



ANNUAL REPORT 2017/2018

NEW YORK CITY'S
INDEPENDENT AND IMPARTIAL
ADMINISTRATIVE LAW COURT





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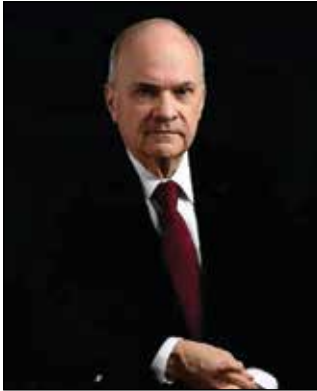
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**MESSAGE FROM THE
CHIEF ADMINISTRATIVE LAW JUDGE
& COMMISSIONER**

MESSAGE FROM THE CHIEF ALJ & COMMISSIONER

Fidel F. Del Valle



Over the last decade, the City's Office of Administrative Trials and Hearings (OATH) has undergone momentous change as its role as the City's independent administrative law court has become more widely accepted by both the general public and the City agencies who appear before it to have their cases heard and decided. OATH's proven track record of providing City residents, businesses and City agencies with fairness, integrity and professionalism in its decision-making has led to a greater reliance on OATH. As a result, OATH has become the singular central venue where the City files its administrative law matters for trials or hearings.

Ten years ago, hearings on summonses issued by the Departments of Sanitation, Buildings, Environmental Protection, Fire Department and other City agencies that enforce the City rules that are in place to protect quality of life and public safety were transferred from the NYC Department of Environmental Protection (DEP) to OATH. While these cases were heard at the DEP's administrative tribunal they had hearing decision wait times of more than 90 days, a two year backlog for appeals unit decisions and DEP offered no way for the public to fight the summonses remotely or without having to attend the hearing in person. With Local Law 35 of 2008, OATH grew from an adjudicatory agency that handled approximately 2,000 complex administrative law matters each year at what is today known as the OATH Trials Division – where a trial may take a day or weeks – to one also responsible for holding simple 30 minute hearings on more than 500,000 quality of life and public safety summonses a year.

Due to the overwhelming success of the transfer of those cases to OATH, in 2011 the tribunals that were run by the Health Department (DOHMH) and Taxi and Limousine Commission (TLC), which held hearings on the summonses issued by those agencies were also transferred out of those regulatory enforcement agencies and placed under OATH's auspices. In 2016, the cases emanating from the NYC Department of Consumer Affairs (DCA) were also transferred from DCA's tribunal to OATH. Most recently in 2017, OATH began hearing the low-level quality of life summonses issued by the NYPD that used to be filed in Criminal Court but were moved to OATH as part of the Criminal Justice Reform Act of 2016.

The parties in all of these types of cases have benefited from OATH's independence from the regulatory and enforcement agencies as well as from its expertise in the administration of judicial proceedings. When administrative hearings are conducted by the City agency that issues the summons, the perception, if not the reality, may be that the agency has an unfair advantage and that the cards are stacked in their favor. Moving these cases to OATH has provided greater fairness and neutrality in the decision-making process since OATH does not have any stake in how the cases are decided other than that the hearing be conducted fairly and that all parties are heard. Another benefit stems from the fact that OATH is staffed with professional

Administrative Law Judges and Hearing Officers; all of whom are experienced lawyers and regularly receive substantive legal training and judicial skills training from OATH's Administrative Judicial Institute.

It is also important to note that it is OATH's sole mission to provide fair and timely trials or hearings on the City's administrative matters and this means that OATH has the resources and expertise to handle these cases while also providing due process and focusing on how we can become a better and more user-friendly court. When cases were heard at agencies such as the DEP, whose mission is to protect the City's air and water, or at the DOHMH whose mission is to protect public health, it was probably difficult for the public to perceive that the cases were being handled correctly and fairly and that the tribunals were receiving the resources needed to provide truly accessible and convenient proceedings like the ones that are provided by OATH because their agency missions have nothing to do with the application of justice.

Under Mayor de Blasio, we have continued to move forward in making OATH the fairest venue where administrative law cases are heard. We have eliminated the separate tribunals and streamlined our processes so that now all summonses that are filed at OATH are subject to the same procedural rules; in doing so, we created what is called the OATH Hearings Division. While streamlining our rules, we ensure that each party – the agency and the recipient of the summons – are treated equally under those rules, which is something that hadn't been done before. The prior rules were written by the enforcement agency where the hearings used to be held, and some of the rules were unnecessarily burdensome to respondents; some were silent on the responsibilities of the agencies, and each process or procedure including rescheduling, hearings, appeals, and default proceedings had different requirements depending on which agency issued the summons. This endeavor to create greater equity and fairness also essentially relaunched OATH – we created the OATH Trials Division and the OATH Hearings Division. The streamlining process took about two years and involved a long process of rulemaking; new summons creation for all issuing agencies; more than 100 new OATH forms and letter templates; new OATH brochures and informational materials in 8 languages; new palm cards to advise respondents of their rights; and the creation of a new website to reflect the new state of affairs here at OATH.

During the past year we have focused our efforts on making it easier for people to handle their cases on their own so that they do not need to hire someone to represent them at OATH hearings. I invite you to read about our new informational videos, our language access initiatives, our convenient remote hearing methods, our community outreach programs and informational events, the establishment of our first-ever Help Centers, and our many other accomplishments in this 2017/2018 Annual Report.



OATH TRIALS DIVISION

TRIALS DIVISION OVERVIEW

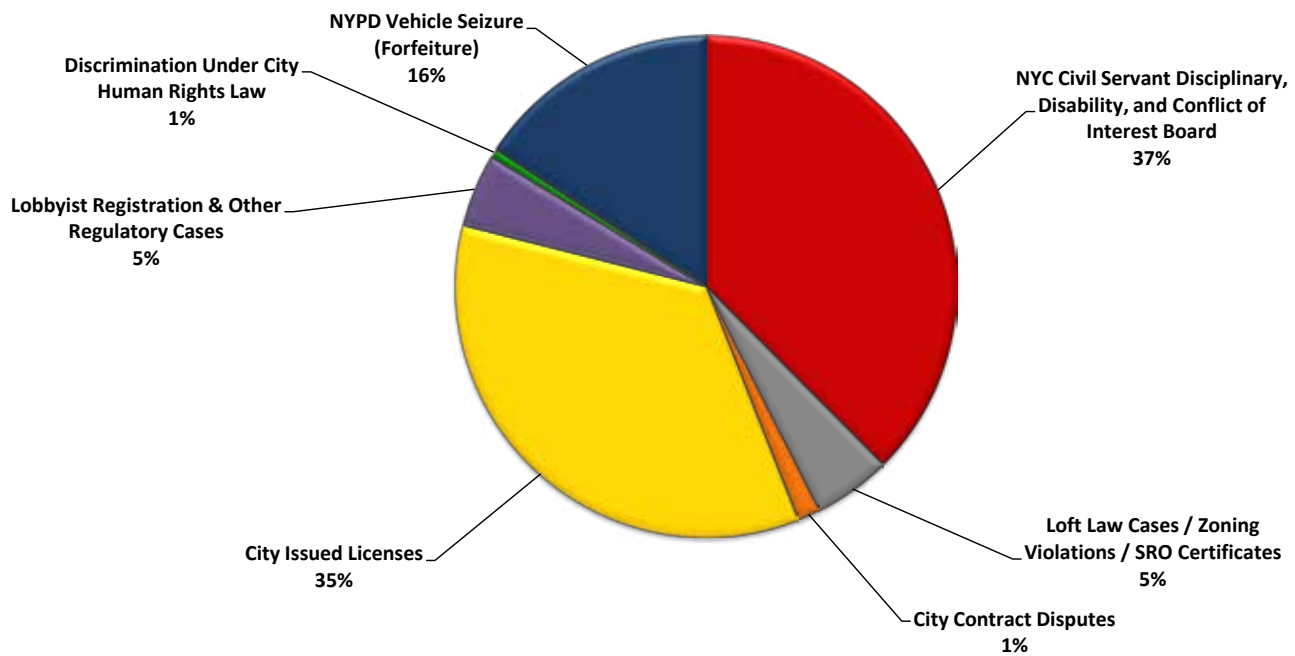


- OATH originated as what is now the OATH Trials Division in 1979.
- As set out by the New York City Charter, all of the City's Administrative Law Judges (ALJs) serve at OATH and are appointed to five-year terms by OATH's Commissioner & Chief Administrative Law Judge.
- The five-year appointment of the City's ALJs ensures absolute independence and impartiality in the judicial decision-making process since judges serve one year more than the Mayor.
- OATH ALJs are subject to the same rules of conduct and ethics that all members of the New York State Judiciary are bound by (*as set forth in 22 N.Y.C.R.R. Section 100*). Moreover, all ALJs and OATH Hearing Officers are also subject to the Rules of Conduct for Administrative Law Judges and Hearing Officers of the City of New York (*Appendix - Chapter 48 of the Rules of the City of New York*).
- In addition to the Chief Administrative Law Judge, there are currently 12 ALJs serving the City at OATH's Trials Division.

TRIALS DIVISION

Administrative Law Judges (ALJs) preside over trials and settlement conferences at the OATH Trials Division.

