

Office of Administrative Hearings State of California



First Annual Caseload Statistics and Hearing Timeframe Report to the Legislature

September 2014

**Department of General Services
Office of Administrative Hearings**

**Report to the Legislature, the Legislative Analyst’s Office and
the Department of Finance**

Executive Summary

This report is required by supplemental budget language Item Number 7760-001-0666 of the California State Budget Act. This is the first annual report to the Legislature. The supplemental budget language item 7760-001-0666 requires the Office of Administrative Hearings (OAH) to provide the following:

The OAH within the Department of General Services shall submit a report to the Department of Finance and the Joint Legislative Budget Committee no later than September 1 of each year for the five years beginning in 2014. This report shall include, but not be limited to, the following caseload statistics and hearing timeframe information, covering the previous fiscal year:

- a) For all OAH cases, excluding Keyhea, State Hospital, and Public Works Contract Arbitration cases where only Pro Tem administrative law judges (ALJs) are used:

Section A – Office of Administrative Hearings (broken down by OAH Office)	Los Angeles	Oakland	Sacramento	San Diego	Special Education Division	Total
i. Number of cases filed during the fiscal year	3,255	1,482	1,942	1,483	3,657	11,819
ii. Number of cases closed during the fiscal year	3,139	1,477	1,647	1,316	3,397	10,976
iii. Number of decisions issued during the fiscal year	1,219	688	569	362	19	2,957
iv. Number of authorized ALJ positions	19	9	9	8	26	71
v. Number of filled ALJ positions as of the end of the fiscal year	19	9	9	7	26	70
vi. Number of Pro Tem hours billed during the fiscal year	4,591.50	1,330.25	2,997.50	2,422.25	5,100.50	16,442

b) For all cases filed in the Special Education Division:

Section B - Special Education Division		Total
i.	Number of due process cases filed during the fiscal year	3,657
a.	Due Process only	21
b.	Mediation only	271
c.	Hearing and mediation	3,365
ii.	Number of cases closed without decision during fiscal year	3,397
iii.	Number of decisions issued during the fiscal year	121
iv.	Average number of days per hearing conducted during the fiscal year	4
v.	Average number of days between the filing of a district-filed due process complaint and the issuance of a decision during the fiscal year	112
vi.	Average number of days between the filing of a student-filed due process complaint and the issuance of a decision during the fiscal year	134
vii.	Number of filled ALJ positions as of the end of the fiscal year	26
viii.	Number of Pro Tem hours billed during the fiscal year	5,100.50

c) For all cases filed in the General Jurisdiction Division (cases to be broken down by OAH office where the case was filed):

Section C - General Jurisdiction Division for Fiscal Year	Los Angeles	Oakland	Sacramento*	San Diego	Total	
i.	Number of cases filed during the fiscal year	3,255	1,482	3,356	1,483	9,576
ii.	Number of cases closed without decision during the fiscal year	1,921	792	1,126	957	4,796
iii.	Number of cases that went to hearing** during the fiscal year	1,757	819	2,369	546	5,491
iv.	Average number of days per hearing during the fiscal year	1.54	1.29	1.58	1.36	1.38
v.	Total number of decisions issued*** during the fiscal year	1,219	688	1,911	362	4,180
vi.	Total number of filled ALJ positions as of the end of the fiscal year	19	9	9	7	44
vii.	Total number of Pro Tem hours billed during the fiscal year	4,591.50	1,330.25	2,997.50	2,422.25	11,341.50

*Sacramento cases included Department of State Hospitals and Department of Corrections and Rehabilitation (Keyhea) hearings for all of OAH. ***“Went to hearing,” for item C-iii, was defined to include evidentiary hearings, law & motion hearings, interim order hearings and petition hearings. ****“Decisions issued” for item C-v, was defined to mean a final administrative decision after an evidentiary hearing. Many cases in which some form of hearing was conducted did not result in a final administrative decision.

