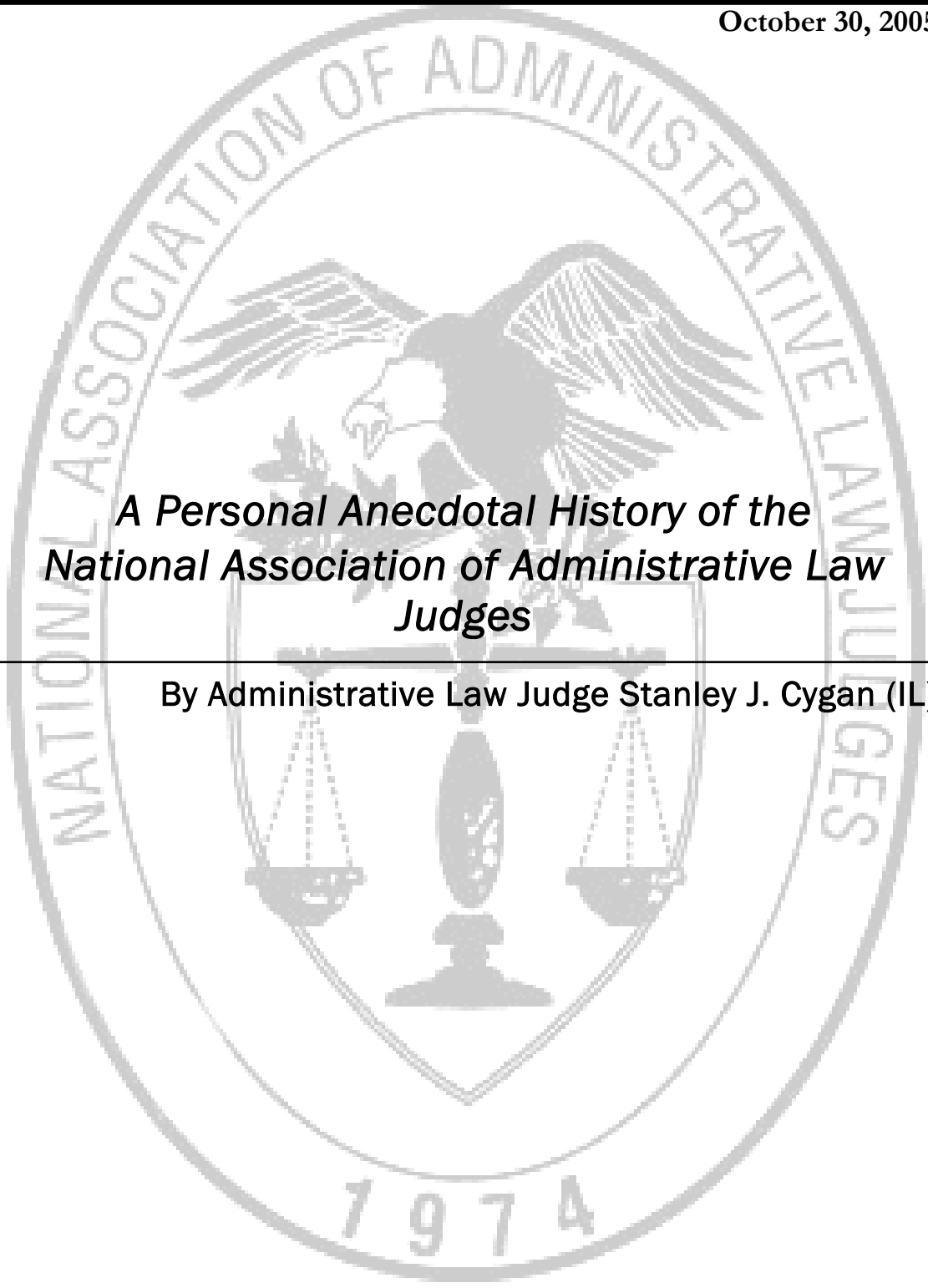

NATIONAL ASSOCIATION OF ADMINISTRATIVE LAW JUDICIARY

October 30, 2005



*A Personal Anecdotal History of the
National Association of Administrative Law
Judges*

By Administrative Law Judge Stanley J. Cygan (IL)

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For some time now, because I may very well be the most tenured of all active National Association of Administrative Law Judge (NAALJ) members, some unnamed jokers within the organization have called me the NAALJ's "institutional memory." Despite some misgivings about my understanding of a common use of the term to describe a governmental entity's use of esoteric and secret policy before enforcement of the Administrative Procedure Acts and adopted rules and regulations, I must accept the compliment and the responsibility.

