



Fall 2012

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President Melissa Lin Jones, CRB  
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 Past President Nicholas Cobbs, OAH  
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# D.C. Association of Administrative Law Judiciary

## Presidential Ponderings

Earlier this year, the DCAALJ adopted a logo including the maxim “**Setting the Gold Standard for Administrative Adjudication.**” My goal as President is to serve you in a way that inspires living up to that standard.

Our first event kicked us off to an amazing start. If you missed it, watch for an article on Professor Nelson’s administrative law update in the Winter edition of this newsletter.

The inspiration continues on **November 6, 2012** when you are invited to a special, **lunchtime tour of the National Portrait Gallery’s “Struggle for Justice”** exhibition. Additional details are available in the “Struggle for Justice” article below. This tour will remind us of the great responsibility we have for carrying on the struggle of those who have come before as well as the great pride we can enjoy from knowing we are doing precisely that.

Throughout 2013, we will offer programs that help us live up to our gold standard. Speakers who have committed to presenting to us include **Judge Kathryn A. Oberly** of the D.C. Court of Appeals, **Chief Judge Lee Satterfield** of the D.C. Superior Court, and **Ms. Brianne Paugh**. We will provide you with details as those programs draw near, but you do not want to miss the opportunity to learn from these outstanding speakers.

For now, topics under consideration for upcoming programs include appellate perspectives on administrative decisions; effective hearing techniques and the use of judicial demeanor; communication skills; and judicial independence and the courage it takes to

do the right thing. Ultimately, however, the DCAALJ is your association so we want to hear from you. Are you struggling with an issue or a hot topic? Let us know. Have you developed an approach to administrative adjudication that improves the quality of your work product or the perception of your agency? Let us know. When we know your interests, we can incorporate them into our programs for everyone to share.

Are you ready to live up to the gold standard? Now is the time! ☺

## Introducing Your 2012-2013 Board

**President** - For almost 10 years after moving to the D.C. metropolitan area from Western New York, Judge **Melissa Lin Jones** litigated private sector workers’ compensation cases. In 2006, she was appointed as an administrative law judge with the D.C. Department of Employment Services, Office of Hearings and Adjudication, Administrative Hearings Division. In that capacity, she presided over workers’ compensation hearings. Since January 2010, she has adjudicated workers’ compensation appeals as an administrative appeals judge for the D.C. Department of Employment Services, Compensation Review Board.

A frequent speaker and author on workers’ compensation and adjudication topics, Judge Jones published “[Success in the Practice of Administrative Adjudication](#)” in the July/August 2010 edition of *The Washington Lawyer*. In addition to reviewing and improving several textbooks, she also is a contributor to *Black’s Law Dictionary*,

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Garner’s Dictionary of Legal Usage, Modern American Usage, and Reading Law: The Interpretation of Legal Texts by co-authors Bryan A. Garner and Justice Antonin Scalia.

Before teaching pre-hearing techniques on the faculty of the National Judicial College, Judge Jones facilitated breakout sessions as a National Judicial College Group Discussion Leader for Decision Making and for Best Practices in Handling Cases with Self-Represented Litigants. An alumna of the National Judicial College, she earned her Administrative Law Adjudication Skills Certificate in 2010.

Judge Jones earned her Bachelor of Arts (summa cum laude) in the honors program at St. Bonaventure University; her major was English literature. Her Juris Doctorate was conferred by the State University of New York at Buffalo School of Law. Currently, she is pursuing her Master’s Degree in Judicial Studies at the University of Nevada, Reno.

**President Elect** – [Adapted from Wikipedia.com] In 1987, Judge Leslie Meek graduated from Fisk University where she earned a B.A. in Political Science. She earned her Juris Doctorate from Case Western Reserve University School of Law. While attending law school, Judge. Meek was personally recruited by former U.S. Attorney General Janet Reno and became an Assistant State’s Attorney in Miami-Dade County, Florida. Judge Meek also served as Assistant City Attorney for the City of Miami and as Assistant General Counsel for the Comptroller of the State of Florida.

In July 1995, she moved to the United Teachers of Dade, the fourth largest teacher’s local in the country. In May 2000, Mrs. Meek was appointed General Counsel for the United Teachers of Dade, becoming the first African-American to ascend to the position. She is currently an administrative law judge with the Department of Employment Services.

