the Bureau's adjudicative framework and completing comprehensive federal training modules to gain specialized knowledge required.

### **Innovation and Efficiency**

Committed to leveraging technology to improve service delivery, the Bureau continued its efforts toward procuring an electronic case management and secure e-filing solution. The Bureau also drafted and successfully advanced legislation authorizing procedural rulemaking – a critical step in developing and implementing e-filing procedures.

### **Access to Justice Initiatives**

The Bureau continued to take significant steps to enhance language access and inclusivity within its courtroom proceedings, underscoring the Bureau's dedication to fostering a supportive and inclusive adjudication process that respects the dignity and rights of all persons. Emphasis was given to developing additional resources for self-represented litigants to navigate administrative hearings without an attorney.

### **Excellence Through Learning**

The Bureau continued to facilitate timely learning opportunities for the state’s adjudicators at no cost to them or their employing agencies. These efforts reflect the Bureau’s dedication to maintaining high ethical standards of adjudication and fostering a culture of continuous improvement. Additionally, the Bureau participated in national conferences, exchanging ideas and best practices.

## **Key Recommendations for FY 2025**

### **Strengthen Collaborative Partnerships**

Continuing to increase stakeholder participation will expand the Bureau’s capacity and perspective to implement meaningful change.

### **Continue to Digitize and Optimize Processes**

Transitioning to an electronic case management system with secure e-filing will transform the Bureau’s delivery of services, increase accessibility and transparency, and provide the Bureau pertinent data to forecast trends.

### **Expand Learning and Professional Development Opportunities**

The Bureau should continue to seek out and leverage cost-effective partnerships to increase opportunities for learning and professional development for the state’s adjudicators, including a voluntary mentorship program.

### **Engage a Learning Management Platform**

A learning management platform can make existing educational resources available to the state’s adjudicators on-demand and greatly reduce manual administrative tasks associated with tracking and reporting participants’ continuing legal education.

## **Conclusion**

Looking forward, the Bureau remains steadfast in its mission to uphold fairness and justice in administrative adjudication, while striving for excellence in practice. The activities highlighted in this report underscore the Bureau’s opportunities to promote a fair, transparent, and efficient adjudication process. Looking ahead, implementing key recommendations will enable the Bureau to further enhance its service delivery and procedural practices, ensuring continued excellence in administrative justice.

# A LOOK AT THE BUREAU

## Our Vision

Our vision is to deliver a convenient, simple-to-navigate forum that ensures fair resolution of contested cases, promotes access to justice, and supports innovative practices. We collaborate with state agencies, community partners, and the public to streamline processes and improve accessibility while enhancing adjudicator professional development to uphold the highest standards of fairness and expertise.

## Administrative Hearings, Background

An administrative hearing is a legal proceeding, held before an impartial fact finder, to review a government agency's action. Each party to the hearing has a right to testify, present and question witnesses, and submit or challenge documents regarding the decision. The neutral fact finder, called an administrative law judge (ALJ), makes findings of fact, conclusions of law, and issues a recommended or final decision which affirms, modifies, or sets aside the government agency's action. Hearings cover a wide range of matters, including licensing, enforcement, and appeals of agency decisions.

## Adjudication Services and Organizational Structure

In mid-2017, the Bureau began offering voluntary adjudication services to those agencies whose caseloads did not justify employing their own ALJs. This move allowed agencies to eliminate costs of contracting with private attorneys to serve as ALJs, ensuring cases are heard by an independent, experienced adjudicator at lower taxpayer cost. Strategic housing within CMS, an experienced agency services provider, allows the Bureau to concentrate on its mission while minimizing administrative overhead.

All Bureau proceedings are conducted by qualified ALJs who are Illinois-licensed attorneys with significant legal experience. In Fiscal Year 2024, the Bureau employed two full-time ALJs, overseen by a Deputy Director who also carries a caseload. The Bureau's adjudication services range from simple administrative appeals to conducting multi-day or multiweek trial-like evidentiary hearings in complex matters. Some cases are narrow, single-issue disputes; others involve multiple complicated legal and factual disputes. Most proceedings are governed by the Illinois Administrative Procedure Act (5 ILCS 100/10/ et seq.) and the relevant statutes and rules of the agency regulatory authority under which the hearing request originated.