Concerning that responsibility, it is generally essential, for the collective well being of humanity, as well as NAALJ members, to preserve relevant history, memories, wisdom and general know how for future use. For reasons that I will explain further below, much of the written history of the NAALJ in its formative years has been lost. For several years now, prominent NAALJ members have appealed to me for an article describing the early history of the NAALJ. This article is an attempt to reconstruct that early-lost history. As any knowledgeable litigator or Administrative Law Judge should already know, testimony based upon memory is often unreliable. I am often surprised by the substantially different memories of those that have made the same observation of events. In my research for this article, some of my memories have been refreshed and corrected. Based upon my undergraduate education as a historian, I can also aver that written history should also not be trusted. The reader is directed to George Orwell's "1984" for an explanation of this phenomenon.

Still, I firmly believe that it is only those things that the heart believes that are true. As best that I currently can do, my memories recorded here are supported by the memories of others, personal files, public records, and primarily the newsletters and journals of the NAALJ. Also, dear reader, my heart believes them to be true.

My earliest recollections of the NAALJ were at the Chicago second annual meeting of the organization in the fall of 1976 at the Conrad Hilton Hotel and Towers, then one of the world's largest. The hotel was where the climax of the 1993 "Fugitive" movie with Harrison Ford and Tommy Lee Jones was filmed and the infamous site of the Democratic Party convention headquarters in 1968, where "the whole world was watching." In 1976, I was twenty-seven and a relatively new "Hearings Referee" employed by the Illinois Department of Labor, after several years of semi-successful private practice but little money, primarily engaged in hearing unemployment insurance employment tax cases. I remember a significant gathering of hearing officials from across the nation, sitting in a sunny conference room overlooking Chicago's Michigan Avenue and Grant Park, listening to an eloquent and inspirational speech by the famed administrative and constitutional law expert Professor Victor G. Rosenblum, now the Nathaniel L. Nathanson Professor Emeritus, Northwestern University School of Law, and then soon to be chair of the Administrative Law Section of the American Bar Association (1977-78). Fifty-one at the time, Professor Rosenblum was in his prime, extolling all those attending about the importance of their judicial profession, ethical responsibility and dedication to administrative justice. Although the exact words are lost to my memory, Professor Rosenblum's speech aroused my professional and intellectual activism and my long "career" with the NAALJ had begun.

I was introduced to Professor Rosenblum, whose support of NAALJ continues to this day, and the then named "National Association of Administrative Hearing Officers" or NAAHO. by my

mentor Abraham Linderman, NAAHO's 1976 President-elect, and a fellow "Referee" and "Hearings Supervisor" from my office in Chicago. Linderman, then twice my age, was a labor law specialist in the handling of mass hearings, sometimes involving hundreds of parties. A short and portly man, he was a Chicago Cubs and baseball fanatic, who organized several baseball outings for our staff, including one where he and I played hooky to attend opening day at Wrigley Field. He was, at least compared to me, a chess master. He was also deeply religious. Before becoming an administrative law judge, Linderman had been in private practice and was interested in legal assistance for the poor and elderly. Liberal and articulate, Abe was also one of the founders of NAAHO.

Two years earlier, in 1974, Abe Linderman had attended an administrative law conference, probably connected with unemployment insurance law, in or near Monterey, California, possibly at the Asilomar Conference Center in nearby Pacific Grove. There he and four other like-minded hearing officers, Kenneth Cameron of California, Harvey N. Finger of Arizona, Ross Williams, Jr. of Iowa, and Robert V. Steinhilber of Florida, adopted and signed what at least I call the "Monterey Resolution," a pledge and commitment to organize a national organization of administrative law hearing officers. The groundwork for such an organization was laid in California and Arizona, but the formal organization took place at the first annual meeting in Chicago in 1975. There Harvey Finger was elected as the first President of the National Association of Administrative Hearing Officers and Abe Linderman was the first President-elect.

