

AGENCY NAME:	South Carolina Administrative Law Court		
AGENCY CODE:	C05	SECTION:	58



Fiscal Year 2014-15 Accountability Report

SUBMISSION FORM

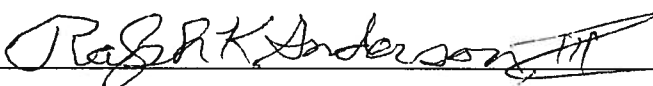
AGENCY MISSION

The Court's mission is to provide a neutral forum for fair, prompt and objective hearings for any person(s) affected by an action or proposed action of certain State agencies or departments. The purpose of an administrative court such as the ALC, is to separate the adjudicatory proceedings from the investigative and policy-making functions of the agency. Prior to the creation of the Court, citizens who had a dispute with a state agency and wanted to challenge any action related to the dispute had to appear before hearing officers employed or contracted by that particular agency. The creation of this Court provided a forum separate from the agency whose decision was in dispute. The Court places a very high value on its ability to be fair and neutral to all of the litigants that appear before the Court and on continuing efforts to improve its results.

Please identify your agency's preferred contacts for this year's accountability report.

	<u>Name</u>	<u>Phone</u>	<u>Email</u>
PRIMARY CONTACT:	Jana Shealy	734-6411	jshealy@scalc.net
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I have reviewed and approved the enclosed FY 2014-15 Accountability Report, which is complete and accurate to the extent of my knowledge.

AGENCY DIRECTOR (SIGN/DATE):	 9/15/15
(TYPE/PRINT NAME):	Ralph King Anderson, III, Chief Judge
BOARD/CMSN CHAIR (SIGN/DATE):	
(TYPE/PRINT NAME):	

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AGENCY’S DISCUSSION AND ANALYSIS