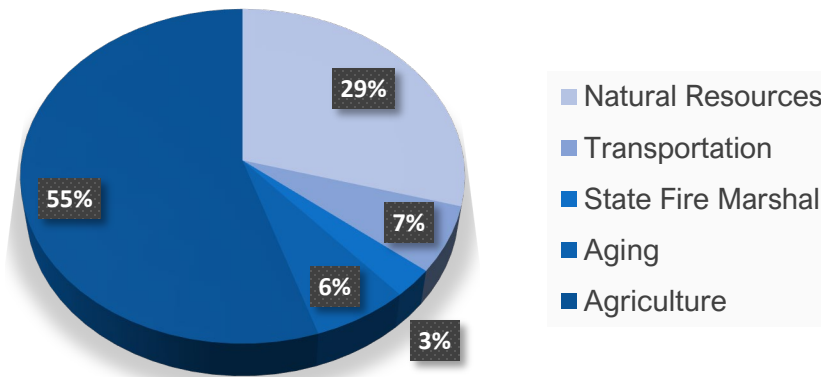
# FY 2024 ADJUDICATION

## Requests for Hearing in FY 2024

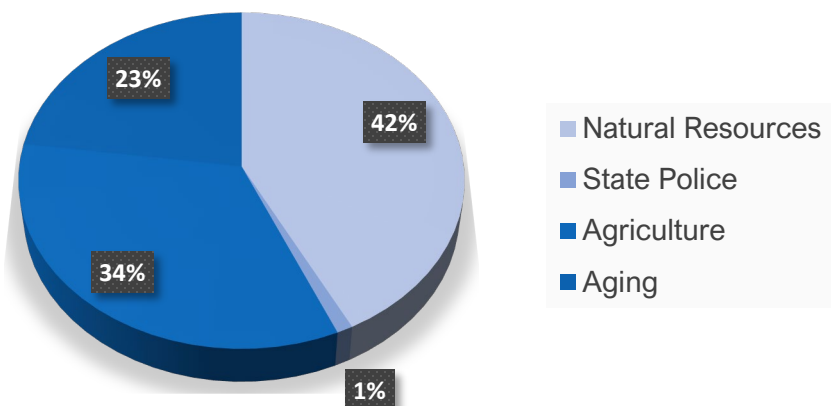
The Bureau’s caseload is externally driven and highly dependent upon the adjudication needs of the agencies it serves, which can fluctuate year-to-year as depicted in the charts below. To date, the Bureau has served or stands ready to serve ten agencies, spanning more than 50 diverse case types.

In Fiscal Year 2024, the Bureau received 109 new requests for hearing. This represents a nearly 20% increase in requests received as compared to Fiscal Year 2023.

Requests for Hearing in FY 2024



Requests for Hearing in FY 2023



## Onboarding of New Case Types

In Fiscal Year 2024, the Bureau began the process of onboarding the Illinois Department of Transportation (IDOT), integrating their regulations and procedures into the Bureau's adjudicative framework. Specifically, the Bureau began hearing matters arising under the Disadvantaged Business Enterprise (DBE) program administered by IDOT, which provides minorities, women, and other eligible small businesses an opportunity to participate in transportation contracts that utilize federal funds. To gain the specialized knowledge of program requirements necessary to conduct these hearings, the Bureau's ALJs completed comprehensive DBE training modules released by the United States Department of Transportation Federal Highway Administration.

## Key Observations

The Bureau's adjudication model allows agencies flexibility to engage the Bureau's adjudication services as needed, ensuring support whether by fluctuating volume or complexity of individual cases. By leveraging the Bureau's expertise and hearings infrastructure, agencies with minimal case volumes can uphold regulatory standards and ensure fair outcomes for hearings participants.

While individual agency hearings requests may not be voluminous, combined they can represent a substantial workload. While the Bureau has thus far been able to flexibly allocate its resources accordingly, a caseload that is externally driven can present challenges for future staffing predictions.