The presidents of the NAAHO and NAALJ, all of whom I knew on a first-name basis, were:

- 1975-76 Hon. Harvey N. Finger (AZ)
- 1976-77 Hon. Abraham Linderman (IL)
- 1977-78 Hon. Kenneth Cameron (CA)
- 1978-79 Hon. Ross Williams, Jr. (IA)
- 1979-80 Hon. Robert V. Steinhilber (FL)
- 1980-81 Hon. David J. Agatstein (NY)
- 1981-82 Hon. Paul Wyler (CA)
- 1982-83 Hon. M. Brent Oldham (DC)
- 1983-84 Hon. Morgan E. Thompson (OK)
- 1984-85 Hon. Anthony Kazen (TX)
- 1985-86 Hon. James W. Deese (KY)
- 1986-87 Hon. Margaret Giovannello (NY)
- 1987-88 Hon. Kent E. Todd (MN)
- 1988-89 Hon. Dennis W. Dykes, Sr. (LA)
- 1989-90 Hon. Barbara L. Kovarovic (KS)
- 1990-91 Hon. Joseph L. Hayes (VA)
- 1991-92 Hon. Stanley J. Cygan (IL)
- 1992-93 Hon. Sue LaBorde (LA)
- 1993-94 Hon. Frank E. Wallerman (MO)
- 1994-95 Hon. Edward J. Schoenbaum (IL)
- 1995-96 Hon. John W. Hardwicke (MD)
- 1996-97 Hon. Willie C. Thompson (VA)
- 1997-98 Hon. Julian Mann, III (NC)
- 1998-99 Hon. Ann Marshall Young (TN)

- 1999-00 Hon. Marvin F. (Buddy) Kittrell (SC)
- 2000-01 Hon. R. Bryan McDaniel (LA)
- 2001-02 Hon. Larry J. Craddock (TX)
- 2002-03 Hon. Janet C. Thompson (KY)
- 2003-04 Hon. Christopher Graham (MO)
- 2004-05 Hon. Tyrone T. Butler (DC)
- 2005-06 Hon. Lois F. Oakley (GA)

One document adopted at that first meeting in Chicago in 1975, and which has survived in substantially its initial form, is the Constitution and Bylaws of the NAAHO, now the NAALJ. Supposedly based upon the Constitution and Bylaws of the California Administrative Law Judges Association, the document is nevertheless national in scope. I was always impressed with its preamble, which states:

WHEREAS during recent years there has been a phenomenal growth in the field of administrative law which affects the everyday affairs of a large segment of our population; and

WHEREAS this field involves many important functions, judicial in character, including among others: The establishment of tribunals to afford fair procedure and hearings to interested and contesting 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; and

WHEREAS these functions involve important decisions and precedents affecting, among other things, important human rights, property and contract rights, tax liability, and social and economic security;

NOW THEREFORE, we, who are members of the profession charged with the duties and responsibilities of exercising these judicial functions, do hereby join together and associate ourselves for the purpose of: Maintaining the highest professional standards and advocating improvements in the field of administrative law.

To advance these broad purposes, the Constitution and Bylaws promises that the members will:

- (a) Participate in actively seeking attainment of professional standards which will, in the interests of justice, result in the greatest service to the public.
- (b) As a forum exchange ideas and opinions as well as invite recognized authorities in this field to appear and share their views with the members.
- (c) Study and advance improved operating procedures and techniques as a whole.
- (d) Obtain information and study material for the continuing education of members of the Association.
- (e) Establish a code of ethics.
- (f) Engage in such other activities as may be deemed necessary and proper to further the objectives of the Association.

Active membership in NAAHO was open to all persons, whether an attorney or not, employed by government entities, federal, state or local, who were empowered to preside over fact finding or appellate proceedings or who prepare decisions for a tribunal, regardless of the type of cases heard.

Those not eligible for active membership were eligible for associate membership. Associate members could not vote or hold elective office. While the American Bar Association had a

similar Conference in its Judicial Division, its membership was limited to attorneys and focused then, in the view of many, on, primarily federal administrative adjudication.