- d) All Department of Consumer Affairs (DCA) cases filled in the General Jurisdiction Division (cases to be broken down by DCA Board and Bureau, and by the OAH office where the case was filed):

Section D - Department of Consumer Affairs Totals	Los Angeles	Oakland	Sacramento	San Diego	Total
i. Number of cases filed during the fiscal year	1,616	753	1,163	871	4,403
ii. Total number of cases that went to hearing* during the fiscal year	710	378	430	297	1,815
iii. Average number of days per hearing during the fiscal year	1.16	1.23	1.20	1.27	1.20
iv. Number of decisions issued** during the fiscal year	568	303	278	180	1,329
v. Average number of days between case submission to issuance of the proposed decision for proposed decisions issued during the fiscal year	28.05	22.54	21.10	27.40	25.25
vi. Average number of days between filing of a request to set a hearing and the issuance of the proposed decision for proposed decisions issued during the fiscal year	216	161	210	230	204

*“Went to hearing,” for item D-ii, was defined to include evidentiary hearings, law & motion hearings, interim order hearings and petition hearings. **“Decisions issued” for item D-iv, was defined to mean a final administrative decision after an evidentiary hearing. Many cases in which some form of hearing was conducted did not result in a final administrative decision.

Space intentionally left blank.

Section D-i. Number of cases filed during the fiscal year by DCA agency and OAH offices.

DCA agency	Los Angeles	Oakland	Sacramento	San Diego	OAH average
Accountancy, Board of	16	8	6	5	35
Acupuncture Board	8	4	3	11	16
Architects Board, California	1	1	0	0	2
Automotive Repair, Bureau of	29	56	47	43	175
Automotive Repair, Bureau of – SMOG	77	0	30	40	147
Barbering and Cosmetology, Board of	41	13	20	29	103
Behavioral Sciences, Board of	31	9	20	21	81
Cemetery and Funeral Bureau	4	3	0	6	13
Chiropractic Examiners, Board of	20	10	10	12	52
Contractors State License Board	342	86	362	121	911
Court Reporters Board	1	2	2	0	5
Dental Board of California	34	17	16	24	91
Dental Hygiene Committee of California	2	2	2	0	6
Electronic and Appliance Repair, Home Furnishings and Thermal Insulation, Bureau of	3	2	2	0	7
Engineers, Land Surveyors, and Geologists, Board for Professional	0	0	4	0	4
Landscape Architects Technical Committee	0	0	0	1	1
Medical Board of California	108	91	81	67	347
Occupational Therapy, California Board of	8	1	2	0	11
Optometry, Board of	10	2	2	1	15
Osteopathic Medical Board of California	4	5	4	5	18
Pharmacy, Board of	92	39	93	71	295
Physical Therapy Board of California	10	14	17	6	47
Physician Assistant Board	3	3	11	2	19

DCA agency	Los Angeles	Oakland	Sacramento	San Diego	OAH average
Podiatric Medicine, Board of	1	2	1	1	5
Private Postsecondary Education, Bureau for	3	1	1	4	9
Professional Fiduciaries Bureau	0	0	0	1	1
Psychology, Board of	9	5	6	5	25
Real Estate Appraisers, Bureau of	6	3	2	3	14
Real Estate, Bureau of	337	85	91	65	578
Registered Nursing, Board of	237	234	215	249	935
Respiratory Care Board	16	5	4	9	34
Security and Investigative Services, Bureau of	40	14	13	13	80
Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board	2	1	2	2	7
Structural Pest Control Board	20	6	8	13	47
Veterinary Medical Board and Registered Veterinary Technician Examining Committee	12	7	10	13	42
Vocational Nursing and Psychiatric Technicians, Board of	89	22	76	38	225
OAH Total	1,616	753	1,163	871	4,403

This space intentionally left blank.

Section D-ii. Total number of cases that went to hearing during the fiscal year by DCA agency and OAH offices

DCA agency	Los Angeles	Oakland	Sacramento	San Diego	OAH average
Accountancy, Board of	9	1	1	2	13
Acupuncture Board	3	1	2	2	8
Architects Board, California	0	0	0	0	0
Automotive Repair, Bureau of	7	34	30	23	94
Automotive Repair, Bureau of – SMOG	37	1	7	9	54
Barbering and Cosmetology, Board of	34	8	9	10	61
Behavioral Sciences, Board of	14	1	9	10	34
Cemetery and Funeral Bureau	3	1	1	2	7
Chiropractic Examiners, Board of	9	5	3	1	18
Contractors State License Board	75	39	68	33	215
Court Reporters Board	0	2	1	0	3
Dental Board of California	16	9	11	8	44
Dental Hygiene Committee of California	0	0	1	0	1
Electronic and Appliance Repair, Home Furnishings and Thermal Insulation, Bureau of	2	0	3	0	5
Engineers, Land Surveyors, and Geologists, Board for Professional	0	0	1	0	1
Landscape Architects Technical Committee	0	0	1	0	1
Medical Board of California	55	48	25	40	168
Occupational Therapy, California Board of	6	1	0	0	7
Optometry, Board of	6	1	4	0	11
Osteopathic Medical Board of California	3	2	3	2	10
Pharmacy, Board of	42	19	43	14	118
Physical Therapy Board of California	5	7	7	5	24
Physician Assistant Board	5	0	4	2	11