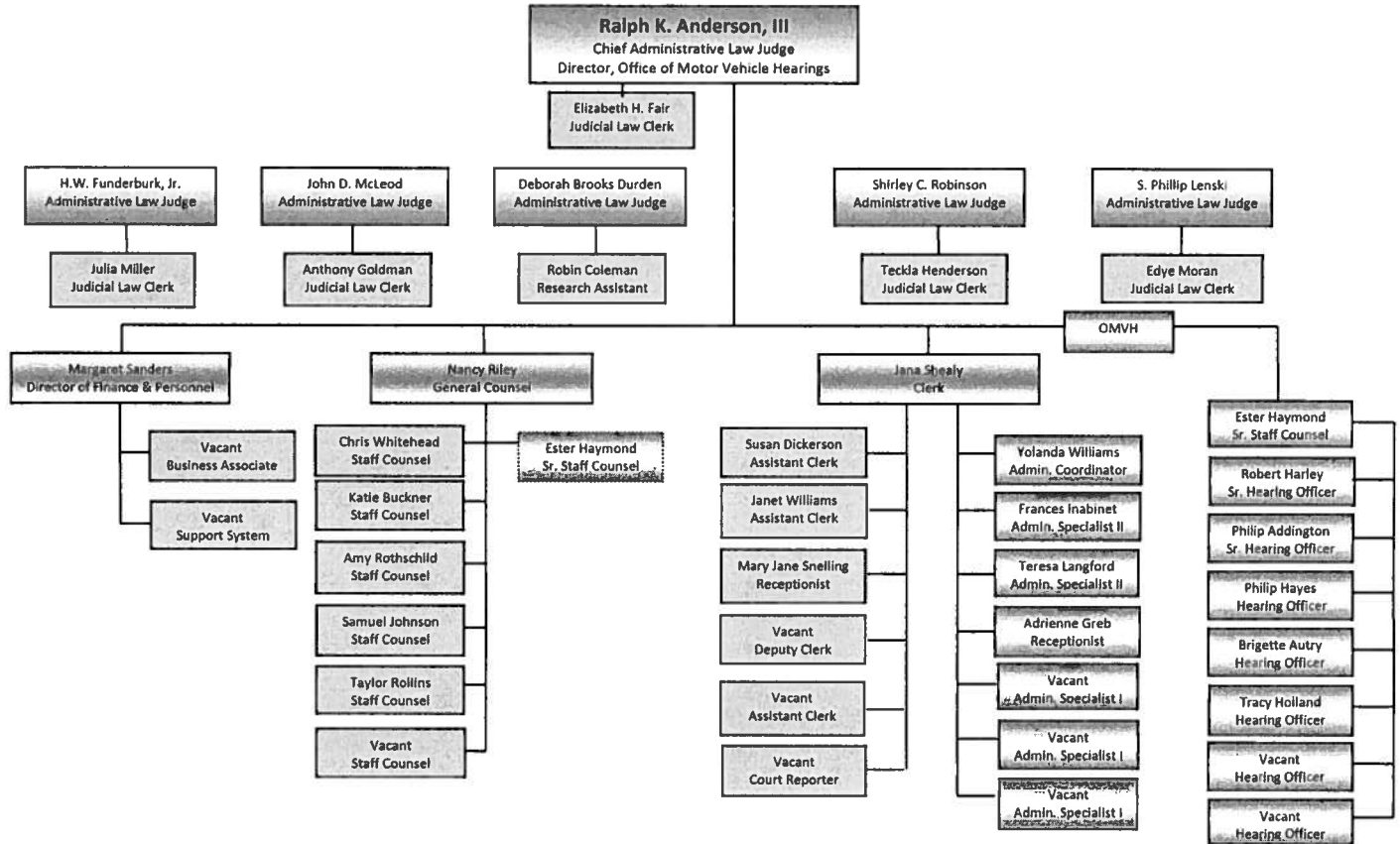
The Administrative Law Court is in the Executive Branch and since its inception has evolved from an agency with 6 Administrative Law Judges (ALJ) and staff to an agency and court of record with an additional division, the Office of Motor Vehicle Hearings (OMVH), housing five (5) hearings officers and staff. The Court’s jurisdiction has increased at a steady pace and the caseload has increased almost twelve fold since 1994. (In 1994, 720 cases were filed and in FY 14-15, 8,411 cases were filed). The Court now hears cases involving all state agencies except those arising under the Consolidated Procurement Code, the Public Service Commission and the Workers’ Compensation Commission. (See Age of Disposed Cases below for specific case types filed with the Court). Also, during this time, appeals of the Court’s decisions have moved from either the board or commission of the agency or the circuit court, directly to the appellate courts of the State. The Court has successfully managed this additional workload even during difficult budget cycles and staff vacancies due to reductions in appropriations. During the past several budget cycles, however, the Court has received new funding and revenue to offset many of those previous cuts.

The Court was created to provide a neutral forum for fair, prompt and objective hearings related to our jurisdiction. Though the ALC provides an excellent forum for the review of administrative law matters, there is always room for improvement, especially related to the time frames for disposing its cases (See Graph Charts regarding percentage of disposed cases). With additional funding, technology upgrades and evaluation of performance measures, the ALC is in a good position to improve these timeframes over the next several years.

The Chief Judge is statutorily responsible for the assignment of cases filed with the Court to an ALJ and is the Director of the OMVH where the cases are automatically assigned to a hearing officer based on specific geographic regions. The Chief Judge is also responsible for the administration of the Court and OMVH, including budgetary matters and supervision of the support staff. The other ALJs are individually responsible for efficiently disposing of cases assigned to them and for the supervision of his or her administrative assistant/law clerk. Although the Chief Judge is the administrator of the Court, each ALJ has complete autonomy over the cases he or she is assigned to adjudicate. Therefore, each ALJ and his or her law clerk are responsible for ensuring the fair and prompt disposition of the cases assigned to their office. There is no required uniformity among the judges’ offices nor are there requirements that mandate compliance with the timeframes or workflows. During the past fiscal year, the Court completed the upgrade of its case management system (CMS) and began using the new system in July 2015. Adherence to the workflows and processes for the cases through use of the upgraded CMS should improve the Court’s performance measures concerning the timely disposition of cases. However, the Court’s current structure, with six autonomous judges’ offices, does not lend itself to centralized oversight of case disposition processes. In order for the General Assembly and the public to continue to hold the ALC accountable, legislative changes may be necessary to provide such oversight.

