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**Testimony of the Council for Court Excellence  
Before the Committee on Public Works and Operations  
of the District of Columbia**

**Performance Oversight Hearing for  
Office of Administrative Hearings**

**February 24, 2026**

Thank you, Chairperson Nadeau, for the opportunity to testify at today's Performance Oversight Hearing on the Office of Administrative Hearings (OAH). My name is Tariq Hardiman, and I am providing this testimony in my capacity as the Open Horizon Civil Justice Fellow for the Council for Court Excellence (CCE). CCE is a nonpartisan, nonprofit organization with the mission of bringing people together to conduct research, educate, and advocate to make D.C.'s unique legal systems more just, equitable, and accountable to the community. For more than 40 years, CCE has worked to improve the administration of justice in the courts and related agencies in D.C. through research and policy analysis, convening diverse stakeholders, and creating educational resources for the public. Please note that in accordance with our policy, no judicial member of CCE participated in the formulation or approval of this testimony. This testimony does not reflect the specific views of, or endorsement by, any judicial member of CCE. Thank you for this opportunity to present our organization's views on the Office of Administrative Hearings' Fiscal Year (FY) 2025-26 performance.

CCE's work in this area began in 1999 with advocacy for the creation of OAH and has continued ever since. Over the years, OAH's jurisdiction and caseloads have grown, increasing the importance of its role in ensuring fair and robust administrative adjudication in the District, though not always matched with additional support. In 2016, CCE developed a report, on behalf of the Office of the D.C. Auditor, which made a variety of recommendations for the continued improvement of OAH.<sup>1</sup> Without a doubt there has been progress at OAH in the last decade, and there are many dedicated leaders, administrative law judges, and staff at OAH working to fulfill its important mission and to innovate. At the same time, OAH's jurisdiction and caseloads have grown, and resolution times have lengthened, increasing the importance of its role in ensuring fair and robust administrative adjudication in the District – though not always matched with additional support from the Executive or the D.C. Council.

In recent years, OAH's staffing levels have not kept up with the steadily increasing caseload. A FY23 staffing study found that OAH would need to increase staff working on cases from 61 to 71 FTEs, and 3.25 FTEs for non-case-processing jobs. Although OAH added 9 FTEs in FY24, filings have still risen even beyond the levels that supported the 2023 recommendations. Caseloads grew from 26.353 in

FY23 to 44,305 new filings in FY25, denoting a 31% increase over FY24. This steady uptick demonstrates the strain on OAH's ability to keep up with the high demand.

Through our work in collaboration with OAH practitioners, CCE has collected ongoing feedback on how OAH's procedures may be strengthened to better serve the District, while recognizing the ongoing strains on its resources and capacity with such a heightened caseload. From that continued engagement and following OAH's efforts in recent years, we have several issues we hope that the Council and OAH's leadership can discuss as part of this oversight hearing and develop plans and resources to improve the challenges facing OAH and its litigants. These include: access to final orders online, the lack of case processing time data, barriers in OAH's fine repayment system, and statutory clarifications and community education that could support efficient and effective OAH adjudications.

**Access to Final Orders Online.** Practitioners report challenges finding relevant and comprehensive final orders on OAH's website. Generally, there are not many orders available online. Without a meaningful archive, litigants cannot see how OAH has historically interpreted statutes, rules, or agency decisions. The orders that are available online are difficult to search with the current database's restrictions. Users, which may also include unrepresented litigants, cannot yet search by the case topic or the law at issue, which limits the ability to find relevant decisions that may allow a litigant or their advocate to understand the law and its potential interpretation in their case. Additionally, we know that OAH is working to upload orders from October 2024 forward; in fact, there are already orders posted from this month, February 2026. It would be helpful to understand whether the agency is now able to stay up to date within the month for all orders going forward, or if their answer about posting time differs based on agency or case type. Further, OAH reports no capacity to redact and upload orders from before October 2024. We hope this committee will engage with OAH to understand what types and levels of resources it would take to make the portal more historically comprehensive and, most importantly, to allow for natural language or Boolean search options, which would be particularly helpful to litigants seeking to understand administrative law in D.C.

**Lack of Case Processing Time Data.** There is no publicly available data on the average time required to resolve various case types. This information may be useful for deeper assessments of the strain of specific case types on and measuring the efficiency of OAH operations, and for setting reasonable expectations for litigants. While annual or quarterly reporting of this information to Council would be helpful, including these metrics solely in an annual or other governmental report likely would not advance the goal of managing the expectations of pro se litigants and attorneys, who likely do not review OAH's annual reports to prepare for litigation like an organization like CCE might. Therefore, we urge OAH to collect and publish average resolution times for different case types on its website, where they are readily available, and to ensure that staff in the resource center are ready to share this information with interested parties. By making this information more accessible, OAH can better manage parties' expectations and increase public trust. We hope this committee will discuss the viability of such increased data reporting and the importance of managing the expectations of D.C. litigants.

**Barriers in OAH's Fine Repayment System.** Additionally, there are barriers for litigants to use OAH's fine repayment system. Litigants have shared complaints about the complexity of the

system with CCE, stating that it does not allow for online credit card payments. Considering the growth in digital payments as the norm, we hope the Council and OAH will consider how this gap can be addressed to increase ease of payment.

**Statutory Change and Community Education Needs.** In their agency responses to this committee, OAH identified some unintended consequences of existing law that create confusion about the appropriate jurisdiction of some of their cases, in particular noting issues with Title 31 notices of violation and Family Rehousing and Stabilization Program cases. We hope this committee will explore these issues in earnest, as they would fall under the jurisdiction of Council to address legislatively as an initial fix. Organizations like CCE would be happy to assist the Council or OAH in studying policy problems like this and welcome the opportunity to help with research or model language drafting, if needed. Additionally, it is clear that there is a need for greater community education about some of OAH's jurisdiction and case processes; hopefully Councilmembers can engage their Constituent Services staff more to help avoid litigant confusion, and organizations like CCE also stand at the ready to support other types of community education campaigns or efforts by the Council and/or OAH.

In closing, we deeply appreciate OAH's commitment to fair adjudication of its vitally important matters. We were honored to help OAH celebrate its 20<sup>th</sup> anniversary a year ago and stand ready to support OAH and this Council in the shared efforts to improve communication and data collection to better evaluate the effectiveness of its programs.

Thank you for your time.

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<sup>i</sup> Council for Court Excellence, *Administrative Justice in the District of Columbia: Recommendations to Improve D.C.'s Office of Administrative Hearings* (2016), [http://www.courtexcellence.org/uploads/publications/OAH\\_Final\\_Report\\_20160908\\_1.pdf](http://www.courtexcellence.org/uploads/publications/OAH_Final_Report_20160908_1.pdf).