

# Administrative Law

## Theme Issue Introduction



By Peter L. Plummer

It is my pleasure to introduce this month's *Bar Journal*, which is focused on the theme of administrative law. This has been a particularly active year for the State Office of Administrative Hearings and Rules (SOAHR). With the creation of SOAHR in 2005, Michigan joined the growing number of states to form a central panel for the purpose of hearing a variety of administrative matters. This year, our state was proud to host the Administrative Law Central Panel Directors Conference on Mackinac Island, which was attended by 32 individuals willing to come by air, land, and sea (lake) to be a part of the annual event and experience the horses and fudge. Currently, some 27 states, two cities, and one county are central panel jurisdictions. This year's conference focused on the portion of the proposed Model Administrative Procedure Act (APA) that does not appear, in the opinion of those present at the conference, to accurately reflect current best practices used by central panels across the country. Thomas M. Cooley Law School President Don LeDuc also presented a session on the future of administrative law.

Additionally, this year saw SOAHR administrative law judges (ALJs) re-establish a Michigan affiliate chapter of the National Association of Administrative Law Judiciary. This affiliate, which is open to other Michigan administrative law jurists, reaffirms the presence of an active group of administrative law professionals committed to strengthening the profession through continuing education and other programs.

This issue features an article by Richard McLellan focusing on the history of the formation of the Michigan Administrative Procedures Act 40 years ago. Additionally, ALJ Lisa Gigliotti contributes an article providing guidance on properly approaching Medicaid benefit hearings. ALJ Tyra Wright authors an overview of wage hour, workers' compensation, and unemployment hearings—three

areas of considerable interest for Michigan business owners and their legal counsel. Finally, ALJ Kenneth Poirier provides an analysis of a recurrent issue in unemployment: an applicant is denied benefits after being discharged from full-time employment because of a prior departure from part-time employment.

This issue of the *Journal* comes at a time when the volume of administrative cases continues to expand at an exponential rate. In the last quarter, SOAHR closed just short of 50,000 cases and will, in all likelihood, have closed over 190,000 case files by the conclusion of this year. Since Governor Granholm issued Executive Order 2005-1 creating Michigan's central panel, the volume of cases heard by SOAHR has increased every year. As such, administrative law judges and the practitioners who concentrate in administrative law are continually called on to serve Michigan's public with increased speed and efficiency without sacrificing the professionalism that continues to define administrative law in Michigan. All involved should take pride in continually rising to this challenge. Michigan's citizens are well served by the advocates who represent them and the administrative law judges who find the facts, reach conclusions of law, and author either a proposal for decision or the final decision in each case. ■



*Peter L. Plummer is the executive director of the State Office of Administrative Hearings and Rules. Previously, he served nearly 20 years with the Marquette County Prosecutor and served under three attorneys general from 1997 to 2005. Mr. Plummer was the 2010 chair of the Administrative Law Central Panel Directors Conference and is currently a member of the Board of Governors for the National Association of Administrative Law Judiciary.*