The Court’s future goals are to develop an electronic filing system and to reduce paper files retained by the Court. The system will allow litigants faster access to the Court’s information and provide electronic access by the public. In addition, the system and reduction of paper filings will increase the Court’s efficiency in processing and disposing of cases. During this time, the Court will also be developing the policies necessary to comply with the Division of Information Security’s July 1, 2016 deadline regarding statewide policies standards. The Court received funding this fiscal year to fill a vacant IT position which was crucial for the Court to be able to move forward with these initiatives. This will be a multi-step process involving review of our data (classification), retention policies, electronic records and destruction of records, as well as budget and procurement issues related to electronic filing. The Court is continuing efforts to meet its strategic goal to develop technology improvements to increase the Court’s efficiency and the public’s access to information.

ALC Organizational Chart (July 2015)



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ALC (No OMVH Cases) AGE OF DISPOSED CASES CHART

	Total Cases Disposed	Avg. Age at Disposition	% Meeting Objective
Category I Case Types: Objective = 90 Days	217	147	58
Insurance rate cases [DOI]	0	--	--
Insurance agent application/disciplinary cases [DOI]	5	498	0
Wage disputes [LLR]	0	--	--
Alcoholic beverage license applications/renewals [DOR]	76	86	71
Alcoholic beverage license violations [DOR]	60	239	37
CWP, PI and Security licensing [SLED]	5	75	80
Setoff Debt Collection [SETOFF]	9	118	44
Consumer Affairs [CA]	5	108	40
Injunctive relief hearings	21	128	48
Public hearings for proposed regulations	23	70	96
Employee Grievance Appeals	4	415	0
Charter School Appeals	1	147	0
Criminal Justice Academy Appeals	1	124	0
Secretary of State	3	57	100
Subpoenas	2	8	100
Miscellaneous cases	2	57	100
Category II Case Types: Objective = 120 Days	173	216	35
Hunting/Fishing and Coastal Fisheries violations [DNR]	10	175	40
Boating under the influence	9	135	56
Health licensing cases [DHEC]	84	265	22
Outdoor advertising permits [DOT]	0	--	--
Disadvantaged Business Enterprises/Displacement[DOT]	1	371	0
PEBA Retirement Systems	12	119	67
OMVH Appeals [OMVH]	28	171	54
Professional Licensing Board Appeals [LLR]	10	317	10
OSHA [LLR]	19	137	47
Category III Case Types: Objective = 180 Days	265	214	63
Certificate of Need cases [DHEC]	5	804	0
Environmental permitting cases [DHEC]	7	337	29
OCRM cases [DHEC]	14	572	21
Medicaid Appeals [HHS]	4	276	25
Bingo violations [DOR]	10	225	80
State tax cases [DOR]	36	242	53
County property tax (real and personal) cases [DOR]	49	203	57
Daycare/Fostercare Appeals, SNAP (FI) [DSS]	13	30	100
Employment & Workforce Appeals [DEW]	109	151	77
PEBA Employee Insurance Program Appeals	18	191	50
Category IV Case Types: Objective = 120 days	1116	114	55
Inmate grievances [DOC & PPS]	1116	114	55
ALL CASE TYPES	1771	143	55
ALL CASE TYPES excluding inmate grievances	655	192	54