Moreover, during the life cycle of a typical case, the Bureau's ALJs often engage in prehearing practice; extensive discovery and motion practice with briefings, oral arguments, and orders on motions; and mediation, with ongoing monitoring of settlement agreements. These case events are not reflected in the simple raw number of requests for hearing in a given fiscal year, yet account for a substantial portion of an ALJ's workload. The Bureau is therefore working toward establishing more meaningful metrics to capture these differences in case events and complexity, leveraging CMS' Data Analytics team expertise. As the Bureau onboards additional case types, this expanded information will provide the Bureau valuable insights into the appropriate staffing levels needed to ensure seamless service delivery.

# INNOVATION AND EFFICIENCY

## Electronic Case Management Solution

Leveraging modern technological tools and procedural innovations, the Bureau strives to expedite the resolution of disputes without compromising the quality or fairness of outcomes. Acquiring an effective electronic case management and secure e-filing system will improve tracking, reporting, and transmission of cases; enhance security of information; and transform litigants' access to information about their cases, making it easier for them to assert their rights. A fully implemented system is expected to bring savings through the elimination of cumbersome paper-based processes and the tedious hours spent supporting them, including an estimated 50% reduction in time spent on calls, emails, and faxes; 45% reduction in first class mailings; 55% reduction in time spent scheduling; 70% reduction in time spent creating the administrative review record and 55% reduction in time spent creating reports.

In its search for a cost-effective solution, the Bureau identified a product dedicated to justice agencies. With this product having been designed for adjudication processes, the Bureau can leverage decades of various government agency experiences to identify efficiencies within its own business processes. The Bureau seeks to utilize the NASPO Cooperative to purchase this software through a value-added reseller, benefitting from economy of scale and bulk discounted pricing from Cooperative participating vendors.

## Creating Framework for Transparent E-Filing Rules

E-filing, which involves submitting hearings documents electronically rather than through traditional paper methods, can streamline administrative processes and reduce costs for litigants. However, for e-filing systems to be effective, the underlying rules must be well-defined and transparent to all users.

To address this need, the Bureau drafted and successfully advanced legislation (SB2804) that authorizes procedural rulemaking. This legislative step is crucial because it establishes the framework for the Bureau to develop and implement the e-filing rules, including requirements for document formats, submission deadlines, and authentication processes. The Bureau aims to work collaboratively with all stakeholders to ensure these rules are promulgated through a deliberate process, with opportunities for input.



# ACCESS TO JUSTICE INITIATIVES

## Enhancing Language Access

The Bureau has a robust language access plan designed to remove language barriers so that all hearings participants have meaningful access to justice. Moreover, the Bureau's ALJs are committed fully to ensuring all participants have an opportunity to understand and be heard, having completed trainings from widely regarded institutions such as the National Judicial College and the National Association of Hearing Officials (NAHO). In Fiscal Year 2024, the Bureau's ALJs participated in NAHO's Best Practices for Working with Interpreters, further enhancing the Bureau's capability to provide effective and reliable language support to Illinoisians.

Drawing on best practices learned during these exchanges, the Bureau continues to explore how it can enhance the visibility of its language access services to users by more prominently featuring its available resources in its written communications.

## Inclusive Practices, Always

Since its inception, the Bureau has prioritized inclusive practices to ensure all hearings participants, regardless of background or identity, feel respected and heard. This commitment to inclusivity has been a cornerstone of operations, ensuring that staff are well-equipped to address and respect various cultural and identity differences, benefitting both hearings participants and fellow employees alike.

Frequent and ongoing opportunities for learning and self-reflection are a key way the Bureau pursues this goal. Reflecting its ongoing dedication, the Bureau accepted the generous invitation from neighboring Indiana's Office of Administrative Law Proceedings to participate in a training for ALJs across the nation, with the Bureau facilitating continuing legal education credit for Illinois-licensed attendees. This multi-part series offered ALJs insights into model codes of judicial conduct, evolving court rules across the nation, and various state bar ethics opinions addressing the use of inclusive language and practices for transgender persons in the courtroom, with the goal of ensuring interactions are welcoming, inclusive, and free from discrimination based on gender identity. Collaborating with other jurisdictions in this way offers expanded education opportunities, enriching the Bureau's efforts and broadening its impact.