Types of Cases Filed by NYC Agencies at the OATH Trials Division in 2017



2017 Overview

- **99.4% of the decisions rendered by OATH ALJs were adopted by the City agencies.**
 - **OATH ALJs conducted 1,831 pre-trial settlement conferences.**
 - **2,696 cases were resolved at the OATH Trials Division.**
-

INTERNSHIP PROGRAM FOR ASPIRING LAWYERS

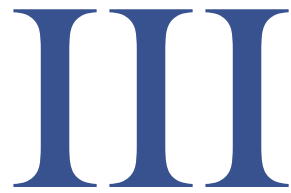
In 2017, OATH sponsored its *6th Annual Internship Program* for aspiring lawyers. Overseen by the Office of the General Counsel, student participants handled a variety of tasks in the both the Trials and Hearings Divisions, drafting memos and appeals, observing proceedings, and performing extensive legal research. They also participated in mock trials. The students had the opportunity to meet with senior leaders in government, including local and federal judges, and learn about legal careers in the public sector. Extra-curricular activities included a visit to the Federal Reserve Bank of New York, a tour of City Hall, and attending a local baseball game.



There were nine law students from as far away as California, to as close as Tribeca, who participated in the Internship Program. There were also four undergraduate students from John Jay College of Criminal Justice, New York University, and Princeton University.

Students in the Internship Program were able to attend workshops through OATH's Administrative Judicial Institute (AJI), including:

- ***Legislative Process***
 - ***Appellate Judicial Decision Writing***
 - ***Mediation Workshop***
 - ***Trial Advocacy***
-



OATH HEARINGS DIVISION

HEARINGS DIVISION OVERVIEW

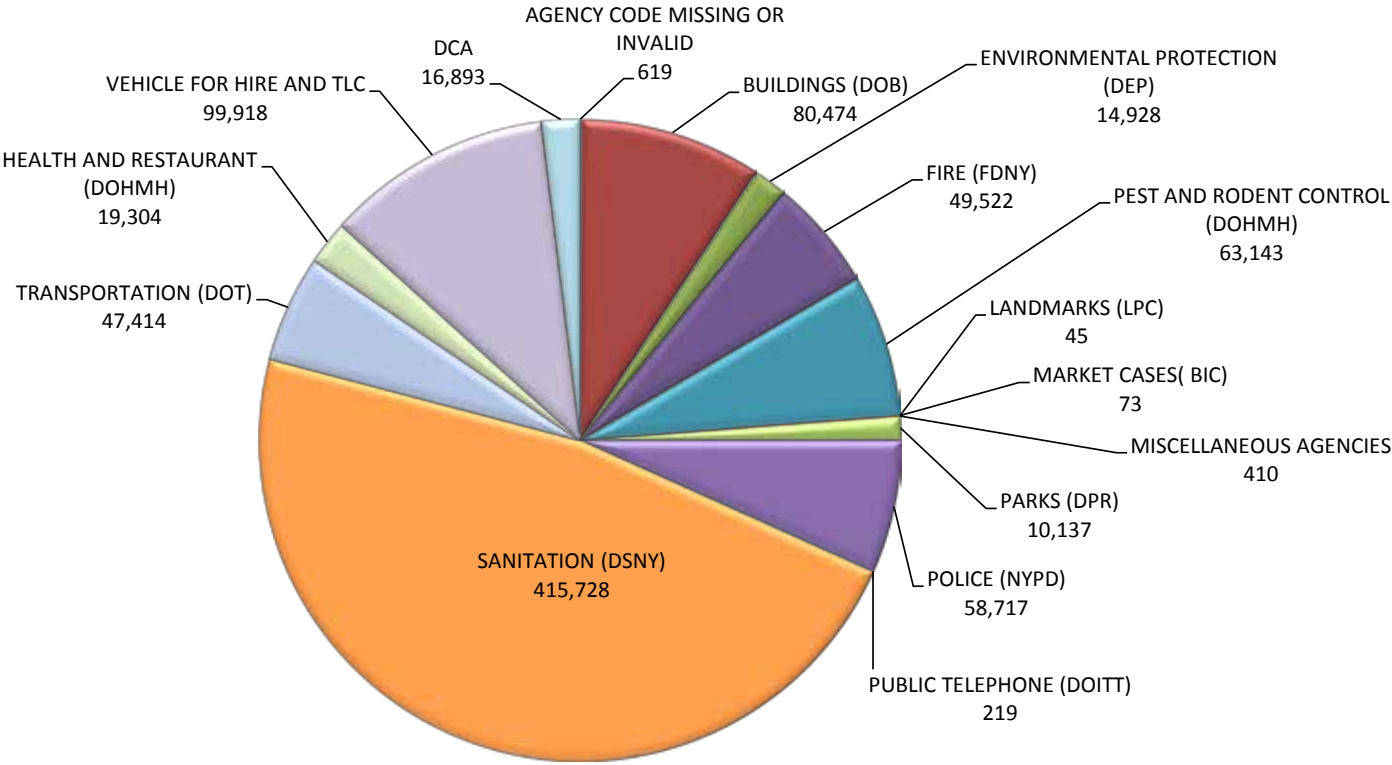
As the City's central, independent administrative law court, OATH's Hearings Division adjudicates summonses filed by NYC agencies responsible for enforcing the City's rules, regulations and administrative laws. OATH Hearing Officers preside over OATH Hearings.



In 2017, OATH received 877,544 summonses from the City's various enforcement agencies which include the Departments of Sanitation, Buildings, Health and Mental Hygiene, Environmental Protection, Fire and the Taxi & Limousine Commission, among many other City agencies.

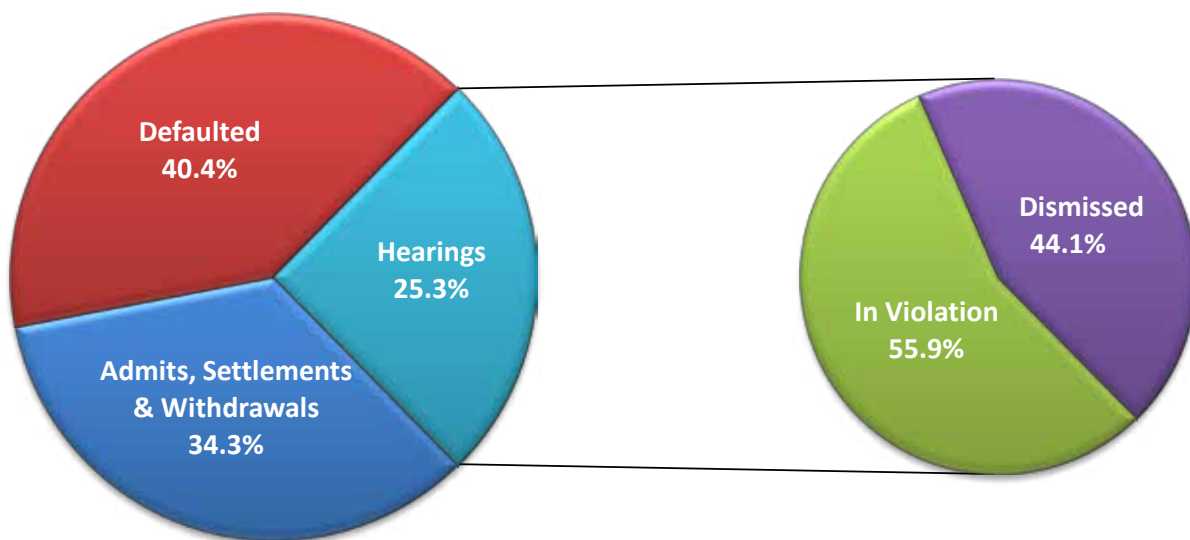
HEARINGS DIVISION DATA

**Cases Received by Hearings Division from City Enforcement Agencies
877,544 Summons Received in 2017**



HEARINGS DIVISION DATA

2017 Outcomes for Summonses Filed with the OATH Hearings Division



**Stipulation agreements that occurred between the issuing agency and a respondent at a hearing are included as In Violation; they are not included in the Admits, Settlements and Withdrawals.*

In 2017, the Hearings Division conducted 310,831 hearings which is 31,000 more hearings than in 2016.

ESTABLISHMENT OF FIRST-EVER OATH HELP CENTERS

In June 2017, OATH officially launched Help Centers in all Hearing Division locations. Help Centers assist self-represented litigants who appear at OATH for hearings. The Help Centers are staffed with Procedural Justice Coordinators who ensure that self-represented persons experience the hearing process as one that is fair and the decision-making process is clear. The goal of the Help Centers is simple: they provide unrepresented persons with legal information and other resources so that they can handle their case on their own. While the Help Center can and will provide legal information, the Help Center cannot and does not provide legal advice.

27,783 self-represented people, throughout the five boroughs, were provided assistance at OATH Help Centers in 2017.