The Constitution of the NAAHO contemplated chapters or affiliated organizations, to the extent possible, in every state. To the event that the administrative law judge population in a state was too small to organize a chapter, regional chapters were encouraged, although to my knowledge this has never occurred. Several previously established state organizations quickly became affiliated and became some of the largest chapters, including the California Administrative Law Judges Association, the New York State Administrative Law Judges Association and the Illinois Association of Administrative Hearing Officers.

After the first organizational and annual meeting in Chicago in 1975, a membership recruitment drive was conducted, chaired by Robert Steinhilber of Florida, and the organization quickly grew so that by 1981 there were members in all fifty states and the District of Columbia, and also Puerto Rico and the Virgin Islands. Membership dues back then were only \$10.00 and included, at least as early as 1978, a membership certificate and newsletter, edited by founder and 1978 President Ross Williams. To administer the NAAHO and its growing membership, many unsung heroes need mentioning, but no one more so than Judge Betty D. Jacobson of Wisconsin.

Betty Jacobson was, if not the first, one of the first Treasurers of NAAHO. As Treasurer, the records of membership and finances became her herculean task. Moreover, her home office in Madison, Wisconsin, became the de facto national headquarters of NAAHO. She never became the President of NAAHO, despite her dedication, simply because she was too busy doing all that was needed to be done. It must be remembered that this was before the widespread use of personal computers, email and mechanized mailings. As Treasurer, the financial responsibilities and income tax organization also became her burden. This is where I directly began my involvement in the NAALJ. As I previously mentioned, I attended the 1976 annual meeting in Chicago. The 1977 annual meeting was in Des Moines, Iowa, organized by then President-elect and founder Ross Williams. This is one of only two annual meetings that I failed to attend. The other was the 1998 meeting in Portland, Oregon, one of the NAALJ's most successful. After my first annual meeting in Chicago, the next annual meeting that I attended was in 1978, successfully organized by Robert Steinhilber in Hollywood, Florida, in a lovely hotel right on the beach, with golf nearby. One of the most interesting aspects of that meeting was the debate over the then active Equal Rights Amendment to the United States Constitution. It was then resolved by the membership not to hold membership meetings in any state where the Equal Rights Amendment had not been adopted. It was also at that meeting that I became aware of the legal organizational difficulties of the NAAHO.

I was very surprised to learn from Betty Jacobson and the Board of Governors that NAAHO had not been properly incorporated and that it had not obtained Federal Internal Revenue Service tax exempt status. Because of my past experience as a legal representative of a not-for-profit corporation and several business organizations, I volunteered to NAAHO Past President Abe Linderman and Board Vice President Stella Adams Cuthbert, also of Illinois, my services to put the legal affairs of the NAAHO in order. This offer was formally presented to the Board of Governors at a mid-year meeting of the Board held in a large hotel room in St. Louis, Missouri, in 1979, at a meeting organized by Board Vice-President Judge Martin L. Perron of that state. My authority was approved by the Board at that meeting, and I was further elected Secretary of the NAAHO at its annual meeting in Seattle, Washington, in 1979. I would continue to serve as Secretary until 1986 and as a member of the Board of Governors until 1996.

Treasurer Betty Jacobson's attempt to secure income tax exempt status from the IRS was fatally flawed by the unincorporated nature of the NAAHO, the attempt to obtain Section 501(c)(3) exempt status and previous representations to the regional Minneapolis, Minnesota, office of the

