

Office of Administrative Hearings

Mission and philosophy

The mission of the Wyoming Office of Administrative Hearings (OAH) is to serve as a professional, independent and impartial hearing authority in administrative contested cases and to encourage and facilitate agreed resolution of all contested cases referred to the OAH.

The OAH is a separate operating agency created by WYO. STAT. ANN. § 9-2-2201 and is statutorily charged with providing impartial hearing services to state agencies.

Results of outcomes

The OAH is statutorily required to hear most workers' compensation benefits cases, most small claims cases and all actions involving restriction, suspension or cancellation of driving privileges. For these services the OAH is funded from workers' compensation funds and from highway funds, resulting in no reversions to the general fund. Budget expense organization 0201 (administration) represents the "traditional" program that is responsible for workers' compensation, small claims and driver's license cases. The FY 01-FY 02 biennial appropriation for 0201 was \$1,456,100.

WYO. STAT. ANN. § 9-2-2202 provides that the OAH may furnish hearing services to other state agencies, designated as the "all other" category. The OAH is also statutorily required to hear personnel cases where the parties are unable to agree on a presiding officer. The OAH bills costs of hearing services in "all other" and personnel cases directly to the state agency referring the case. Budget expense organization 0202 (all other) was created in 1998 as a clearing account that is responsible for "all other" and personnel cases referred by other state agencies. The FY 01-FY 02 biennial appropriation for 0202 was \$74,762.

The OAH's largest caseload, driver's license, showed a slight increase in cases referred and showed a significant increase in cases closed during FY 02. The workers' compensation and small claims caseloads dramatically decreased in both referred cases and closed cases. The smaller caseloads, "all other" and personnel, both remained about the same as the following chart illustrates:

General information

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Agency contact

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Other locations

Casper, Gillette, Powell, Riverton,
Rock Springs, and Sheridan

Year established and reorganized

1987; 1992

Statutory references

Wyo.Stat.Ann. § 9-2-2201 through 9-2-2203

Number of authorized personnel

Seven full-time, six part-time (under contract)

Organization structure

Separate operating agency with no divisions or sections

Clients served

Various state agencies required by law to provide formal hearings, primarily the Department of Employment and the Department of Transportation, along with hearing participants and legal counsel

Budget information

Total: **\$ 719,062**

Fiscal Year 2002		
	Referred	Closed
"All Other"	25	26
Driver's License	872	897
Personnel	6	5
Small Claims	40	42
Workers' Compensation	534	661

Fiscal Year 2001		
	Referred	Closed
"All Other"	26	19
Driver's License	861	792
Personnel	2	3
Small Claims	75	73
Workers' Compensation	826	776

Fiscal Year 2000		
	Referred	Closed
"All Other"	35	48
Driver's License	524	592
Personnel	6	7
Small Claims	35	30
Workers' Compensation	653	636

Goal 1, Outcome 1.01: The OAH determined the percentage of attorneys surveyed who perceive the dispute resolution process in the OAH to be fair, impartial, expeditious and efficient. Surveys were distributed to attorneys who participated in driver's license and workers' compensation hearings in FY 02. No surveys were distributed in the small claims, "all other" or personnel categories since these case-loads reflect such a small percentage of the OAH's entire caseload. The strategic plan projects an 80 percent approval rating.

The OAH received an overall approval rating of 93 percent in the area of being fair and impartial. This 93 percent approval rating exceeds the projected 80 percent by 13 percent.

The same surveys were used to obtain data regarding the OAH's expediency and efficiency. A 95

percent overall approval rating was received and the projected 80 percent has been exceeded by 15 percent.

Goal 1; Outcome 2.01: The OAH calculated the percentage of decisions that are not appealed or that are sustained on appeal. Again the strategic plan projects an 80 percent approval rating.

Exceeding the projected 80 percent by 18 percent, 98 percent of the OAH's decisions were not appealed during FY 02.

The percentage of decisions that were sustained on appeal during FY02 was 83 percent, 3 percent greater than the projected 80 percent. These statistics contain district court decisions and supreme court decisions rendered during FY 02, regardless of the fiscal year when the OAH decided the cases.

Goal 1; Outcome 3.01: The OAH's strategic plan projects that 100 percent of workers' compensation cases should be closed within 30 days after close of the record. For small claims cases, the OAH should close 100 percent within 75 days of referral.

Of the 661 workers' compensation cases closed in FY 02, 637 or 96 percent were closed within 30 days after close of the record, a shortfall of only 4 percent from the strategic plan projection of 100 percent.

Of the 42 small claims cases closed during FY02, 30 cases or 71 percent were closed within 75 days of referral, a shortfall of 29 percent from the strategic plan projection of 100 percent.

These statistics do not give an accurate picture of the speedy handling of small claims cases. The statutory limit of 75 days does not take into account continuances granted at the request of the parties and also fails to take into account the delay in receiving cases from the workers' compensation division that averaged 11 days per case during FY 02.

Goal 1, Outcome 4.01: The OAH determined the percentages of "all other," personnel and driver's license cases where a final order or recommended decision, as appropriate, was issued: first within 60 days after close of the record and second within 120 days after close of the record.

Of the 25 "all other" cases closed in FY 02, 96 percent were closed within 30 days instead of the projected 60 days after close of the record. The first strategic plan projection of 80 percent closed within 60 days after close of the record has been exceeded by 16 percent. The second projection of 100 percent closed within 120 days after close of the record has also been met.

Of the five personnel cases that closed in FY 02, 100 percent were closed within 30 days instead of the projected 60 days after close of the record. The first projection of 80 percent closed within 60 days after close of the record has been exceeded by 20 percent. The second projection of 100 percent closed within 120 days after close of the record has also been met.

Of the 897 driver's license cases closed in FY 02, 99 percent or 896 cases were closed within 60

days after close of the record, exceeding the projected 80 percent by 19 percent. All or 100 percent of the driver's license cases closed in FY 02 were closed within 120 days after close of the record, meeting the 100 percent projection.

Goal 2, Outcome 2.01: The OAH tracked the number of management services and internal operation function tasks completed improperly or late and found that only one task was late. The preliminary draft of the agency contingency and business recovery plan was two weeks late because the office manager had a family emergency. The lateness did not affect the overall outcome of the final plan.

Strategic plan changes

No changes were made to the strategic plan.

Office of Administrative Hearings organization chart