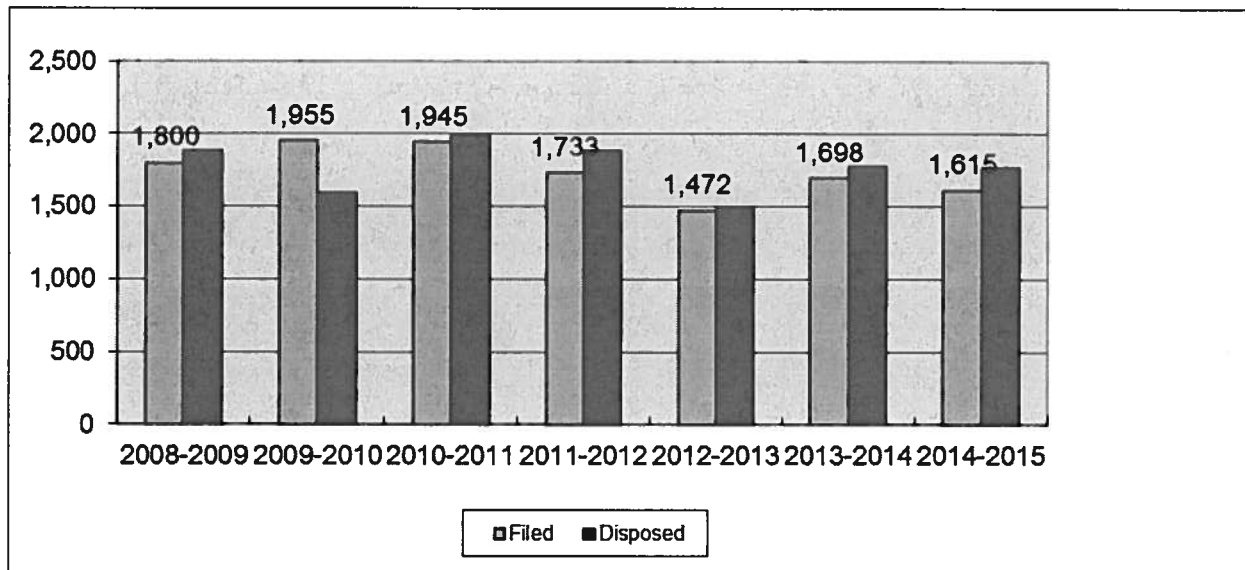
COMBINED COURT AND OMVH WORKLOAD SINCE 2008

FISCAL YEAR	COURT	OMVH	TOTAL CASES FILED	COURT	OMVH	TOTAL FINAL DECISIONS
FY 08-09	1800	5340	7,140	1761	4655	6,416
FY 09-10	1955	6577	8,532	1591	5222	6,813
FY 10-11	1945	6786	8,731	1986	6760	8746
FY 11-12	1733	6939	8,671	1886	7501	9387
FY 12-13	1472	6776	8,248	1497	6678	8,175
FY 13-14	1698	6863	8,561	1776	6777	8,553
FY 14-15	1615	6796	8,411	1771	6627	8,398