IRS which was handling NAAHO's application. I quickly read the "fine print" in my oral and written communications with the IRS agents in Minneapolis and based upon my experience and the advice of some tax law colleagues, I suggested that the "national office" of the NAAHO be changed to New York, so that we could have a different and more reasonable IRS regional office review our new application based upon the newly formed Illinois not-for-profit corporation. The State of Illinois was chosen as the state of incorporation solely because of my convenience and knowledge of the law and procedure there. I was the corporate registered agent and Abe Linderman and Stella Cuthbert were two of the original incorporators. The new articles of incorporation for NAAHO as a not-for-profit corporation were filed with the Illinois Secretary of State on June 27, 1980, after approval by the Board of Governors. I made sure that the new articles contained the "magic language" references to the Internal Revenue Code demanded by IRS to establish exempt status. The Minnesota application for Section 501(c)(3) tax exemption based upon the unincorporated association was withdrawn. Shortly thereafter, I submitted a new application based upon the new Illinois not-for-profit corporation and a new application for exemption from the payment of income taxes under Section 501(c)(6) of the Internal Revenue Code, a section designed for the use of chambers of commerce, business leagues and membership organizations of professionals such as legal bar associations. This application was submitted to the New York regional office of the IRS based upon the new national mailing address of the NAAHO, on the 52th floor of the Two World Trade Center building in New York City, the same building destroyed in the September 11, 2001, terrorist attack.

Even I was surprised how quickly the IRS granted our exemption retroactively to our formation. In addition, the Board at the 1979 St. Louis hotel room mid-year meeting desired to establish a Section 501(c)(3) corporation to enable it to seek grant funding from charitable and educational organizations and tax deductible contributions from interested members and persons. As a consequence, based upon the bylaws of the American Bar Foundation affiliated with the American Bar Association and, primarily, the Chicago Bar Foundation of the Chicago Bar Association, I developed the Bylaws of the National Administrative Hearing Officer Foundation (NAHOF), the educational and charitable public interest arm of the NAAHO. The members of the Board of Governors of NAAHO are the members of NAHOF. This not-for-profit corporation was also incorporated in Illinois on June 27, 1980. The NAHOF was granted Section 501(c)(3) tax-exempt status by the IRS retroactive to the date of its formation. Although both the NAAHO and NAHOF were both exempt from the payment of income taxes, NAAHO was not exempt from employment taxes and most local sales taxes. NAAHO was also not prohibited, except to the extent not allowed by its constitution, from taking political positions on issues affecting its members, such as support for legislation. NAHOF could not take such positions.

The sites for all the NAAHO and NAALJ annual meetings or conventions are as follows:

- 1975 Chicago, IL
- 1976 Chicago, IL
- 1977 Des Moines, IA
- 1978 Hollywood, FL
- 1979 Seattle, WA
- 1980 New York, NY
- 1981 Reno, NV (National Judicial College, NJC)
- 1982 Washington, DC
- 1983 Reno, NV (NJC)
- 1984 San Antonio, TX
- 1985 Reno, NV (NJC)

1986 Reno, NV (NJC)
1987 Chicago, IL
1988 Minneapolis, MN
1989 New Orleans, LA
1990 Kansas City, MO
1991 Richmond, VA
1992 Reno, NV (NJC)
1993 St, Louis, MO
1994 Baltimore, MD
1995 Williamsburg, VA
1996 Nashville, TN
1997 Denver, CO
1998 Portland, OR
1999 Asheville, NC
2000 Albany, NY
2001 Austin, TX
2002 Lexington, KY
2003 Orlando, FL
2004 Baltimore, MD
2005 Chicago, IL

The annual meetings were the “Fall Classics” of NAAHO seemingly organized around the Columbus Day holiday and baseball’s playoffs and World Series. The real reason why the annual meetings were scheduled in October was that the fiscal year of NAAHO originally began on October 1 coinciding with the Federal fiscal year. Initially the great bulk of the members of NAAHO were hearing officers within the states’ unemployment insurance systems, which were federally funded. It was thought that there would be more money available for sending state unemployment insurance hearing officials to NAAHO annual meetings if they were held at the beginning of the fiscal year rather than at the end. Recently, the fiscal year of the NAALJ was changed to begin on July 1, consistent with the fiscal year of most states. I always thought that there might be a movement to change the date of the annual meeting as well but that has not occurred and the annual meeting is still the “Fall Classic.”