DCA agency	Los Angeles	Oakland	Sacramento	San Diego	OAH average
Podiatric Medicine, Board of	2	2	0	1	5
Private Postsecondary Education, Bureau for	0	0	0	2	2
Professional Fiduciaries Bureau	0	0	0	0	0
Psychology, Board of	2	4	4	3	13
Real Estate Appraisers, Bureau of	1	1	0	3	5
Real Estate, Bureau of	190	49	56	29	324
Registered Nursing, Board of	66	105	65	57	293
Respiratory Care Board	14	2	4	2	22
Security and Investigative Services, Bureau of	41	15	17	8	81
Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board	2	2	0	1	5
Structural Pest Control Board	10	2	5	8	25
Veterinary Medical Board and Registered Veterinary Technician Examining Committee	2	0	4	7	13
Vocational Nursing and Psychiatric Technicians, Board of	49	16	41	13	119
OAH Total	710	378	430	297	1,815

Space intentionally left blank.

Section D-iii. Average number of days per hearing held during the fiscal year by DCA agency and OAH offices.

DCA agency	Los Angeles	Oakland	Sacramento	San Diego	OAH average
Accountancy, Board of	1.11	1.00	1.00	1.00	1.08
Acupuncture Board	2.00	1.00	1.00	1.00	1.38
Architects Board, California	0.00	0.00	0.00	0.00	0.00
Automotive Repair, Bureau of	1.300	1.09	1.10	1.22	1.12
Automotive Repair, Bureau of – SMOG	1.00	2.00	1.00	1.22	1.06
Barbering and Cosmetology, Board of	1.00	1.00	1.00	1.10	1.02
Behavioral Sciences, Board of	1.07	1.00	2.00	1.20	1.35
Cemetery and Funeral Bureau	1.00	1.00	1.00	1.00	1.00
Chiropractic Examiners, Board of	1.00	1.20	1.00	1.00	1.06
Contractors State License Board	1.16	1.23	1.12	1.12	1.15
Court Reporters Board	0.00	2.50	1.00	0.00	2.00
Dental Board of California	1.50	1.11	1.09	1.00	1.23
Dental Hygiene Committee of California	0.00	0.00	1.00	0.00	1.00
Electronic and Appliance Repair, Home Furnishings and Thermal Insulation, Bureau of	1.00	0.00	1.00	0.00	1.00
Engineers, Land Surveyors, and Geologists, Board for Professional	0.00	0.00	1.00	0.00	1.00
Landscape Architects Technical Committee	0.00	0.00	1.00	0.00	1.00
Medical Board of California	1.96	1.23	1.92	1.85	1.72
Occupational Therapy, California Board of	1.17	2.00	0.00	0.00	1.29
Optometry, Board of	1.00	1.00	1.00	0.00	1.00
Osteopathic Medical Board of California	1.67	1.00	3.33	1.00	1.90
Pharmacy, Board of	1.00	1.00	1.02	1.21	1.03
Physical Therapy Board of California	1.00	1.00	1.14	1.80	1.21
Physician Assistant Board	1.40	0.00	1.00	2.00	1.36

DCA agency	Los Angeles	Oakland	Sacramento	San Diego	OAH average
Podiatric Medicine, Board of	1.00	1.00	0.00	1.00	1.00
Private Postsecondary Education, Bureau for	0.00	0.00	0.00	1.00	1.00
Professional Fiduciaries Bureau	0.00	0.00	0.00	0.00	0.00
Psychology, Board of	1.00	2.00	2.00	2.00	1.85
Real Estate Appraisers, Bureau of	1.00	1.00	0.00	1.00	1.00
Real Estate, Bureau of	1.05	1.02	1.30	1.07	1.09
Registered Nursing, Board of	1.06	1.46	1.11	1.28	1.26
Respiratory Care Board	1.14	1.50	1.25	1.00	1.18
Security and Investigative Services, Bureau of	1.02	1.07	1.18	1.00	1.06
Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board	1.00	1.00	0.00	1.00	1.00
Structural Pest Control Board	1.40	1.50	1.00	1.00	1.20
Veterinary Medical Board and Registered Veterinary Technician Examining Committee	4.00	0.00	1.00	1.00	1.46
Vocational Nursing and Psychiatric Technicians, Board of	1.04	1.06	1.07	1.15	1.07
OAH Average	1.16	1.23	1.20	1.27	1.20

Space intentionally left blank.