The Help Center Helps Unrepresented Persons to:

- ***Understand the charges against them***
 - ***Learn their legal rights***
 - ***Learn the meaning of legal terminology***
 - ***Learn about the role of OATH in the summons process***
 - ***Learn what to expect at OATH and the OATH procedures for its hearings and appeals***
 - ***Understand the nature, methods and format of hearings, both in person and remote***
 - ***Request a new hearing after failing to appear and receiving a default decision***
 - ***Request a rescheduled hearing date or an adjournment***
 - ***File an appeal and other appeal-related forms***
 - ***Navigate the rules of the City agency that issued the summons***
-

IMPLEMENTATION OF CRIMINAL JUSTICE REFORM ACT

The Criminal Justice Reform Act (CJRA) went into effect on June 13, 2017. The CJRA is a package of laws mandating that summonses for certain low-level, quality of life offenses be filed at OATH rather than with NYC Criminal Court. The CJRA also mandated that Community Service be made available instead of a money penalty. **In order for OATH to take over these cases as the law required, OATH completed the following initiatives:**

- OATH designed the new NYPD Civil Summons form used for these types of cases. The summons mirrors OATH's universal summons form which OATH rolled out in 2016 for all City agencies that file their summonses at OATH.
- OATH created new informational materials about the CJRA and the new Community Service option and did a substantial amount of community outreach leading up to the date the law went into effect.
- OATH trained its 200 Hearing Officers, its Clerks Office staff and its Help Center staff on the new law and the new Community Service offering.

An Alternative to Criminal Court

The Criminal Justice Reform Act (CJRA) gives the New York Police Department and some other city agencies the option to file certain summonses at the NYC Office of Administrative Trials and Hearings (OATH) rather than in Criminal Court. An important part of the law is that New Yorkers can complete community service instead of paying a fine for the violations covered under the law. This brochure explains the community service process.

- 1 Am I Eligible?**
Community service is available only if you received a summons for one of the violations covered by the CJRA. The Center for Court Innovation administers the community service programs.
- 2 OATH vs. Criminal Court**
OATH is New York City's independent administrative law court. The OATH Hearings Division is where most NYC agencies file their summonses for hearings.
 - A hearing at OATH is less formal and will be conducted by a Hearing Officer.
 - The Hearing Officer will decide whether you are in violation or not in violation.
 - The Police Officer who issued you the civil summons will not be present but you will still need to appear.
 - OATH is not criminal court.
 - If you are found in violation, you will not have a criminal record and you cannot be sent to jail.
 - If you are found in violation, the result is a fine (or money penalty) unless you choose the option of community service.
- 3 How Do I Know if My Summons is Going to OATH?**
If your summons is going to OATH it will say "Civil Summons" on the top of the summons and your scheduled hearing will be at the Office of Administrative Trials and Hearings (OATH) in the borough where the summons was issued.

- 4 How Do I Request Community Service?**
To request community service you must appear in person at OATH either before or on the hearing date on the summons.
 - You can receive community service if you admit to the violation or if you are found in violation by the Hearing Officer after a hearing.
 - If you are found in violation and choose community service, you will get a decision from the OATH Hearing Officer which will order you to complete a certain number of hours of community service. In most cases, you will have 14 days to complete the community service.
 - Community service cannot be offered to you if you choose to have your hearing through a remote hearing method such as a Hearing Online or Hearing by Phone.
 - If you admit to the summons online, you can only pay a money fine.
- 5 How Much Community Service Will I Have to Do?**
The length of the community service is based on the amount of the fine amount on your summons. Less money, fewer hours; more money, more hours.
- 6 What Type of Community Service Will I Have to Do?**
You are required to complete the community service program as provided by the Center for Court Innovation. Possible options include:
 - An e-learning video module
 - Group programs
 - On-site indoor community service activities
 - Off-site community service programs

OATH Hearing Centers:
are open Monday - Friday 8:00am - 5:00pm:

Brooklyn 3030 3rd Avenue Brooklyn, NY 10455	Manhattan 66 John Street, 10th & 11th Floor, New York, NY 10038
Brooklyn 9 Bond Street 6th & 7th Floor Brooklyn, NY 11201	Queens 31-00 47th Avenue, 3rd Floor Long Island City, NY 11101
Extended Hours: Tuesday 8:00am - 7:00pm Saturday 10:00am - 2:00pm	Staten Island 350 St. Marks Place, Main Floor Staten Island, NY 10301

Visit the OATH website:
nyc.gov/oath
1-844-OATH-NYC
1-844-628-4682

- OATH made programming changes to its electronic case management systems that will erase a CJRA summons from public portals like NYC Open Data when the summons is properly responded to and dealt with. This was done to reflect the criminal court procedure where a record is sealed after the summons is resolved, as OATH wants to offer the same level of privacy as Criminal Court does for these offenses.

FIRST-EVER “COMMUNITY SERVICE” OPTION AT OATH



Summonses covered by the CJRA may be eligible for Community Service instead of paying a money fine. OATH has contracted with the Center for Court Innovation (CCI) to administer community service programs for eligible CJRA cases. “Community Service” at OATH is instructive, and does not include physical labor, cleaning, or other tasks that may be traditionally thought of as community service.



The Community Service that most people complete in CJRA cases is an e-learning module on OATH computers. The computer program is an interactive learning experience that provides lessons, practices and learning outcomes aimed at preventing future offenses.

In order for OATH to begin offering Community Service for the first time in its history, OATH completed the following initiatives:

- OATH contracted with CCI and has built a robust contractual partnership in order for CCI to administer the Community Service.
- OATH and CCI created the e-learning module that respondents use to complete their Community Service.
- OATH built designated space at all of its Hearings Division locations where the Community Service programs are administered.
- OATH and CCI work under the expectation that most respondents who choose the Community Service option will be able to complete their service on site on the same day as their hearing.

Of eligible CJRA cases where the respondent was given the choice to pay the penalty or complete community service, approximately 40% of respondents elected to do community service rather than pay a money penalty.

TEXT MESSAGE REMINDERS

SUMMONS TO APPEAR FOR CIVIL PENALTIES ONLY
 SUMMONS NUMBER: 0000 000 000
 ENFORCEMENT AGENCY: Police Department

Respondent Last Name: _____ First: _____ M.I.: _____

Phone No: _____ Cell Home D.S.B. M/ DD / YY Sex Male Female

Mailing Address: _____

ID Number: _____ ID Type: _____

Race: White Black Hisp. White Hisp. Black Am. Ind./Alaskan Native Asian/Pacfic. Is.

Date of Occurrence: MM / DD / YY Time of Occurrence: HH : MM AM PM

Place of Occurrence: At In Front Of Opposite Precinct: _____

Include the summons number above on all communications

HEARING DATE: MM / DD / YY AT: HH : MM AM PM

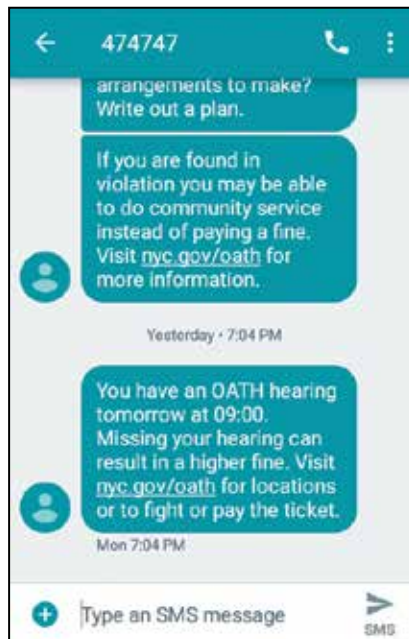
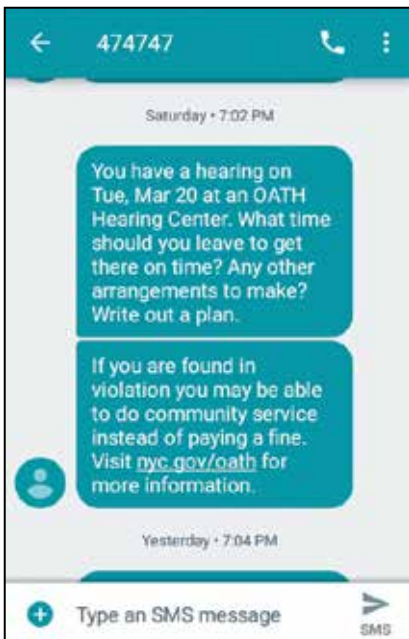
You must respond by the above date.
 See the **BACK OF THIS SUMMONS** to learn about your options.

WARNING: If you do not respond, you may be found automatically responsible and you may owe larger penalties. If you do not pay any imposed penalties, you may lose your ability to keep or get a City license, permit or registration. The City might also take further legal action against you. See the back for more information.

The new NYPD summons that was created by OATH for CJRA cases includes a space for a phone number. OATH sends text messages reminding people who got a NYPD summons of their court date. OATH also sends text messages to let people know if they missed their court date and how they can request a new hearing.

Studies on the impact of text message reminders show that they have been successful in increasing the response rate to summonses. Text message reminders increase the likelihood that people will appear for their hearing or remember to either admit and pay the summons or fight the summons online, by phone

or by mail before the hearing date deadline. Failure to respond to the summons on time will result in a default decision being issued, which often imposes a higher money penalty and a default penalty cannot be resolved by doing community service.



- ***In the first year since the law went into effect, OATH sent out more 18,000 text messages to recipients of summonses issued by the NYPD.***
- ***Additionally, over 25% of respondents who received a CJRA summons from the NYPD, volunteered to give their cell phone number to the issuing officer.***

CREATING FAIRER, MORE EQUITABLE HEARINGS

OATH continues to review the new uniform rules of procedure it implemented in 2016 for its Hearings Division. The old rules and procedures were different depending on the type of case that was at issue. Now, all rules and procedures have been streamlined so that all summonses are subject to the same hearing process.



The new rules provide a more level playing field for recipients of summonses at the Hearings Division since the rules now make it clear that the rules apply to the recipient of a summons and to the City enforcement agency that issued the summons.