**Vice President – Marc D. Loud, Sr.** has been the Chairman/Chief Administrative Judge of the D.C. Contract Appeals Board since late 2010. During his tenure, Judge Loud has presided over numerous trials, established an on online CAB trial/pretrial calendar, created the DC CAB/George Washington University Law Clerk Program, partnered with Westlaw to provide CAB Judges/staff with an online training database of over 7,000 law and law related programs, and modernized the CAB’s courtroom technology through the installation of equipment for the electronic display of evidence, a touchscreen smartboard for attorney use during presentations, and , FTR audio services (including remote audioconferencing and simultaneous transmission of hearings to locations outside of the courtroom).

Prior to joining CAB, Chief Judge Loud served as Chairperson of the D.C. Board of Zoning Adjustment, the Executive Director of the Gateway Georgia Avenue Revitalization Corporation, Of Counsel at the Law Firm of Cochran and Lotkin, and in various capacities with the District government (Deputy Chief of Staff/Deputy Legal Counsel to former Mayor Sharon Pratt Kelly and Manager of Agency Programs, Attorney Advisor, and Special Assistant for Procurement in the Office of the City Administrator). As a trial attorney, Chief Judge Loud argued cases before the US Court of Appeals (4th Circuit), the US District Court for the District of Columbia, the US District Court for the Southern District of Maryland, the DC Superior Court, the DC Board of Zoning Adjustment, the DC Contract Appeals Board, and the Merit Systems Protection Board.

Chief Judge Loud is a graduate of the historic Howard University School of Law and has over 20 years combined experience in the District government, private, and non-profit sectors. He is a winner of the American Institute of Architects’ Catalyst award for community revitalization efforts along the upper Georgia Avenue corridor. Chief Judge Loud credits faith, solid

effort, and “great teams” for all past, current and future accomplishments.

**Secretary - Heather C. Leslie** presently serves in an interim capacity as an administrative appeals judge at the Compensation Review Board. She became an administrative law judge at the Office of Hearings and Adjudication in 2009 and adjudicated workers’ compensation claims in the public and private sectors.

Previously, Judge Leslie was a litigator with the Washington Metropolitan Area Transit Authority. Before that, she worked in private practice representing injured claimants in workers’ compensation cases.

**Treasurer - William B. England** began serving as an administrative law judge for the District of Columbia Office of Administrative Hearings on August 9, 2004. Prior to that, he served as an administrative law judge for the Maryland Office of Administrative Hearings, and before that, he was a partner in the full-service law firm of Brooks & England in Washington, D.C.

Judge England has been a member of the bar since 1979. He earned his Juris Doctor degree from the Georgetown University Law Center and his graduate law degree in government procurement law from The George Washington University National Law Center.

Judge England earned his undergraduate degree from Tuskegee University, and upon graduation, he received a commission as a Second Lieutenant through the Army Reserve Officers’ Training Corps. He served on active duty in the U.S. Army for twenty years, including two tours of duty in Vietnam. He earned the rank of Lieutenant Colonel.

**Board Member At-Large – Joan Davenport** was appointed as an Administrative Law Judge to the District of Columbia Office of Administrative Hearings in August 2005, and currently presides over public benefits, rehabilitation services and

## Upcoming Events

### *The Struggle for Justice*

November 6, 2012, 12:30 p.m.

National Portrait Gallery

G & 8<sup>th</sup> Streets, NW

Group Entrance

(Gallery Place/Chinatown Metro Station)

An Attorney-Doцент will narrate a special tour of this exhibition.

See "Struggle for Justice" on page 2 for additional information.

February 6, 2013, 4:00 p.m.

Justice Katherine Oberly,

D.C. Court of Appeals

Writing Administrative

Decisions That Withstand

Appellate Review Including

Special Concerns That Arise In

The Case Of *Pro Se* Litigants

March 2013

Chief Judge Lee Satterfield,

D.C. Superior Court

Bench Skills for the

Administrative Adjudicator

May 2013

Brianne Paugh

The Mutually Beneficial

Clerkship

Keep watching for details regarding specific dates and topics.

You do not want to miss these events!



public works cases. Judge Davenport previously worked with the District of Columbia Commission on Human Rights where she served as a Hearing Examiner from 2001 until 2005.