One of the accomplishments of NAAHO that I am most proud is its endorsement and successful promotion of the title “Administrative Law Judge” for the presiding officers of administrative tribunals. In 1980, only the United States for its Administrative Procedure Act judges, and the states of California and New York, to my knowledge, used the title substantially. Today, while the local use of the title may still be debated, its academic and generic use nationally is almost universally accepted. Thousands of state, federal and local administrative hearing officials now use the administrative law judge title. However, in 1979 and 1980, the use of the title was highly contested, and the forum for argument was the NAAHO. Advocates of the ALJ title, like Judges Robert Steinhilber of Florida and David J. Agatstein of New York, argued that the title signified a new dedication to the cause of professionalism in administrative adjudication and recognition of the truly judicial functions of the presiding officer and trier of fact. Others, mostly in my memory those who were not attorneys, argued that use of the title encouraged more formal and complex adjudication and the “judicialization” of administrative hearings. Those against the title also argued that its use would encourage minimum attorney qualification requirements for administrative officials, a position they also opposed. Proponents argued that the title deserved

to be applied to both attorney and non-attorney judges in recognition of their judicial function and status.

The ALJ title issue was hotly debated at the 1979 annual meeting the fall in Seattle. It seemed to me that early membership meetings of NAAHO were more contentious and debated than current NAALJ meetings where policy issues are often settled at the Board of Governors meetings. Also there seemed to be always a contested election with secret ballots often based upon differing positions on the issue of the day. The Seattle meeting was an example of such contention, and illustrated the growth of the NAAHO. The issue of the Administrative Law Judge title was decided to be put before the membership at the next annual meeting in New York, where it was sure to pass, the mailing address of NAAHO was moved to the World Trade Center, and David J. Agatstein of New York became President-elect in a strongly contested election over Stella Adams Cuthbert of Illinois.

It may not have been a coincidence that Abe Linderman's and Stella Cuthbert activities with NAAHO then diminished after 1979. They no longer served on the Board of Governors. After many years of shouldering the most demanding and least appreciated office in the Association, with the move of the NAAHO office to New York, Betty D. Jacobson announced that she would not seek reelection as Treasurer at the 1980 annual meeting in New York. Judge Marshall L. Rosenberg of New York was elected in her stead. Paul Wyler of California was the new President-elect, in partial recognition, I am sure, of his substantial recruitment of more than 100 NAAHO members in his home state and his 90 signed proxies.

Proxy voting was allowed in NAAHO and the NAALJ back then. I always thought that it encouraged the establishment of local chapters and the recruitment of members, but those without proxies disagreed. Judges Wyler, Agatstein (or his surrogate) and I were together always able to secure more proxies of NAAHO members than were present at the annual meetings. True political power was held by this unofficial triumvirate.

The New York City convention of 1980 was the most successful NAAHO had up until that date. The annual meeting was held at the then new and magnificent Grand Hyatt Hotel in the center of Manhattan. Well more than one hundred NAAHO members attended the five-day meeting, with many others attending partial-day programs, including more than twenty private attorneys who practiced before administrative tribunals. Thirty-five faculty from public and academic institutions made presentations related to the convention theme "The Future of Administrative Adjudication." The annual meeting was chaired by Convention Committee Chair Judge Lawrence R. La Polla, of New York, and set the example for NAALJ meetings to come. Many stated that the meeting was the best administrative law conference that they ever attended. As a result, the NAALJ's reputation as the key national provider of administrative law judge education became firmly established.

While I remember the full-day evidence program, the lectures on judicial review and administrative procedures, the debate on the use of telephone hearings and my first exposure to \$7.50 New York cocktails and twenty-dollar breakfasts, my most significant memories of the 1980 New York annual meeting are the accomplishments of the membership and business meetings. The name of the corporations were formally changed to the National Association of Administrative Law Judges (NAALJ) and National Administrative Law Judge Foundation (NALJF). Based upon a presentation by Judge Howard H. Kestin, Director of the Office of Administrative Law of the State of New Jersey, New York Administrative Law Judge Nathan Siegel was appointed to chair a NAALJ committee to study the feasibility of establishing a corps court or central office of administrative law judges in the various states. Judge Marvin H. Morse, Director of the Office of Administrative Law Judges of the United States Office of Personnel Management and Chair of the American Bar Association's Conference of Administrative Law

Judges, who spoke at the conference, was lobbied extensively to liberalize the qualification requirements for federal administrative law judges to include state administrative adjudication work as qualifying, a continuing NAALJ effort that realized its goal by 1982. Many state ALJs were able to become Federal Administrative Law Judges due to NAALJ's efforts.

