

# Office of Administrative Hearings

## Mission and philosophy

The mission of the Wyoming Office of Administrative Hearings 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 office.

The office is a separate operating agency created by Wyoming Stat. Ann. 9-2-2201, and is statutorily charged with providing impartial hearing services to state agencies.

## Results of outcomes

The office's largest caseloads — driver's license, small claims and workers' compensation — showed significant increases in both cases referred and cases closed during FY01. The smaller caseloads — "all other" and personnel — both decreased as the following chart illustrates.

	Fiscal Year 2001		Fiscal Year 2000		Fiscal Year 1999	
	Referred	Closed	Referred	Closed	Referred	Closed
"All Other"	26	19	35	48	90	93
Driver's License	861	792	524	592	809	804
Personnel	2	3	6	7	14	15
Small Claims	75	73	35	30	61	61
Workers' Compensation	826	776	653	636	789	729

The office is statutorily required to hear most workers' compensation benefits cases, most small claims cases and all driver's license actions involving restriction, suspension or cancellation of driving privileges. For these services, the office is funded from workers' compensation and highway funds resulting in no reversions to the general fund.

Wyo. Stat. Ann. 9-2-2202 provided that the office could furnish hearing services to other state agencies; designated as the "all other" category. It also provided that the costs of such services would be paid by the requesting agency.

The office is statutorily required to hear personnel cases when the parties are unable to agree on a presiding officer.

Starting in July 2001, fee/tax protests before the Wyoming Department of Transportation will also be heard by the office.

## General information

Larry M. Donovan, director

## Agency contact

Lynne M. Kranz  
 Wyoming Financial Center  
 2020 Carey Ave., Ninth Floor  
 Cheyenne, WY 82002-0270 (*physical address*)  
 State of Wyoming  
 Cheyenne, WY 82002-0270 (*mailing address*)  
 307/777-6660  
[lkranz@state.wy.us](mailto:lkranz@state.wy.us)

## Other locations

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

## Year established and reorganized

Established 1987, reorganized 1992

## Statutory references

W.S. Ann. 9-2-2201 through 9-2-2203

## Number of authorized personnel

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

## Organization structure

No divisions or sections

## Clients served

Various state agencies required by law to provide formal hearings, primarily the Wyoming Department of Employment and the Wyoming Department of Transportation

## Budget information

**Total** **\$656,915**

Previously the B-11 process was utilized to recognize both the expenses and revenues associated with hearings conducted on behalf of other state agencies. In the 1999-2000 biennium, this expense organization became a part of the standard budget. The expense organization is a clearing account.

Programs/Expense Orgs.	Current Biennial Appropriation	Previous Biennial Appropriation	Reversions
0201 Administration	\$1,456,100.00	\$1,382,583.00	
0202 "All Other"	\$74,762.00	\$75,000.00	

**Goal I, Outcome 1.01:** The office determined the percentage of parties and attorneys surveyed who perceive the dispute resolution process in the office to be fair, impartial, expeditious and efficient. Surveys were distributed to attorneys who participated in driver's license and workers' compensation hearings in FY01.

No surveys were distributed in the "all other," small claims or personnel categories because these caseloads reflect such a small percentage of the office's entire caseload.

In the area of the office's ability to provide parties and attorneys a dispute resolution process that at least 80 percent perceive to be fair and impartial, the office received an overall approval rating of 97 percent. The approval rating exceeds the projected percentage in the strategic plan by 17 percent.

The same surveys were used to obtain data regarding the office's ability to provide parties and attorneys a hearing process, which at least 80 percent perceive to be expeditious and efficient. A 98 percent overall approval rating was received in this area, which exceeds the projected percentage by 18 percent.

**Goal I, Outcome 2.01:** The office calculated the percentage of decisions that were not appealed or that were sustained on appeal.

The percentage of decisions that were not appealed during FY01 was 95 percent; 15 percent greater than the projected 80 percent in the strategic plan.

The percentage of decisions that were sustained on appeal during FY01 was 79 percent; just one percent less than the projected 80 percent in the strategic plan.

**Goal 1, Outcome 3.01:** The office calculated the percentage of workers' compensation cases where a final order was entered within 30 days after the close of the case evidentiary record. The office calculated the percentage of small claims cases where a final order was entered within 75 days following referral of the request for hearing.

Of the 311 workers' compensation cases that went to hearing, 238 final decisions or 77 percent were

entered within 30 days after the close of the contested case evidentiary record; a shortfall of 23 percent results in this category from the strategic plan projection of 100 percent.

In the area of the small claims cases, 73 cases were closed during FY01, and 53 cases or 73 percent were closed within 75 days following referral of the request for hearing. A shortfall of 27 percent results in this category from the strategic plan projection of 100 percent. These statistics do not give an accurate picture of the speed that small claims cases were handled because the statutory time limit does not take into account continuances granted at the request of the parties. The statutory time limit also fails to take into account the delay in receiving cases from the workers' compensation division that averaged eight days for each case during FY01.

**Goal I, Outcome 4.01:** The office determined the percentage of "all other," personnel and driver's license contested cases where a final order or recommended decision, as appropriate, was issued within 60 days after close of the contested case evidentiary record. The office determined the percentage of cases where a final order or recommended decision, as appropriate, was entered within 120 days after close of the contested case evidentiary record.

Of the eight "all other," cases that went to hearing, 100 percent were closed within 60 days after the close of the contested case evidentiary record. Since all cases in this category were actually closed within 30 days after the close of the contested case evidentiary record, the projection of 80 percent has been exceeded by 20 percent, and the number of days has been reduced by half.

Of the three personnel cases that proceeded to hearing, 100 percent were closed within 60 days after the close of the contested case evidentiary record. Since these personnel cases were all actually closed within 30 days after the close of the contested case evidentiary record, the projection of 100 percent has been met, and the number of days has been reduced 25 percent.

Of the 401 driver's license cases that went to hearing, 94.5 percent were closed within 60 days of the close of the contested case evidentiary record, exceeding the projected 80 percent by 14.5 percent. Falling just .5 percent below the 100 percent projection, 99.5 percent of the driver's license cases that went to hearing were closed within 120 days of the close of the contested case evidentiary record.

**Goal II, Outcome 1.01:** The office tracked the number of management services and internal operation function tasks completed improperly or late.

No tasks dealing with management services or operation functions were completed improperly or late.

Reports required by outside agencies were provided on a timely basis as were payments to

vendors, contract hearing examiners, etc. Training and/or meetings regarding payroll, WOLFS procedures, new fixed asset system, budget (including the new budget analysis and reporting system), compensation plan (market pay), strategic plan, and annual report were attended by appropriate staff. Deadlines resulting from various meetings were calendared and timely completed by appropriate staff.

## **Strategic plan changes**

Minor changes were made to the strategic plan in order to reflect the continuing evolution of the Wyoming Office of Administrative Hearings.

# Office of Administrative Hearings organization chart