IV

ACCESS TO JUSTICE INITIATIVES

MAKING THE HEARING PROCESS MORE CONVENIENT

OATH has made the hearing process more convenient by providing multiple ways to participate in a hearing. OATH's remote hearing methods make it possible to contest summonses without having to appear at a scheduled hearing in person.

OATH's remote hearing options include:

- One-Click (online) Hearings
- Hearings by Mail
- Hearings by Phone
- Video (webcam) Hearings



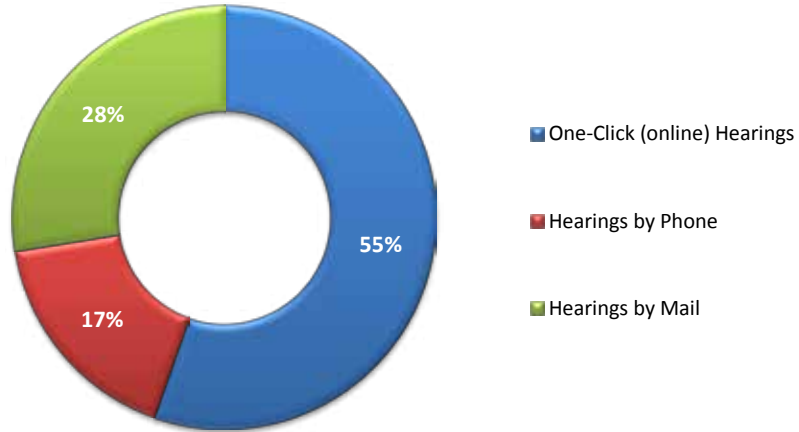
An OATH Hearing Officer conducts a Hearing by Webcam.

2017 Accomplishments

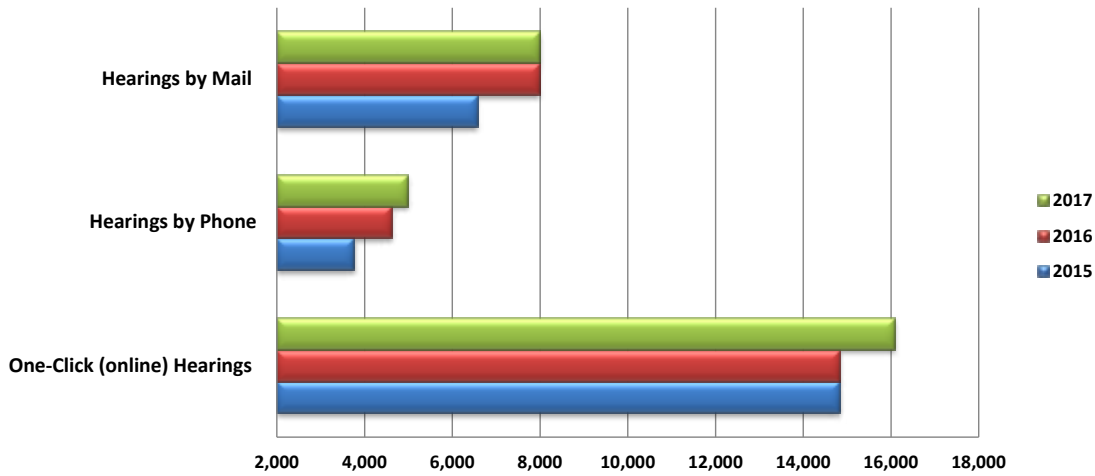
- ***OATH introduced Video (webcam) Hearings for respondents as an alternative way to appear for their scheduled hearing.***
 - ***For the first time, the TLC has allowed OATH to hold Remote Hearings on some of its cases. TLC now allows drivers, owners and bases who receive certain types of summonses to appear for a Video (webcam) Hearing.***
 - ***Nearly all summonses covered by the CJRA are eligible to have a Hearing Online, Hearing by Phone, Hearing by Mail or Video (webcam) Hearing.***
-

REMOTE HEARINGS DATA

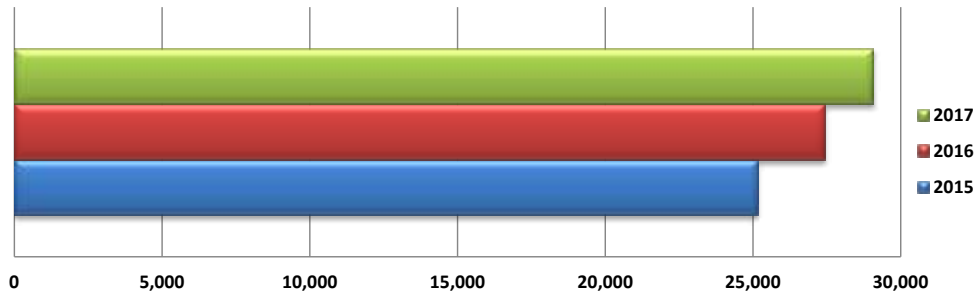
Breakdown of Remote Hearings Conducted in 2017



Breakdown of Remote Hearings Conducted on Annual Basis



Total Remote Hearings Conducted



OATH conducted 14% more Remote Hearings in 2017 than it did in 2015.

MAKING THE HEARING PROCESS EASIER TO UNDERSTAND

In 2017, OATH created new outreach materials for recipients of summonses who are interested in learning about the new Help Center and the new rules and procedures for hearings, appeals and defaulted cases, and how to effectively participate in the hearing process. OATH has made all informational brochures available in nine (9) languages.

Your Hearing

If you receive a summons, you may contest the charges by participating in an OATH hearing. The hearing is your chance to present your side of the case.

You should be prepared with everything you need to prove your case, including any witnesses, legal or official records, photographs, or other documents. The Hearing Officer hearing your case can only review evidence or witness statements that are presented during the hearing.

OATH hearings are informal. You may represent yourself or, at your own expense, hire an attorney or non-attorney representative.

OATH provides free, instantaneous translation services at all in-person and remote hearings.

Reschedules

If you need to change the date of your hearing, call 1-844-628-4692, go online at nyc.gov/oath/reschedule, or come in person to any Hearings Division location before the scheduled hearing date. Each party may only make one request to reschedule.

Admits/Settlements

If you do not wish to appear for a hearing and your summons has a mail-in penalty, you may admit to the summons and pay the penalty by mail, online, or in person at any Hearings Division location. Additionally, if the enforcement agency offered you a settlement, you may accept the settlement without appearing at a hearing.

Remote Hearings

Some types of summonses may be contested online, by mail, by phone, or by webcam on or before the hearing date. If your summons says, "Must Appear," then you must appear in person for your hearing.



An Online Hearing allows you to fight the summons by using a simple, online form at nyc.gov/oath/hearingonline if you want to have an Online Hearing, the form must be submitted to the Hearings Division on or before the hearing date.



A Hearing by Phone allows you to fight the summons by telling a Hearing Officer over the phone why you think the charges on a summons should be dismissed. You can call the OATH Remote Hearings Unit at (212) 436-0777 before the scheduled hearing date to schedule your Phone Hearing.



A Video (Webcam) Hearing allows you to fight the summons by telling a Hearing Officer over video or webcam why you think the charges on a summons should be dismissed. You can call the OATH Remote Hearings Unit at (212) 436-0777 before the scheduled hearing date to schedule your Video Hearing. They will send you a link to the hearing via email.

Missed Hearings

If you do not respond to a summons on, or before the hearing date, you will receive a decision in the mail that finds you in violation of the charge by default and you may have to pay a higher fine.

If you received a decision finding you in default, you have two options:

- Pay the penalty and any additional penalties that may have been imposed.

..... OR

- Request a new hearing.

The request for a new hearing MUST be submitted using OATH's *Request for a New Hearing After a Failure to Appear* form available at nyc.gov/oath/missedhearings or at all OATH Hearings Division locations. Instructions for filing the request may be found on the form and OATH's website.

Generally, you may request a new hearing only once for each summons that is in default. If the request for a new hearing is received by the OATH Hearings Division within 60 days of the date of the missed hearing, then OATH will automatically grant the request without you having to provide an explanation as to why you missed your hearing.

Appealing a Hearing Decision

After your hearing, the OATH Hearings Division will give or mail the decision to you. If you disagree with the decision, you may file an appeal.

You MUST use OATH's appeal form available online at nyc.gov/oath/appeal or at all Hearings Division locations to submit your appeal. Instructions for filing an appeal may be found on the form and OATH's website.

Your appeal MUST be received by the OATH Hearings Division within 30 days of the decision date, or 35 days if the decision was mailed to you.

The Ombudsperson

The Ombudsperson seeks to ensure fairness and transparency in OATH's decision-making process by answering questions about OATH's procedures, addressing concerns, fielding complaints, and acting on suggestions on how to improve OATH.