## Resources for Self-Represented Litigants

For many litigants, their appearance in an administrative proceeding is their first time appearing in a legal forum. Often, litigants are self-represented, meaning that they are navigating the administrative hearing process without an attorney advocate. To be effective, administrative law reform must consider the perspective of the self-represented litigant. Resources that support self-represented litigants not only promote greater access to justice but are also likely to reduce procedural errors and delays owing to a lack of understanding.

In Fiscal Year 2024, the Bureau strengthened its ongoing efforts to fill the critical need for accessible self-help support resources. Current initiatives include a series of online guides written in plain language and plans for informational videos to demystify legal procedures, empowering individuals without legal representation. Access to CMS' newly created digital content manager for strategic execution of these initiatives is one more reason the Bureau benefits from its operational home.

Equally important is equipping ALJs with resources demonstrating how to interact with self-represented litigants effectively and ethically. This dual approach is critical because it ensures that litigants have the tools that they need to successfully navigate their hearing, but also that ALJs have appropriate guidance for managing cases fairly and impartially, ensuring all parties have a meaningful opportunity to present their case.

## Increasing Pro Bono Representation

Even the most robust self-help resources have limitations in addressing complex and nuanced legal issues. Pro bono attorneys can provide litigants of limited financial means legal advice tailored to their unique situation. The Bureau must maintain its neutrality and cannot provide legal advice or representation itself. However, the Bureau can connect individuals with existing legal aid and community resources, as well as encourage bar associations and law schools to implement voluntary programs. Law school clinics could leverage the enthusiasm of law students to gain practical experience while potentially inspiring careers in public service. By promoting awareness about the need for pro bono services in administrative hearings, the Bureau can help increase the availability of legal representation while upholding its impartial stance.

Partnering with Chicago Appleseed Center for Fair Courts and Chicago Council of Lawyers, the Bureau mobilized stakeholder committees dedicated to advancing administrative justice, ensuring robust feedback, enhanced transparency of hearing reform efforts, and increased capacity to tackle initiatives, such as increasing pro bono representation in administrative proceedings.

# EXCELLENCE THROUGH LEARNING

## Facilitating Adjudicator-Focused Learning

Education and professional development are pillars for adjudicators, ensuring they maintain competence, uphold fairness, and adapt to evolving legal landscapes. Since its inception in 2017, the Bureau has facilitated more than 5,000 person-hours of adjudicator-focused learning and provided tangible resources such as a convenient bench book and a comprehensive training curriculum for new adjudicators.

The Bureau continued its adjudicator-focused education in Fiscal Year 2024, participating in events at the local and national levels, as well as hosting its own events open to any government lawyer at no cost. The Bureau seeks to host timely and relevant topics. For instance, to celebrate World Mental Health Day in October, the Bureau hosted the Lawyers Assistance Program for a course dedicated to mindfulness, promoting resilience, stress reduction, and improved decision-making abilities. The Bureau also facilitated for its ALJs trainings led by national organizations, covering important topics such as legal ethics, effective decision-making, and logical legal writing.

## National Collaboration, Sharing Best Practices

National collaboration encourages the exchange of best practices, innovative approaches, and lessons learned from diverse practice areas, strengthening the overall administrative justice system. The Bureau's participation in both the Central Panel Directors (CPD) Conference and the National Association of Administrative Law Judiciary (NAALJ) Conference provided rich opportunities to engage deeply with peers from across the nation.

At the CPD, hosted by Washington and Alaska, the focus was on hearings unit operations for leadership. Participating states provided reports on both achievements and challenges in their jurisdictions, sharing their candid advice with the group. The Bureau helped to facilitate a session discussion amongst chief administrative law judges, brainstorming how



to best measure and monitor performance. Washington Supreme Court Justice Mary Yu discussed the Washington State Supreme Court's efforts to combat racism in the legal system and inspired administrative adjudicators to do the same.