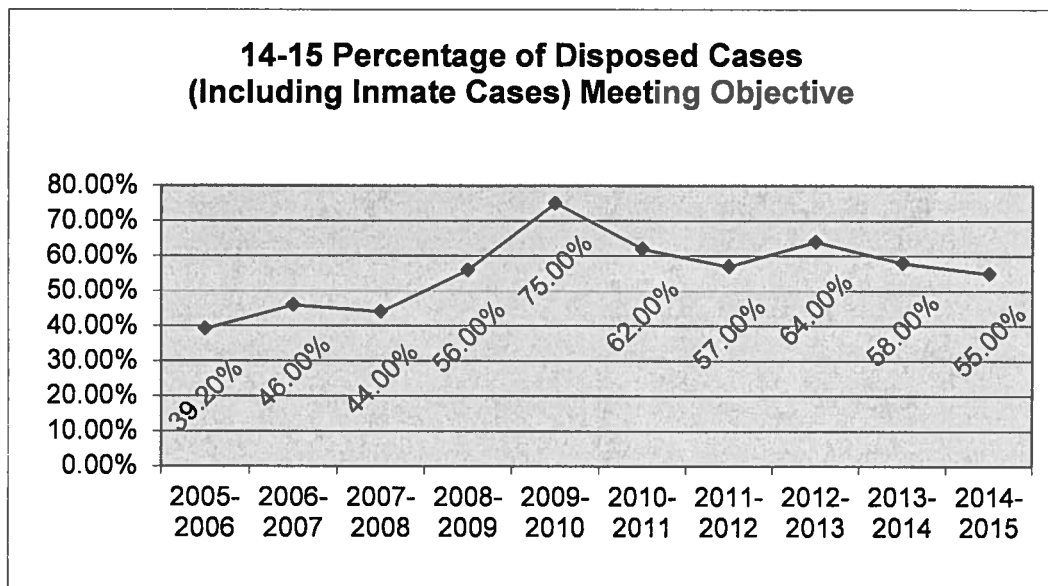
COURT'S WORKLOAD REPORT SINCE 2008

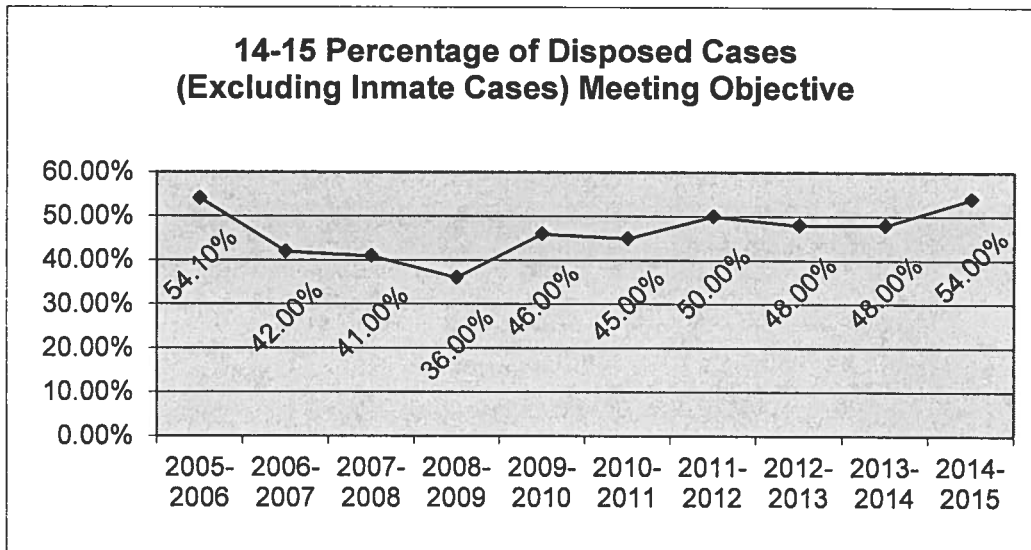
FISCAL YEAR	*CCs, RHs, IJs, and & other appeals	<u>Al-Shabazz/</u> <u>Furtick</u> Appeals	TOTAL CASES FILED	*CCs, RHs, IJs, and & other appeals	<u>Al-Shabazz/</u> <u>Furtick</u> Appeals	TOTAL FINAL DECISIONS
FY 08-09	534	1,266	1,800	544	1,342	1,886
FY 09-10	838	1,117	1,955	492	1,099	1,591
FY 10-11	750	1,195	1,945	924	1,062	1,986
FY 11-12	643	1,090	1,733	627	1,259	1,886
FY 12-13	567	905	1472	559	938	1497
FY 13-14	636	1,062	1,698	670	1106	1776
FY 14-15	594	1,021	1,615	655	1116	1771