Bronx

3030 Third Avenue
Bronx, NY 10455
Monday – Friday
8:00am – 5:00pm

Brooklyn

9 Bond Street, 6th & 7th Floor
Brooklyn, NY 11201
Monday – Friday
8:00am – 5:00pm

Manhattan

66 John Street, 10th & 11th Floor
New York, NY 10038
Monday – Friday
8:00am – 5:00pm

Staten Island

350 Marks Place, Main Floor
Staten Island, NY 10301
Monday – Friday
8:00am – 5:00pm

Queens

31-00 47th Avenue, 3rd Floor
Long Island City, NY 11101
Monday – Friday
8:00am – 5:00pm

144-06 94th Avenue, Main Floor
Jamaica, NY 11435
Monday – Friday
8:00am – 5:00pm

1-844-OATH-NYC (1-844-628-4692)



Fidel F. Del Valle
Commissioner & Chief Administrative Law Judge
OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
nyc.gov/oath



NYC'S INDEPENDENT AND
IMPARTIAL ADMINISTRATIVE
LAW COURT

The OATH Hearings Division is an independent Administrative Law Court that hears and decides cases involving summonses issued by NYC enforcement agencies. OATH is separate from the agencies that issue the summonses.

The Help Center

There is a Help Center in each of the OATH Hearings Division locations. The Help Center provides assistance and resources to assist unrepresented respondents prepare for their hearing. We help unrepresented persons:

- Understand the charges against them.
- Learn their legal rights.
- Navigate the process at OATH.
- Understand how to represent yourself at a hearing, appeal a decision, or what to do if you missed a hearing date.
- Find legal resources, where respondents can look up the law that applies to their case.

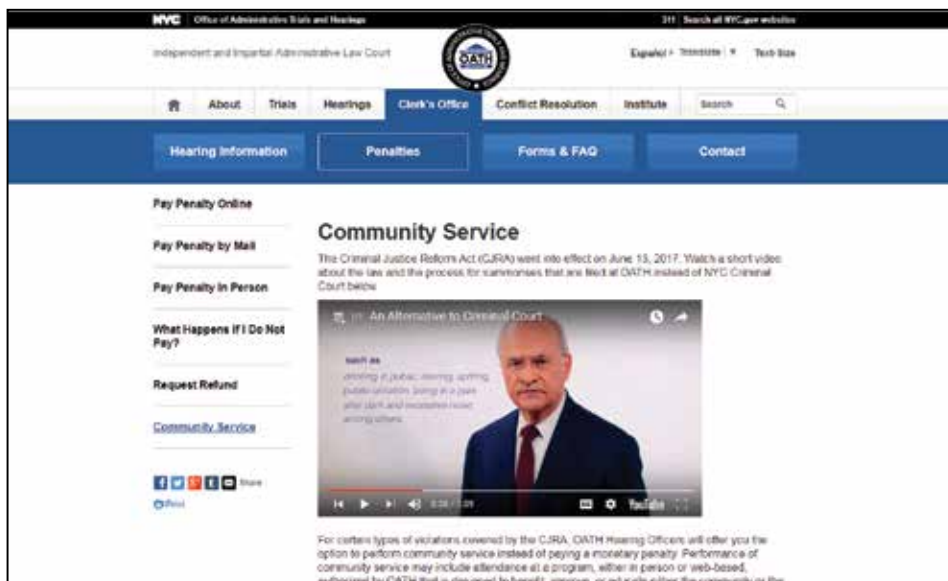
An appointment is not necessary. You can come at any time before, on or after your hearing date. You can also contact the Help Center at HelpCenter@oath.nyc.gov

INFORMATIONAL VIDEOS

In 2017, OATH created two informational videos that explain new developments at OATH. One is an informational video that explains the options available to recipients of city-issued summonses. The other video is similar to a Public Service Announcement (PSA) that explains the reason the Criminal Justice Reform Act (CJRA) was signed into law. The videos are played in OATH waiting rooms across the City and are available for viewing from the OATH website.



OATH's video about the general hearing process includes information such as who is responsible for the summons, how to respond by admitting and paying, how to fight the summons remotely or in-person, and tells viewers about the presence of Help Centers at all OATH locations for self-represented respondents.

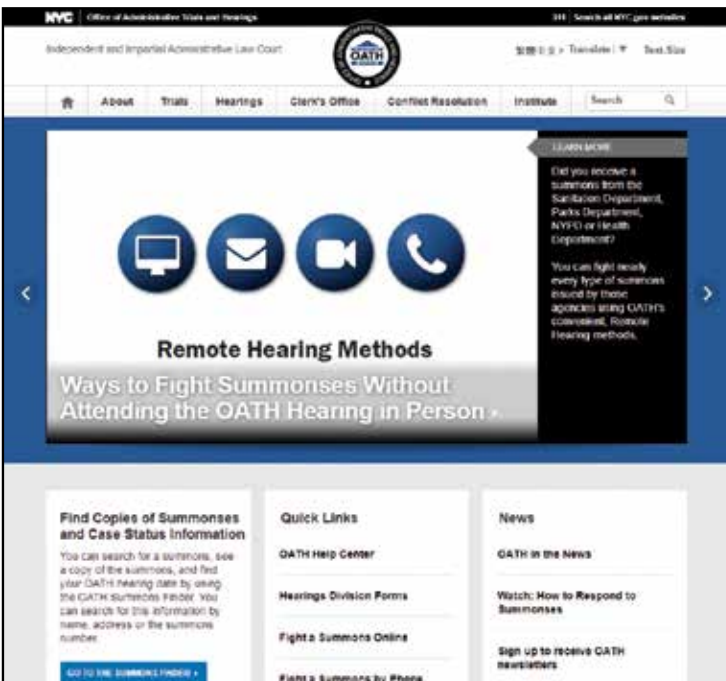


The Criminal Justice Reform Act (CJRA) went into effect in 2017 and changed the way the NYPD and Parks Department handles most low-level, quality of life offenses. The OATH video explains the law, the offenses that are covered and explains the new community service option available for these cases.

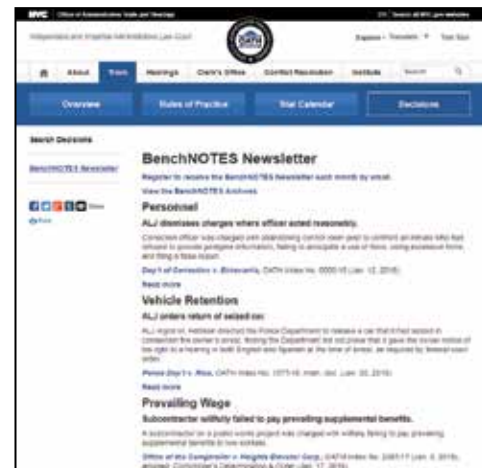
NEW OATH WEBSITE

In 2017, OATH launched its new user-friendly website found at nyc.gov/oath. The site clearly illustrates OATH's new organization and ensures that all individuals and small business owners have equal access to the information they need to fully prepare for and participate in their hearings and trials.

- Information and forms about OATH's Trials Division and Hearings Division are accessible on the website. Users can conveniently complete and submit nearly all forms, applications and requests electronically without having to go in person to an OATH location or use regular mail.
- Users can contact the OATH Help Center directly online if they have questions about their case.
- Users can contact the Clerk's Office online if they have questions about penalties, payments, refunds or reschedule requests.
- The online Summons Finder application is directly on the homepage and allows users to search for the status of a summons, see a copy of the summons and find the OATH hearing date by searching by name, address or summons number.



Homepage of OATH's new website.



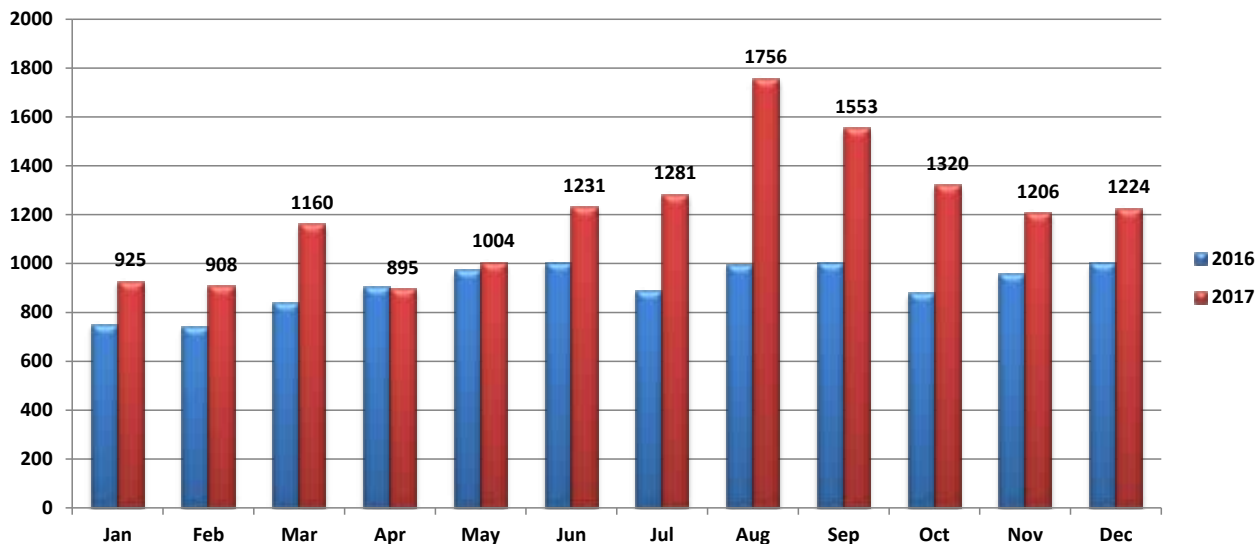
OATH's Trials Division publishes *Benchnotes*, a monthly newsletter highlighting key administrative law decisions. It also publishes its decisions on Lexis and the online library of the Center for New York City Law for public viewing.

