President's Report

Paul Wyler
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By Judge Paul Wyler

Excerpts from the (Partially Facetious) Inaugural Address of Paul Wyler, President of the Association, Delivered on October 29, 1981, at Reno, Nevada

I have come here not to replace President Agatstein, but to continue his work. He is to be complimented for advancing the cause of administrative justice and of administrative law judges and hearing officers this past year. He has been an excellent President, and in filling his shoes, so to speak, I will have much to do. He is latest in the line of capable and conscientious presidents of our association. To him, I say thanks for a job well done.

We celebrate today not my election or the return of the California Association to the seat of power in the National Association, but in observance of the strong continuity in our Association, of renewal as well as change.

I have used some famous ghost writers for this speech. To paraphrase some speeches in the past, let the word go forth from this time and place, to friend and foe, that the torch has now been passed to me and the new Board of Governors. We are proud of our profession and seek to improve the status, competence, qualifications and salary of administrative law judges and hearing officers throughout the country. We are unwilling to witness or permit the undoing of those limited gains we have achieved to date. Let everyone know, whether he wishes us well or ill, that we shall pay any price (subject to our extremely limited budget and small dues), bear any burden (considering that we are all employed full time as hearing officers), meet any hardship (ahem!), support any friend and oppose any foe to assure that our Association and status of its members survives and improves.

To those allies, actual and potential, in the ranks of the bench and bar, in the federal administrative judiciary, among the state and local agencies, in the federal government, in labor and management, we pledge loyalty as faithful friends. United we can do much. Divided there is little we can do. To those who claim or appear to be our adversaries, if such there be, we offer our pledge: we will discuss and seek amicable solutions to outstanding problems and differences rather than seeking acrimony for its own sake or by advancing programs or positions that may affront a potential adversary.
Civility is, however, not a sign of weakness. Let us not negotiate out of fear, but let us never fear to negotiate. We will not achieve our goals today, tomorrow or even this year, but we must continue our efforts.

Our Association now is the largest association, locally, statewide or nationally of administrative law judges and hearing officers. Our paid up membership consists of close to 1,000 or more members. We have members in almost all of the fifty states and some territories, representing various functions and agencies in administrative adjudication.

Reading from the Preamble of our Constitution it says, among other things, the field of administrative adjudication involves many important functions, judicial in character, including, among others, the establishment of tribunals to afford fair proceedings and hearings to interested and contested parties, the conduct of impartial hearings, the control of the introduction of evidence, the maintenance of judicial decorum, and the preparation and issuance of written decisions, judicial in character; these functions and decisions affect, among other things, important human rights, property and contract rights, social benefits, tax liability, and social and economic security.

Among the goals set forth in the Constitution and By-Laws are:

A. Participation and actively seeking attainment of higher professional standards;

B. Exchange ideas and principles as well as invite recognized authorities in these fields to appear for the purpose of sharing their views in this field;

C. Study and advance improved procedures and techniques;

D. Obtain information and study material for Continuing Education; and

E. Establish a Code of Ethics.

I propose now and in the future to conduct, among others, the following activities and establish the following goals:

1. To support higher salaries for administrative law judges and hearing officers;

2. To support minimum standards and then to improve the same for administrative law judges and hearing officers
in the following matters: hearing room locations, facilities, support staff, supplies, training, hiring and recruitment;

3. To support the concept of the independence of the hearing officer from any agency interference, in the hearing and decision process, and to oppose reduction of budgets applicable to the appeal hearing process;

4. To oppose arbitrary or restrictive state or federal standards or requirements with respect to the hearing process;

5. To support annual conferences of administrative law judges and hearing officers nationwide or on a regional basis on administrative law and that attendance at said conferences be encouraged by providing travel allowances and the like to participants;

6. Sponsoring an annual essay contest in administrative law;

7. Publishing periodic newsletters and magazines featuring matters of interest to hearing officers and administrative law judges, including summaries of current cases;

8. Sponsoring seminars and discussions on new concepts in administrative law, such as telephone hearings;

9. Sponsoring and forming a national foundation of administrative law with a tax exempt character for the purpose of receiving charitable contributions and donations which will permit research, writing and publications on problems faced by administrative law judges and hearing officers and in general on administrative law;

10. Coordinating educational programs with various other associations;

11. The Association works through committees. Among the committees established in the past have been: procedural standards, relations with federal agencies, membership, qualifications of hearing officers, education, legislation and administrative structure.
To achieve these goals that I have above mentioned, my fellow members, lies in your hands more than mine. The trumpet sounds to each member to bear his burden, to pay his dues, to become active on a committee, to submit written material to our journal or newsletters, to send copies of interesting decisions decided in your area to us, to inform us of interesting developments in your agency, to send news of interest related to your colleagues, in the local law and procedure of interest of all, to work actively in your own associations, local or state, if you have one, or to form one if you do not have one, to improve in your own area the status and competency of hearing officers, and to organize regional training conferences in your own area. Above all, proselytize the name and value of our Association to those others who are not familiar with it.

To lead the Association during the forthcoming year is a responsibility from which I do not shrink but welcome.

To all those attending, I say, therefore, in closing, ask not what the Association can do for you, but rather what you can do for the Association and for the status, competence and qualifications of administrative law judges and hearing officers everywhere and the cause of administrative justice in general.

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Reminder: At the Annual Meeting (see p. 26), dues for 1981-1982 were fixed at $20 for individual members and $15 for members belonging to an affiliated chapter (New York, California, Illinois and Washington State). If you have not already done so, please mail your check to our Treasurer, Judge Rosenberg.