FILINGS AND DISPOSITIONS FOR THE COURT (EXCLUDING OMVH) SINCE 2008



DISPOSITION PERCENTAGES FOR THE COURT (EXCLUDING OMVH) SINCE 2005

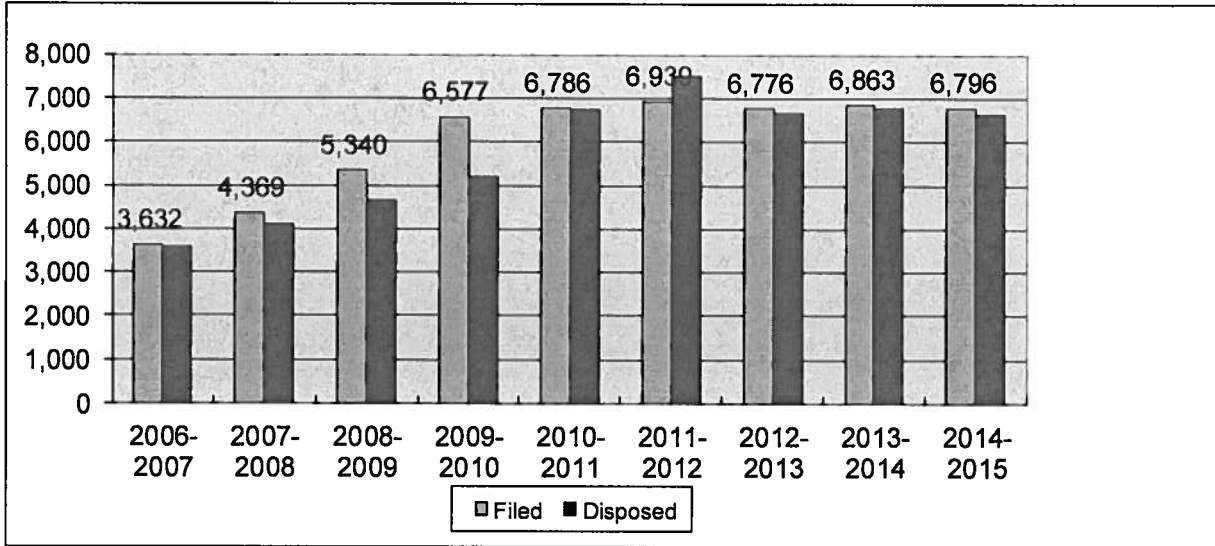




OMVH WORKLOAD REPORT FOR CURRENT YEAR 2014-2015

Case Type #	Description	CASES FILED	FINAL DECISIONS
01	Implied Consent or BAC	6594	6447
02	Habitual Offender 1 st Declared	63	45
03	Habitual Offender Reduction	44	33
04	Financial Responsibility	45	45
05	Dealer Licensing	7	8
06	Physical Disqualification	12	9
07	IFTA	11	15
08	Self-Insured	0	0
09	Driver Training School	0	1
10	IRP	1	5
11	Miscellaneous	4	5
12	Points Suspension	8	12
13	HOR 2	5	2
14	IID (Ignition Interlock)	2	0
TOTAL		6796	6627

FILINGS AND DISPOSITIONS FOR THE OMVH SINCE 2006





Agency Name: **South Carolina Administrative Law Court** Section: **058**
 Agency Code: **CO5**

Program/Title	Purpose	FY 2013-14 Expenditures		FY 2014-15 Expenditures		TOTAL	Associated Objective(s)
		General	Other	General	Other		
I. SCALC Hearings	Process, hear and decide contested cases, appeals, regulations and injunctive relief matters from state agencies pursuant to Article 1 Section 22 of the SC Constitution, S.C. Code Ann 1-23-500 et seq., Al-Shabazz v. State and various agency specific statutes.	\$ 1,886,382	\$ 253,850	\$ 1,953,359	\$ 252,807	\$ 2,206,166	All Goals 1, 2 and 3
I. Administration Overhead	Administration of the Agency (the Court and OMVH) particularly in regards to Agency Accounting, Human Resources, Budgeting and Receptionist functions.	\$ 125,505	\$ 45,095	\$ 170,600	\$ 45,095	\$ 172,834	NA
I. OMVH Hearings	Process, hear and decide administrative hearings required by SC motor vehicle and driver license laws pursuant o South Carolina Code Title 56. Administrative Procedures Act. And Financial Responsibility Act.	\$ 793,900		\$ 793,900	\$ 872,270	\$ 872,270	All Goals 1, 2 and 3