PROVIDING FREE, COMPREHENSIVE LANGUAGE ASSISTANCE

FREE, PROFESSIONAL INTERPRETATION SERVICES AT IN-PERSON HEARINGS AND HEARINGS BY PHONE.

OATH provides free, professional over-the-phone translation services at hearings in up to 250 different languages.

Language Interpretations Provided at Hearings and Trials



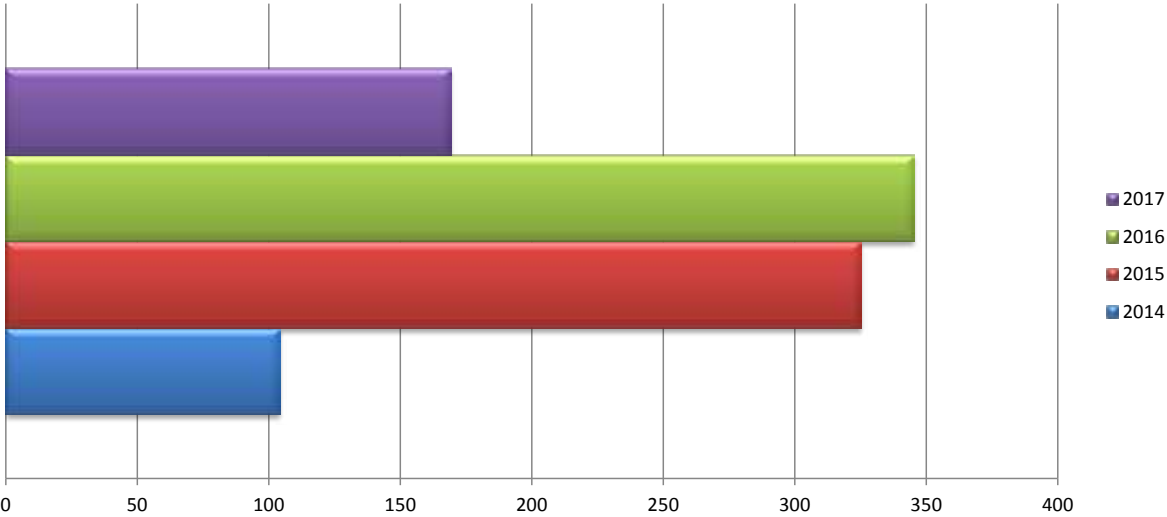
In 2017, OATH provided 14,463 free interpretations at hearings, which is an increase of 25% from 2016.

PROVIDING FREE, COMPREHENSIVE LANGUAGE ASSISTANCE

FREE, PROFESSIONAL DOCUMENT TRANSLATION FOR FORMS AND WRITTEN DEFENSES

Members of the public can represent themselves to the best of their ability when they are able to make submissions in the language that they feel most comfortable using. OATH publicizes the fact that it accepts all documents in any language. OATH has the submissions translated into English by a third-party, professional translation service at no cost to the public before it is assigned to a Hearing Officer for consideration.

Total Number of Written Submissions Received in Foreign Languages that OATH Translated for the Public



In 2017, documents submitted to OATH in foreign languages included:

- ***Written defenses for Hearings by Mail***
- ***Written defense for One-Click (online) Hearings***
- ***Requests to vacate default decisions***
- ***Appeals of OATH hearing decisions***



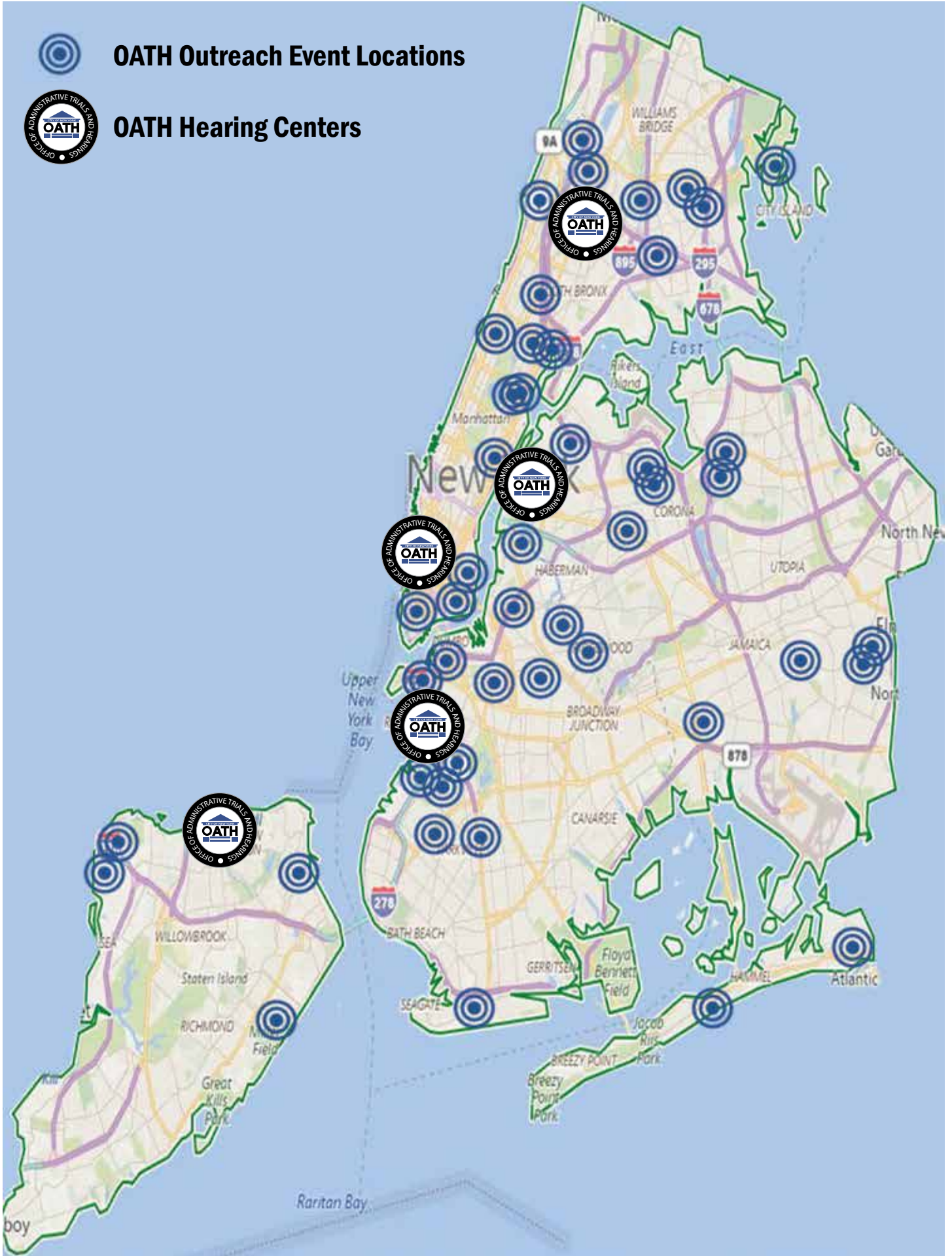
OUTREACH AND EDUCATION



OATH Outreach Event Locations



OATH Hearing Centers

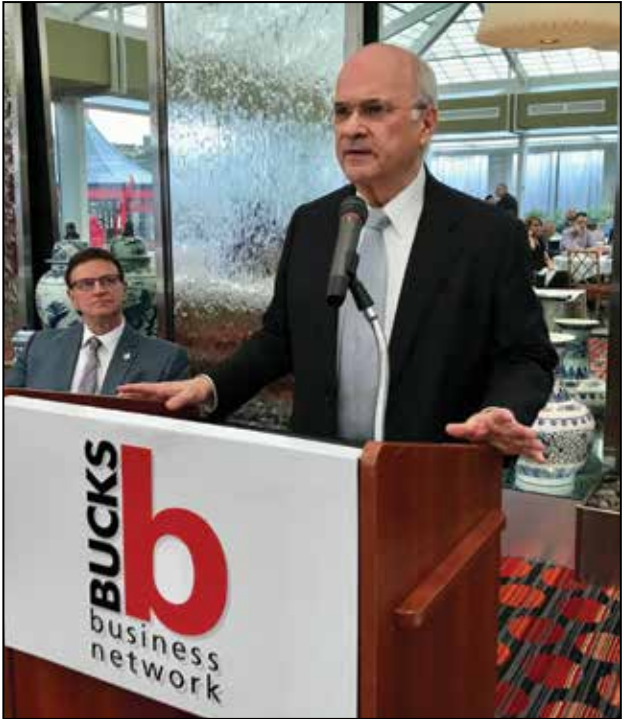


INFORMATIONAL FORUMS FOR SMALL BUSINESS OWNERS

For the second year in a row, OATH hosted events in all 5 boroughs that it calls *Building Bridges for Small Businesses*. These events were aimed at helping small businesses understand the hearing process and how to fight summonses they receive from City enforcement agencies. OATH will continue these events in 2018.



Commissioner Del Valle and Brooklyn Deputy Borough President Diana Reyna co-host a Building Bridges multi-agency event in Brooklyn at the Wyckoff Heights Medical Center.



For the second year in a row, Commissioner Del Valle partnered with the Bucks Business Network to bring its Building Bridges multi-agency forum to Staten Island.



Commissioner Del Valle speaks at a Building Bridges for Small Businesses event.