At this year's NAALJ conference, the atmosphere buzzed with excitement over session topics which ranged from recent judicial decisions impacting administrative law to innovative approaches in legal case management and the impact of artificial intelligence in the legal field.

The next NAALJ conference, celebrating 50 years, will be held in Chicago. The choice of Chicago for the conference location makes it more accessible to ALJs who might otherwise face budgetary constraints or travel restrictions to attend. As it is impractical for the NAALJ organization to seek accreditation in every jurisdiction as represented by conference participants, the Bureau is working with conference organizers to seek continuing legal education accreditation in Illinois so that participating Illinois ALJs can earn credits that count toward their mandatory licensing requirements.

The exchange of ideas doesn't just stop at conferences, at which lasting professional relationships are forged and dialogue continued long after the conference dates close. The Bureau's learnings reinforced the importance of staying connected to the broader administrative law community, learning from each other's successes and challenges, and collectively striving toward excellence in adjudication with a shared toolkit.

## Addressing the Government Bar Association

The Bureau also had the privilege of addressing the Government Bar Association on the topic of Promoting Meaningful Access for the Self-Represented Litigant. Participating attorneys also had an opportunity to ask questions about general practice and procedure before the Bureau.

## Enhancing Investigations Training

The state's investigators play an important role interviewing witnesses, obtaining documents, and otherwise gathering information that may serve as the basis for enforcement proceedings. Gathering and preserving evidence in a lawful, ethical, and effective manner is essential to due process and aids the development of a full and fair administrative record. Therefore, the Bureau has coordinated with legal investigations experts to facilitate the creation of a formal training module designed specifically for agency investigators, thereby enhancing due process for Illinoisians, and increasing the quality of investigative evidence presented at hearing. Following a hybrid curriculum of on-demand training paired with live interactive sessions makes it an easily accessible and no-cost solution for agencies.

# RECOMMENDATIONS

## Strengthen Collaborative Partnerships

Since its inception, the Bureau has built and continues to grow partnerships with both internal and external stakeholders to effectuate largescale improvement efforts. Stakeholders can help the Bureau identify what expectations customers want addressed, where existing systems should be made more accessible to the public, and where procedures can and should be made more user-friendly. Moreover, continuing to increase stakeholder participation will afford the Bureau expanded capacity and perspective to implement meaningful change.

## Continue to Digitize and Optimize Processes

Transitioning from redundant paper-based systems to more efficient electronic systems will streamline the Bureau's workflows, thereby enhancing transparency, reducing processing times, and affording the Bureau greater operational insights to drive further improvements. The addition of a secure e-filing portal will offer the public unparalleled convenience allowing them to submit documents from anywhere, anytime.

## Expand Learning and Development Opportunities

Continuing to expand learning and professional development opportunities for the state's adjudicators should remain a priority for the Bureau. Increasing the Bureau's capacity to offer educational opportunities can be achieved cost-effectively by partnering with local and sister state jurisdictions, allowing for shared resources and expertise while minimizing individual expenses. Further, implementing a voluntary statewide mentoring program for new ALJs could provide invaluable guidance and support, fostering personal growth and improving their effectiveness as adjudicators.

## Engage a Learning Management Platform

Identifying and engaging a learning management platform can make a wide array of existing educational resources available to the state's adjudicators on-demand. Such a system could also help the Bureau to track participant attendance and automate the issuance of certificates of attendance for continuing legal education reporting, greatly reducing the administrative demand on Bureau staff.

# GET INVOLVED

Meaningful reform happens when we act together.  
The Bureau invites you to share your ideas for advancing administrative justice.



**Main Office Location:**

401 S. Spring Street, Suite 502  
Springfield, Illinois 62706



**Chicago Location:**

555 W. Monroe Street, 13th Floor  
Chicago, Illinois 60661

**Contact Us:**

Telephone: (217) 558-1060  
Email: [AdministrativeHearings@illinois.gov](mailto:AdministrativeHearings@illinois.gov)