

# Memo

To: Government Administration and Elections Committee  
From: *Robert J. Brothers, Jr.* Robert J. Brothers, Jr., Acting Executive Director  
Date: March 16, 2009  
Re: SB 1117, AN ACT ESTABLISHING A DEMONSTRATION PROJECT FOR AN OFFICE OF ADMINISTRATIVE HEARINGS

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The Commission on Human Rights and Opportunities **Supports** SB 1117, AN ACT ESTABLISHING A DEMONSTRATION PROJECT FOR AN OFFICE OF ADMINISTRATIVE HEARINGS.

This bill is needed to improve the administration of Public Hearings in the State's administrative enforcement agencies. The CHRO's Office of Public Hearings, developed in 1999, is the model after which this bill follows. The CHRO's Office of Public Hearings has removed the Public Hearing process from the remainder of the Commission. However, even though there is a continuing effort to ensure that a strong separation exists between the agency and the adjudicative division, for the public there may be confusion as to the connection between the Office of Public Hearings and the rest of the agency.

By establishing an independent Office of Administrative Public Trials and Hearings, this would eliminate any confusion that exists. Through the bill, regardless of where the independent agency is located, there would be no reporting responsibility or administrative reliance by the Office of adjudicators to the very agency entity who process its hearing cases before the Office. The separate nature of the Office would eliminate any suggestion or appearance that the close proximity to any agency may have caused undue connection with the agency or undue familiarity with the agency's staff.

This bill will ultimately lead the State's administrative public hearings process toward a fairer system of justice.