City staff along with Bronx Chamber of Commerce President Nunzio Del Greco and Commissioner Del Valle at the 2nd Annual Building Bridges event in the Bronx.



Flyer for a small business event hosted by OATH in the Queens.

COURTESY (COURT EDUCATION FOR SENIORS)

Many older New York residents are property owners who may also be on fixed incomes. These residents may receive summonses from enforcement agencies, such as the Sanitation Department, and want to fight them but may not be able to go to their hearing in person.

In an effort to educate seniors about the options available to them when they receive a summons, including the different ways to fight summonses without attending the hearing in person, OATH launched a new initiative called *CourtESy* (Court Education for Seniors). Through *CourtESy*, OATH visited more than 10 neighborhood senior centers across the five boroughs and spoke to many hundreds of seniors.



Commissioner Del Valle and Council Member Mark Gjonaj partnered on a CourtESy event at the R.A.I.N Boston Road Senior Center.



Council Member Peter Koo and Commissioner Del Valle meet with seniors after their presentation at the Nan Shan Senior Center in Flushing, Queens. Chinese translators were present at the event.



Commissioner Del Valle and City Council Member Fernando Cabrera partnered to bring OATH's CourtESy Program to the BronxWorks Morris Innovative Senior Center. The Commissioner delivered his full remarks in Spanish.



Commissioner Del Valle speaks to seniors about what to do when they receive a summons at the United Neighborhood Senior Citizens Center in Brooklyn.

ACCES PROGRAM

In 2016, OATH launched its **ACCES Program** (*Administrative Law Court's Community Education Services Program*) and has continued hosting these events in the following years. It is OATH's goal through **ACCES** to reach immigrant communities to ensure that they can get answers to questions about the administrative hearing process and understand the options available to them when they receive a summons from a City agency. Nearly all **ACCES** events have foreign language translators to facilitate audience members' understanding of the presentation and participation in the question and answer sessions.

How to Respond to Summonses from NYC Enforcement Agencies

Presented by
FIDEL F. DEL VALLE
 COMMISSIONER AND CHIEF ADMINISTRATIVE LAW JUDGE
 NYC OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS (OATH)

GALE BREWER
 MANHATTAN BOROUGH PRESIDENT

WITH SPECIAL GUEST, COUNCIL MEMBER BEN KALLOS

WEDNESDAY, APRIL 26, 2017 from 6:00 PM - 8:00 PM
 Adam Clayton Powell State Office Building
 163 125th Street, Second Floor, Art Gallery

IN ASSOCIATION WITH:

30nyic, HUMAN SERVICES, United Minor Congress, Inc., AFRICAN SERVICES, AFRICAN CENTER, KP, AFRICAN COMMUNITIES TOGETHER, UNITED AFRICAN YOUTH AND ENTREPRENEUR ASSOCIATION

THIS EVENT IS PART OF OATH'S ACCES PROGRAM
The Administrative Law Court's Community Education Services (ACCES) program seeks to connect residents with information from OATH, the city court responsible for hearings on city-issued summonses.

EL DIARIO

Educan a neoyorquinos para resolver "tickets" sin tener que ir a la corte

Los tribunales civiles de OATH dan opción a quienes tienen infracciones menores de responder sus casos por internet, correo o telefónicamente

Commissioner and Administrative Judge Fidel Del Valle and Councilman Ydani Rodriguez educan residentes sobre las multas.

ENSEÑAN QUÉ HACER SI TE LLEGA LA ORDEN DE APARECER FRENTE A UN JUEZ



Commissioner Del Valle is joined by Queens Borough President Melinda Katz, U.S. Representative Grace Meng, State Senator Toby Stavisky, State Assemblymember Ron Kim, Queens Community Board 7 and Chinese community organizations, to announce an ACCES event that would take place in Downtown Flushing. The educational event was promoted to the Chinese community and then covered by various ethnic media outlets including the China Press, SinoVision and World Journal.



Council Member Margaret Chin, Commissioner Del Valle, Manhattan Borough President Gale Brewer and Council Member Ben Kallos speak to residents and small business owners in Chinatown. Mandarin and Cantonese translators were present at the event.

COMMISSIONER'S COMMUNITY ROUNDTABLE



In 2017, OATH launched a new outreach initiative called the *Commissioner's Community Roundtable* in which Commissioner Del Valle speaks with grass roots community leaders and micro-neighborhood influencers such as local small business owners and other people known as pillars in their respective communities. The events are strategically designed to be smaller and are meant to encourage open dialogue and honest communication and serve as an opportunity for neighborhoods to have a substantive conversation with the Commissioner. The aim is for the attendees to then disseminate what they have learned throughout their own networks. Topics can range from trying to address specific concerns of the area's residents to learning about the Commissioner's long career in City government. The common element at all roundtables is that the community hosting the Commissioner plays a large role in setting the agenda and topics for discussion.



Commissioner Del Valle speaks to local restaurant owners and community group leaders in Inwood. Council Member Ydanis Rodriguez helped organize the event.



Commissioner Del Valle hosts Roundtable with members of the community at Bronx Community Board 7.

CITYWIDE EVENT FOR VETERANS

In 2017, NYC elected officials from across the five boroughs, and local groups and associations that assist and provide services to New York City's war veterans, partnered with OATH to put on an educational event, *Hearings Support for Veterans*. The event was held on November 30, 2017, the final day of National Veterans and Military Families Month, and represents the first-ever, citywide town hall specifically intended to bring information about city-issued summonses and the hearing process directly to the City's war veterans.

More than 30 elected city and state officials supported the event. Their offices assisted with outreach efforts in their districts and many planned on attending or sending staff in an effort to make sure that any concerns or questions raised by veterans from their districts were suitably addressed.

Hearings Support for Veterans
How to Respond to Summonses from NYC Enforcement Agencies

Hosted by:
ERIC L. ADAMS
BROOKLYN BOROUGH PRESIDENT
and
HON. FIDEL F. DEL VALLE
COMMISSIONER AND CHIEF ADMINISTRATIVE LAW JUDGE
NYC OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS (OATH)

Co-sponsored by:
MANHATTAN BOROUGH PRESIDENT **GALE BREWER**
QUEENS BOROUGH PRESIDENT **MELINDA KATZ**
STATEN ISLAND BOROUGH PRESIDENT **JAMES S. ODDO**

THURSDAY, NOVEMBER 30, 2017
9:30 AM - 11:00 AM
BROOKLYN BOROUGH HALL CEREMONIAL COURTROOM AND ROTUNDA
209 JORALEMON STREET, BROOKLYN, NY 11201

In collaboration with:

NYS Senator Marshall Altamirano	NYS Assembly Member Jo Anne Simon	NYC Council Member Brad Lander
NYS Senator Martin Malave-Dillon	NYS Assembly Member Helene E. Weinstein	NYC Council Member Stephen T. Levin
NYS Assembly Member Robert Carroll	NYS Assembly Member David I. Weprin	NYC Council Member Mark Linder
NYS Assembly Member Michael Conick	NYC Council Member Fernando Cabrasa	NYC Council Member Alan N. Mallal
NYS Assembly Member Carmen De La Riva	NYC Council Member Andrea Cohen	NYC Council Member J. Shanek Miller
NYS Assembly Member Michael Donohue	NYC Council Member Robert E. Conroy Jr.	NYC Council Member Antonio Reynoso
NYS Assembly Member Mark Gjonaj	NYC Council Member Cristina Constantinides	NYC Council Member Yvanna Rodriguez
NYS Assembly Member Joseph H. Lentini	NYC Council Member Elizabeth S. Crowley	NYC Council Member Helen Rowenthal
NYS Assembly Member Daniel J. O'Donnell	NYC Council Member Rafael L. Espinal Jr.	NYC Council Member Ritchie J. Torres
NYS Assembly Member Matthew Titone	NYC Council Member Ben Kallos	NYC Council Member Mark Trotter
NYS Assembly Member Felix W. Ortiz	NYC Council Member Peter Kim	NYC Council Member Junnaine D. Williams

This event is endorsed by:



Commissioner Del Valle speaks at OATH event for veterans in November 2017.



Some attendees pose for a photo with the Commissioner and City officials after the event.

Organizations and associations endorsing and attending this event included the NYC Department of Veterans Affairs, Military Veterans of America, U.S. Veteran's Administration and its New York Harbor Health Care System, The National Association of Invalids and Veterans of World War II and Black Veterans for Social Justice, Inc.

SUMMER OUTREACH INITIATIVES

In 2017, OATH launched new outreach initiatives specifically designed to reach people where they spend their time during the summer months. The goal was for OATH to interact with people and provide them with information they may need if they receive a summons without having to attend an OATH outreach event in order to receive the information.

Through *Outreach at the Beach* OATH visited beaches around the City including the Coney Island Boardwalk in Brooklyn, Rockaway Beach in Queens and Orchard Beach in the Bronx. Through its *School at the Pool* initiative, OATH visited public pools to hand out information and answer questions people had about summonses, the CJRA, and the OATH hearing process.



OATH Senior Staff conduct outreach at South and Midland Beaches on Staten Island.



EDUCATIONAL EVENTS FOR NYC PUBLIC SCHOOL STUDENTS

In addition to speaking to High School students at OATH-sponsored outreach events, OATH hosted several groups of students for *“Career Day”* visits with judges at its Trials Division. High School student visitors typically receive an introduction to OATH, watch parts of a trial at the Trials Division, speak to judges about their career paths, and ask them questions about the law and the legal profession. Middle School students typically have the opportunity to speak to an ALJ before participating in a mock-trial, which is conducted by the judge.