Prior to working with the District of Columbia government, Judge Davenport worked with the Baltimore Police Department, and was a Scholar Attorney for the Montgomery County Office of the County Attorney. Judge Davenport was also a community representative for Howard University School of Law Dean Kurt L. Schmoke when he was elected Mayor of Baltimore City. Upon graduating law school, Judge Davenport clerked for the Honorable Kenneth Lavonne Johnson of the Circuit Court of Maryland for Baltimore City.

Judge Davenport has taught business law at Coppin State University since 1997, and has previously taught intellectual property and business law at the Johns Hopkins University, and at Strayer University.

Judge Davenport is a board member of the National Association of Administrative Law Judiciary, and was a founding member of the District of Columbia Association of Administrative Law Adjudicators, serving as its first president. Judge Davenport is active with the American Bar Association, and with the National Judicial College where she has served as Group Facilitator.

Judge Davenport earned both her undergraduate and law degrees from the University of Baltimore, and is a licensed member of both the District of Columbia and Maryland Bars

**Past President - Nicholas Cobbs** began service as an administrative law judge in August 2005. Previously, as a lawyer in private practice, he served as a volunteer mediator and arbitrator for the District of Columbia Superior Court Multi-Door Program. He also served as an arbitrator in the D.C. Bar's Attorney-Client Arbitration Program, for which he received a special merit award in 2002.

Judge Cobbs practiced as an associate and partner in law firms in New York City and Washington, D.C., specializing in insurance, maritime, and aviation litigation. He also was a solo practitioner in Washington, D.C., representing individual and corporate clients in addition to several foreign countries.

Judge Cobbs is active in the District of Columbia Bar where he has served on the membership committee, the steering committee of the Law Practice Management Section, and the Litigation Section. He currently serves on the steering committee of the Administrative Law Section. In 2003, he received an Exceptional Service Award from the D.C. Bar for his representation of the D.C. legal community in connection with pending legislation before the D.C. Council. He has taught courses for the D.C. Bar and other professional organizations on civil procedure, discovery, mediation and arbitration, transportation law, and insurance law.

Judge Cobbs is a graduate of Amherst College and the University of Pennsylvania Law School. He is a member of the New York, Maryland, Virginia, and D.C. Bars. He has appeared in trial courts in twelve states and the District of Columbia and has briefed and argued appeals before the U.S. Supreme Court and seven Federal Circuit Courts of Appeals.

## “Struggle for Justice”

**On November 6, 2012 at 12:30 p.m.,**  
the members of the DCAALJ are  
invited to a very special tour of the  
National Portrait Gallery's exhibition  
“Struggle for Justice.”

Throughout history, brave pioneers have struggled to earn civil rights and social justice for disenfranchised or marginalized groups. This exhibition at the National Portrait Gallery features  
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more than 40 photographs, paintings, posters, buttons, and sculptures of men and women seeking "liberty and justice for all." Tracing the path from the battlegrounds at polls, on buses, and in schools to the changes officially endorsed by the nation's courts and legislatures, this exhibition depicts the important work of the catalysts for progress who will inspire us to continue their fight through our roles as administrative law adjudicators.

**RSVP** to [Melissa Lin Jones](#) by November 1, 2012. Then, please join us at the information desk inside the National Portrait Gallery's group entrance at G and 8<sup>th</sup> Streets, NW (Gallery Place/Chinatown Metro Station) to take part in this outstanding event. Your participation is a modern day endorsement of the struggle that affords us the luxuries we have and is a pledge to continue the fight!

[Melissa Lin Jones](#)

## Moving On To a New Phase

DCAALJ member, Ann Marshall Young has been an administrative judge with the Atomic Safety and Licensing Board Panel of the U. S. Nuclear Regulatory Commission since July 2000. After many years of outstanding service, she is retiring.

At the NRC, Judge Young has conducted proceedings related to the civilian use of nuclear power and public

health and safety. Before joining the NRC Judge Young was an administrative law judge with the Tennessee Department of State, Administrative Procedures Division, where she heard cases for many state agencies.

A past president of NAALJ, Judge Young has also served as a member of the Executive Committee of the American Bar Association (ABA) National Conference of the Administrative Law Judiciary, the Council of the ABA Administrative Law Section, and the Editorial Board of the ABA JUDGES' JOURNAL, among many other activities and efforts to improve the administration of justice, particularly in the area of administrative adjudication. She was recognized for her scholarship with the 1996 NAALJ Fellowship Award for her article, "Evaluation of Administrative Law Judges: Premises, Means, and Ends — A Proposal for Rethinking Traditional Models in Light of Due Process Concerns and Modern Management Theory and Research," which appeared in the Spring 1997 Issue of the NAALJ Journal. Her professional activities also include participation in various women's law groups, and travel to China with a delegation that met and shared perspectives with women judges and lawyers in several cities and provinces there. Judge Young writes and speaks from time to time on subjects related to these activities and to administrative adjudication, judicial ethics, and judicial independence; she hopes to continue these endeavors after her retirement.