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Agency Code:	C05	Section:	058

Type	Goal	Item # Strat	Object	Description
G	1			Provide fair and impartial hearings for all litigants
S	1.1			Achieve greater accountability among the judges' offices in the performance of their judicial functions and responsibilities
O		1.1.1		<i>Review current statutes and rules for possible amendments to assist in achieving this goal</i>
O		1.1.2		<i>Train staff on full implementation of new case management system by October 2015</i>
G	2			Conduct hearings in a timely manner
S	2.1			Develop and track case types to determine age of a case from filing to disposition
O		2.1.1		<i>Implement revised timelines for disposition of cases by case type July 2015</i>
O		2.1.2		<i>By the end of 2015, improve the percentage of cases meeting agency objectives by 20%.</i>
G	3			Enhance information technology to increase court's efficiency
S	3.1			Develop and implement electronic filing
O		3.1.1		<i>Develop records retention policy for hard copy of documents and electronic records FY 2015-2016 by December 1, 2016</i>
O		3.1.2		<i>Implement records retention policy for hard copy of documents and electronic records FY 2015-2016 by February 1 2016</i>
O		3.1.3		<i>Develop procurement plan for acquiring electronic filing system by January 1, 2016</i>
S	3.2			Division of Information Security Compliance
O		3.2.1		<i>Review data classification</i>
O		3.2.2		<i>Gap analysis of agency policies v. DIS</i>
O		3.2.3		<i>Develop policies based on Gap analysis for submission by July 1, 2016</i>

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 Agency Code: **CO5** Section: **058**

Item	Performance Measure	Last Value	Current Value	Target Value	Time Applicable	Data Source and Availability	Reporting Freq.	Calculation Method	Associated Objective(s)
1	Average Age of Disposed Cases (All Case Types Excluding Inmates - ALC)	188	192	NA	July 1 - June 30	Case Management System data, updated daily	Annual	Excel Formula using the # of cases in a category and the age of each case from CMS	All Goals 1, 2 and 3
2	Average Age of Disposed Cases (All Case Types Including Inmates - ALC)	146	143	NA	July 1 - June 30	Case Management System data, updated daily	Annual	Excel Formula using the # of cases in a category and the age of each case from CMS	All Goals 1, 2 and 3
3	Average Age Category I	127	147	90	July 1 - June 30	Case Management System data, updated daily	Annual	Excel Formula using the # of cases in a category and the age of each case from CMS	All Goals 1, 2 and 3
4	Average Age Category II	240	216	120	July 1 - June 30	Case Management System data, updated daily	Annual	Excel Formula using the # of cases in a category and the age of each case from CMS	All Goals 1, 2 and 3
5	Average Age Category III	221	214	180	July 1 - June 30	Case Management System data, updated daily	Annual	Excel Formula using the # of cases in a category and the age of each case from CMS	All Goals 1, 2 and 3
6	Average Age Category IV	121	114	120	July 1 - June 30	Case Management System data, updated daily	Annual	Excel Formula using the # of cases in a category and the age of each case from CMS	All Goals 1, 2 and 3
7	Total Cases Filed	8,561	8,411	NA	July 1 - June 30	Case Management System data, updated daily	Annual	Excel Formula using the # of cases in a category and the age of each case from CMS	All Goals 1, 2 and 3
8	Total Cases Filed - ALC	1,062	1,615	NA	July 1 - June 30	Case Management System data, updated daily	Annual	Excel Formula using the # of cases in a category and the age of each case from CMS	All Goals 1, 2 and 3
9	Total Cases Filed - OMVH	6,863	6,796	NA	July 1 - June 30	Case Management System data, updated daily	Annual	Excel Formula using the # of cases in a category and the age of each case from CMS	All Goals 1, 2 and 3