Commissioner Del Valle spoke to High School students in the Bronx about the Criminal Justice Reform Act and the most common types of summonses issued to young people.



A class of High School students from Staten Island visited OATH's Trials Division in December of 2017.

VI

THE ADMINISTRATIVE JUDICIAL INSTITUTE (AJI) AT OATH

ADMINISTRATIVE JUDICIAL INSTITUTE



The City's *Administrative Judicial Institute (AJI)* is administered by OATH. The Institute was created to serve as a judicial resource center to provide training, continuing education, research and support services for hearing officers, administrative law judges and the attorneys who appear before OATH. The Institute is an accredited Continuing Legal Education (CLE) provider. In addition to serving as a resource and training center for OATH, the AJI makes its programs available to state and federal hearing officers and administrative law judges as well as OATH practitioners including representatives and lawyers for City agencies and lawyers who appear on behalf of OATH respondents.



OATH, through the Institute, continues to participate in events that benefit the advancement of the judicial profession. **The Director of the AJI is OATH Administrative Law Judge Ray Kramer (pictured in center).** In 2017, Judge Kramer was invited by the Yale China Law Center to speak at workshops involving government officials in Beijing, Hangzhou and Shanghai. The Chinese have been developing an administrative law system in their major cities and in past years, Judge Kramer has hosted visiting Chinese legal officials and scholars at the Yale China Law Center who have been interested in OATH as a potential model for their cities.



In his presentations, Judge Kramer provided an overview of OATH, its jurisdiction and operations, and discussed the potential benefits of a central municipal administrative law tribunal, including the ability to provide fair, independent and impartial adjudications of challenged agency enforcement actions. He also addressed the legal constraints on agency administrative enforcement powers and on their collection of evidence, and discussed administrative and state court judicial review of enforcement actions.

The trip promoted OATH and New York City government, particularly its administrative law process, as a potential model for the rule of law and fair and impartial adjudications of conflicts between government and its citizens. The trip fostered good relations between New York City and sister cities like Shanghai, Hangzhou and Beijing, promoted good government and contributed to the exchange of ideas, knowledge, and legal experience between these major cities.

PROGRAMS ADMINISTERED BY THE INSTITUTE IN 2017

In 2017, the Institute presented 47 programs and training classes to approximately 1075 attendees. The participant satisfaction rate was 96%.

Programs for Administrative Law Judges, Hearing Officers and Practitioners

- Effective Communication in the Courts
- New Developments in Practice at the Office of Administrative Trials & Hearing (OATH), New York City's Central Administrative Tribunal
- Memory Failures: Why We Can Forget Significant Event Details and Remember Things That Never Happened
- What You Need to Know About the Criminal Justice Reform Act

Programs for OATH Trials Division Administrative Law Judges

- DCA and Paid Sick Leave
- Prevailing Wage
- Civil Service Law Sections 72 & 75
- Single Room Occupancy & Law Manager
- Conflict Dispute Resolution Board
- City Clerk & Business Integrity Commission cases
- Krimstock (Car Seizure by the NYPD)
- Loft Law
- City Human Rights Law
- Settlement Conferencing
- Taxi and License Revocation Cases

Programs for OATH Hearing Officers

- Implementation of the Criminal Justice Reform Act and Procedural Justice at OATH
- OATH New Hearing Officers' Training: Two Week Full-time Intensive

Programs for Non-Judicial Personnel

- New Developments in Practice at the Office of Administrative Trials & Hearings (OATH), New York City's Central Administrative Tribunal
- Witness Preparation Part 1: A Six Step Process to Prepare your Witness to Testify
- Witness Preparation Part 2: The Ethics of Witness Preparation
- Early Conflict Intervention Within NYC Agencies – a 2017 Update in conjunction with New York Law School's Alternative Dispute Resolution Skills Program

VII

THE CENTER FOR CREATIVE CONFLICT RESOLUTION (CCCR)

FREE MEDIATION AND CONFLICT RESOLUTION SERVICES FOR NYC AGENCIES



**OFFICE OF ADMINISTRATIVE
TRIALS AND HEARINGS**

In 2015, OATH established the **Center for Creative Conflict Resolution (CCCR)**. The Center's mission is to assist New York City government in resolving conflicts that involve City agencies or City employees — including workplace conflict and inter-agency conflict — and reach resolutions in more satisfying, sustainable, collaborative and cost-effective ways.



The office for the Center for Creative Conflict Resolution (CCCR) at OATH is located at 66 John Street, 11th Floor, NY, NY 10038.

SERVICES ADMINISTERED THROUGH THE CENTER

Mediation for City Employees

Mediation is an opportunity for two people to have a safe and supportive conversation about a conflict they have, with the help of a neutral third person.

In 2017, the Center received 92 mediation referrals from City agencies and conducted total of 62 mediations. Of those, 81% reached a mutual and voluntary agreement.

Workplace Consultations

A Consultation is an opportunity for a person to brainstorm and work with the Center to come up with a needs-appropriate and responsive plan to address conflicts in their workplace.

In 2017, the Center provided 73 consultations with employees at all levels across 21 agencies.

Group Processes

Conflict can be experienced on many levels. Oftentimes when conflict is on a group or organizational level it can become difficult for individuals and the group as a whole to complete tasks and may result in low morale and efficiency.

In 2017, the following Group Processes allowed the Center to help manage 8 large group conflicts at 4 different agencies.

- 10 Restorative Circles
- 2 Group Facilitations

Dispute Systems Design (DSD)

DSD offers executive level leadership an opportunity to work with the Center and Consultants from NYU to assess an agency's overall conflict management style, identify gaps and needs, and develop an agency wide plan to cultivate a conflict competent workplace culture.

In 2017, the Center, in conjunction with students from NYU's advanced mediation clinic, delivered 2 Dispute Systems Designs to leadership teams from 2 agencies.

Conflict Coaching Services

Conflict Coaching is an opportunity for city employees to receive one-on-one support to think through a challenging situation, plan a difficult conversation with a colleague or supervisor, or to better understand personal conflict style and improve responses.

Coaching saw the biggest increase in use by City employees in 2017. The Center administered 46 coaching sessions for participants from 12 different agencies.

Training and Education

The Center is committed to building conflict resolution capability at New York City agencies. It provides innovative and tailored trainings focused on increasing awareness of conflict dynamics, teaching effective communication and listening skills and expanding on the use of collaborative interventions at City agencies.

In 2017, the Center designed and delivered 42 training sessions involving participants from 9 City agencies. 97% of participants felt that the training overall and the program content were "good" or "excellent".

SPECIAL PROGRAMS AND TRAININGS FROM THE CENTER

In 2017, the Center conducted several special programs and outreach events, including:

- Kay Pranis, a nationally recognized circle keeper, visited the Center for a learning Circle in January 2017 where she shared her experiences using the Circle Process for prison staff at the Minnesota Department of Corrections.
- West Brooklyn Community High School students observed hearings at OATH and visited the Center for a Circle and pizza lunch in February 2017.
- The Center led a panel discussion at New York Law School entitled “Early Conflict Intervention within New York City Agencies” in April 2017.
- The Center led two separate panels at the annual conference for the Association for Conflict Resolution for Greater New York (ACR-GNY) at Cardozo Law School in June 2017. The first panel was entitled *Moving from Rights to Needs: Changing How Conflict is Addressed in New York City Government*; the second panel was entitled *The Very Human Mediating Party: Mediators Self Reflect on Life and Conflict*.
- In celebration of Mediation Settlement Day the Center joined with other NYC dispute resolution centers with a table and participated in a networking event at New York Law School in October 2017
- Peer Mediators from Curtis High School in Staten Island visited OATH and the Center in December 2017. They received an overview of OATH at 100 Church Street and learned about Conflict Resolution at the Center by participating in a Circle.



The Center and members of the Law Department's Coaching Collaborative, EEO, and HR teams pose at the end of a 2-day Mediation Skills Training.



- (1) Council Member Ben Kallos
- (2) Council Member Peter Koo
- (3) Commissioner served as International Grand Marshall of the 2017 Brooklyn Dominican Parade
- (4) Council Member Ruben Diaz, Sr.
- (5) Outreach event in Bedford Stuyvesant
- (6) NYS Assemblywoman Marisol Alcantara
- (7) Council Member Fernando Cabrera
- (8) Council Member I. Daneek Miller
- (9) Outreach event in Harlem with Manhattan Borough President Gale Brewer



nyc.gov/oath

1-844-OATH-NYC

Office of the Chief Administrative Law Judge & Commissioner

100 Church Street, 12th Floor
New York, NY 10007

Brooklyn

Hearings Division
9 Bond Street, 6th and 7th Floor
Brooklyn, NY 11201

Bronx

Hearings Division
3030 Third Avenue
Bronx, NY 10455

Manhattan

Hearings Division
66 John Street, 10th & 11th Floor
New York, NY 10038

Trials Division
100 Church Street, 12th Floor
New York, NY 10007

Queens

Hearings Division
31-00 47th Avenue, 3rd & 4th Floor
Long Island City, NY 11101

Staten Island

Hearings Division
350 St. Marks Place
Staten Island, NY 10301