Section D-iv. Total number of decisions issued during the fiscal year by DCA agency and OAH offices.

DCA agency	Los Angeles	Oakland	Sacramento	San Diego	OAH average
Accountancy, Board of	4	1	2	0	7
Acupuncture Board	3	1	0	2	6
Architects Board, California	0	0	0	0	0
Automotive Repair, Bureau of	5	35	13	14	67
Automotive Repair, Bureau of – SMOG	33	1	4	4	42
Barbering and Cosmetology, Board of	25	6	8	7	46
Behavioral Sciences, Board of	14	2	7	7	30
Cemetery and Funeral Bureau	3	1	1	2	7
Chiropractic Examiners, Board of	7	6	0	0	13
Contractors State License Board	51	32	32	19	134
Court Reporters Board	0	2	1	0	3
Dental Board of California	12	7	7	6	32
Dental Hygiene Committee of California	0	0	1	0	1
Electronic and Appliance Repair, Home Furnishings and Thermal Insulation, Bureau of	0	0	3	0	3
Engineers, Land Surveyors, and Geologists, Board for Professional	0	0	1	0	1
Landscape Architects Technical Committee	0	0	1	0	1
Medical Board of California	42	39	16	28	125
Occupational Therapy, California Board of	4	1	0	0	5
Optometry, Board of	6	1	4	0	11
Osteopathic Medical Board of California	3	2	3	1	9
Pharmacy, Board of	24	13	34	8	79
Physical Therapy Board of California	5	4	5	3	17
Physician Assistant Board	3	0	4	2	9

DCA agency	Los Angeles	Oakland	Sacramento	San Diego	OAH average
Podiatric Medicine, Board of	1	2	0	1	4
Private Postsecondary Education, Bureau for	0	1	0	0	1
Professional Fiduciaries Bureau	0	0	0	0	0
Psychology, Board of	2	3	2	2	9
Real Estate Appraisers, Bureau of	0	0	0	3	3
Real Estate, Bureau of	167	38	42	25	272
Registered Nursing, Board of	62	76	37	23	198
Respiratory Care Board	14	1	3	2	20
Security and Investigative Services, Bureau of	27	12	8	4	51
Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board	2	2	0	0	4
Structural Pest Control Board	7	2	1	4	14
Veterinary Medical Board and Registered Veterinary Technician Examining Committee	2	0	3	6	11
Vocational Nursing and Psychiatric Technicians, Board of	40	12	35	7	94
OAH Total	568	303	278	180	1,329

Space intentionally left blank.

Section D-v. Average number of days between case submission to issuance of the proposed decision for proposed decisions issued during the fiscal year by DCA agency and OAH offices.

DCA agency	Los Angeles	Oakland	Sacramento	San Diego	OAH average
Accountancy, Board of	50.50	4.00	19.50	0.00	35.00
Acupuncture Board	38.67	15.00	0.00	29.50	31.67
Architects Board, California	0.00	0.00	0.00	0.00	0.00
Automotive Repair, Bureau of	24.60	17.80	17.92	24.21	19.67
Automotive Repair, Bureau of – SMOG	21.61	29.00	18.25	34.50	22.69
Barbering and Cosmetology, Board of	21.92	23.33	18.63	26.29	22.20
Behavioral Sciences, Board of	30.64	22.00	28.29	27.29	28.91
Cemetery and Funeral Bureau	31.00	34.00	17.00	14.00	24.57
Chiropractic Examiners, Board of	11.57	45.50	0.00	0.00	27.23
Contractors State License Board	42.86	26.84	20.97	27.74	31.66
Court Reporters Board	0.00	18.50	13.00	0.00	16.67
Dental Board of California	32.00	21.00	15.29	22.00	24.06
Dental Hygiene Committee of California	0.00	0.00	25.00	0.00	25.00
Electronic and Appliance Repair, Home Furnishings and Thermal Insulation, Bureau of	0.00	0.00	6.67	0.00	6.67
Engineers, Land Surveyors, and Geologists, Board for Professional	0.00	0.00	1.00	0.00	1.00
Landscape Architects Technical Committee	0.00	0.00	20.00	0.00	20.00
Medical Board of California	15.64	18.51	06.56	27.64	20.62
Occupational Therapy, California Board of	24.00	30.00	0.00	0.00	25.20
Optometry, Board of	24.00	31.00	29.00	0.00	26.45
Osteopathic Medical Board of California	13.33	18.50	24.00	0.00	16.56
Pharmacy, Board of	20.13	18.50	22.35	36.13	22.13
Physical Therapy Board of California	21.00	27.50	14.20	21.00	22.13