Judge Young has planned and chaired two national conferences, one on equal

justice in administrative adjudication and one on practical fundamentals of judging, and has made numerous other presentations on subjects including judicial independence and ethics, cognitive biases and other unconscious influences on judging, judicial evaluation and due process, and legal writing and logic. In addition, she has worked on various model codes relating to administrative adjudication, and was the drafter and primary force behind a 2001 ABA Resolution (101B) on judicial independence, recommending that federal, state, local and territorial governments hold members of the administrative judiciary accountable under appropriate ethical standards, and that they require that any removal or discipline occur only after an opportunity for a hearing before an independent tribunal, with full right of appeal. Her advocacy ultimately contributed to the inclusion, in 2007, of the administrative judiciary under the Application section of the ABA Model Code of Judicial Conduct, to which courts often refer in evaluating the conduct of judges, including the administrative judiciary. Judge Young was also involved in working on a 2005 ABA Resolution (114), proposing amendments to the Federal Administrative Procedure Act to extend fair hearing and impartial decision-making requirements to many currently-unaddressed proceedings.

Clearly, because of her tireless service and commitment to administrative adjudication, Judge Young serves as a role model to us all. The DCAALJ congratulates her on her well-deserved retirement. ☐

**In the Spotlight – Nuclear Regulatory Commission-** The Atomic Safety and Licensing Board conducts hearings for the Nuclear Regulatory Commission and performs other regulatory functions as the NRC authorizes. Panels conduct all licensing and other hearings as directed by the commission, primarily through individual Atomic Safety and Licensing Boards or single presiding officers appointed by either the Commission or the Chief Administrative Judge. The Panel, which has no fixed number of positions, is composed of (1) administrative judges (full-time and part-time) who are lawyers, engineers, and scientists; and (2) administrative law judges (ALJs) who are lawyers. Administrative judges and ALJs serve as single presiding officers or on three-member boards, which generally are chaired by a lawyer for a broad range of proceedings.

<http://www.nrc.gov/about-nrc/organization/aslbpfundesc.html>



# District of Columbia Association of Administrative Law Judiciary, Inc.

AN AFFILIATE OF THE NATIONAL  
ASSOCIATION OF ADMINISTRATIVE LAW JUDICIARY



## 2013 - 2014 MEMBERSHIP APPLICATION AND DUES INVOICE

Dues for **DCAALJ /NAALJ** membership year 2013–2014 are now payable for the period from October 1, 2013 - September 30, 2014. Please remit your payment as soon as possible. The annual payment of \$50.00 includes membership dues for both the **DCAALJ and NAALJ**. (\$100.00 for sustaining member.)

NAME: \_\_\_\_\_  
Last Name First Name Middle Name

HOME ADDRESS: \_\_\_\_\_

CITY, STATE, ZIP CODE: \_\_\_\_\_

HOME PHONE: ( ) \_\_\_\_\_ WORK PHONE: ( ) \_\_\_\_\_

AGENCY NAME: \_\_\_\_\_

BUSINESS ADDRESS: \_\_\_\_\_

PLEASE SEND MAIL TO: HOME WORK

EMAIL ADDRESS(ES): \_\_\_\_\_

ARE YOU AN ATTORNEY?: YES NO

REFERRED BY: \_\_\_\_\_

ARE YOU INTERESTED IN SERVING ON A DCAALJ OR NAALJ COMMITTEE SUCH AS MEMBERSHIP, PROGRAM DEVELOPMENT, LOGISTICS, CONTINUING EDUCATION, COMMUNICATIONS OR CHARTER REVIEW?

YES I AM INTERESTED IN: \_\_\_\_\_

NO

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

### THANK YOU FOR YOUR INTEREST!

Send Payment to:

District of Columbia Association of Administrative Law Judiciary, Inc.  
c/o Hon. William L. England, Jr., Treasurer  
P.O. Box 77203  
Washington, DC 20013-7203