DCA agency	Los Angeles	Oakland	Sacramento	San Diego	OAH average
Physician Assistant Board	19.33	0.00	24.00	49.00	28.00
Podiatric Medicine, Board of	4.00	31.00	0.00	31.00	24.25
Private Postsecondary Education, Bureau for	0.00	210.00	0.00	0.00	210.00
Professional Fiduciaries Bureau	0.00	0.00	0.00	0.00	0.00
Psychology, Board of	31.50	27.67	23.00	2.00	21.78
Real Estate Appraisers, Bureau of	0.00	0.00	0.00	28.00	28.00
Real Estate, Bureau of	34.02	21.18	23.33	24.68	29.72
Registered Nursing, Board of	28.35	22.61	17.22	29.52	24.20
Respiratory Care Board	15364	31.00	8.67	28.00	16.60
Security and Investigative Services, Bureau of	29.56	23.08	22.25	21.00	26.22
Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board	2.50	23.50	0.00	0.00	13.00
Structural Pest Control Board	21.29	28.50	24.00	22.25	22.79
Veterinary Medical Board and Registered Veterinary Technician Examining Committee	30.00	0.00	4.00	23.17	19.18
Vocational Nursing and Psychiatric Technicians, Board of	18.38	15.83	24.51	42.29	22.12
OAH Average	28.05	22.54	21.10	27.40	25.25

Space intentionally left blank.

Section D-vi. Average number of days between the filing of a request to set a hearing and the issuance of the proposed decision for proposed decisions issued during the fiscal year by DCA agency and OAH offices.

DCA agency	Los Angeles	Oakland	Sacramento	San Diego	OAH average
Accountancy, Board of	233	28	252	0	209
Acupuncture Board	249	169	0	142	200
Architects Board, California	0	0	0	0	0
Automotive Repair, Bureau of	126	203	296	298	235
Automotive Repair, Bureau of – SMOG	184	491	269	298	235
Barbering and Cosmetology, Board of	221	121	252	291	224
Behavioral Sciences, Board of	201	165	66	125	149
Cemetery and Funeral Bureau	164	147	212	133	159
Chiropractic Examiners, Board of	44	318	0	0	170
Contractors State License Board	290	181	254	291	256
Court Reporters Board	0	205	69	0	160
Dental Board of California	295	129	164	209	214
Dental Hygiene Committee of California	0	0	41	0	41
Electronic and Appliance Repair, Home Furnishings and Thermal Insulation, Bureau of	0	0	170	0	170
Engineers, Land Surveyors, and Geologists, Board for Professional	0	0	22	0	22
Landscape Architects Technical Committee	0	0	525	0	525
Medical Board of California	214	120	231	242	193
Occupational Therapy, California Board of	193	203	0	0	195
Optometry, Board of	47	56	221	0	111
Osteopathic Medical Board of California	150	123	182	21	140
Pharmacy, Board of	233	109	140	252	174
Physical Therapy Board of California	246	135	141	182	178

DCA agency	Los Angeles	Oakland	Sacramento	San Diego	OAH average
Physician Assistant Board	287	0	135	176	195
Podiatric Medicine, Board of	68	75	0	87	76
Private Postsecondary Education, Bureau for	0	507	0	0	507
Professional Fiduciaries Bureau	0	0	0	0	0
Psychology, Board of	164	133	78	159	133
Real Estate Appraisers, Bureau of	0	0	0	305	305
Real Estate, Bureau of	241	179	326	138	236
Registered Nursing, Board of	187	161	161	273	182
Respiratory Care Board	109	244	120	155	122
Security and Investigative Services, Bureau of	231	124	276	265	216
Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board	266	91	0	0	178
Structural Pest Control Board	196	129	276	169	185
Veterinary Medical Board and Registered Veterinary Technician Examining Committee	383	0	113	171	193
Vocational Nursing and Psychiatric Technicians, Board of	150	126	160	255	159
OAH Average	216	161	210	230	204

This report provides the required data requested by the California State Budget Act.

If you have any questions regarding this report, please contact Carlos Trejo by phone at (916) 263-0759 or by email at Carlos.Trejo@dgs.ca.gov.