Also at the New York meeting, The Hon. Ernst J. Wafts, Dean of the National Judicial College in Reno, Nevada, after an outstanding speech on the philosophical issues and responsibilities of those who administer justice, invited the members to consider the National Judicial College as a future convention site. After the withdrawal by Judge Wyler of California as the location of the 1981 convention, and after a strong debate about holding the annual meeting in a state that did not approve the Equal Rights Amendment, the National Judicial College was approved as the 1981 convention site by a majority vote.

The 1981 annual meeting at the National Judicial College (NJC) in Reno was well attended and another high water mark of administrative law judge education. The centerpiece of the meeting was the NJC extension program "How to Conduct a Fair and Effective Hearing" designed for state administrative law judges and which I think encouraged the College to develop its later full Administrative Law Judge programs. Judge Siegel reported to the membership the results of his committee's study into the merits of the corps concept of administrative adjudication. After an extended debate the membership resolved:

The National Association of Administrative Law Judges endorses the concept of corps statutes, whereby each state would establish an independent organization of administrative law judges who would be available to state agencies from a central panel. The NAALJ encourages each state chapter to seek adoption of a corps statute to meet the needs of its state.

The above goal has continued to be a major objective of the NAALJ to this date including the development of a Model Act Creating a State Central Hearing Agency. In 1981, when the above resolution was adopted, there were only a handful of state central hearing panels or centralized state offices of administrative hearings, now 28 states and, in addition, several local jurisdictions, including the cities of New York and Chicago, have adopted the concept, substantially, I believe, because of NAALJ's advocacy.

Presidents Agatstein and Paul Wyler established short and long-term objectives for the organization including: supporting the independence of the administrative law judge; supporting higher salaries for administrative law judges; opposing budget cuts to the appeals process; supporting minimum standards for hearing room locations, facilities, support staff, supplies, training, hiring and recruitment; supporting national and regional educational conferences with the funding support of local and national government agencies; sponsoring essay contests for publication; publishing periodic newsletters and magazines; soliciting contributions and donations to the NALJF foundation to enable research and publications on the problems of administrative law and adjudication; and coordinating educational and like efforts with similar organizations.

David J. Agatstein was, in my opinion, the most influential NAALJ President and Board member, not so much due to his progressive idealism, but due to his energy. Short like me and in his thirties, Judge Agatstein and I developed not only a good working relationship but a good friendship. When former NAALJ President and founder Ross Williams had to give up being editor of the NAALJ newsletter because of personal circumstances and his health, Agatstein took it upon himself to establish the Journal of the National Association of Administrative Law Judges (J.NAALJ), the NAALJ's proudest achievement, now subscribe to by well over a hundred law libraries across the nation. Its first issue in the spring of 1981 was little more than a newsletter reporting on the 1980 annual meeting, however, its second issue in the fall of 1981 began to include substantive articles on administrative law, decision writing and proposed

reforms. By 1983 I had become the Journal's Managing Editor, a position I continue to hold to this day, with Agatstein continuing as editor-in-chief, a position he held until succeeded by Edward J. Schoenbaurn of Illinois in the Spring of 1993, after Agatstein was appointed a Federal Administrative Law Judge and assigned to California. Agatstein, in his long tenure on the Board of Governors, developed the law student essay contest, the annual Fellowship and the first logo of the organization. Moreover, he developed the Journal into a scholarly voice of the NAALJ placing the viewpoints of administrative law judges into the hands of law libraries, academic scholars, policymakers, and friends of judges. More than any other, he institutionalized the Journal and the NAALJ. Judge Schoenbaum, who I recruited to be a NAALJ member and who became President himself in 1994-95, continued as editor-in-chief of the Journal until the spring of 1996 when Prof Allen Schoenberger of Loyola University School of Law in Chicago took over as editor. The Journal was substantially upgraded in quality and number of pages in 1997. The Journal continued at Loyola through 2000. Pepperdine University School of Law in Malibu, California, became the current site of the Journal in 2001 with Professor Gregory Ogden as Faculty Editor. Judge Schoenbaum continues as the Chair of the Journal Advisory Board.

NAALJ's first African American President-elect was elected at Reno in 1981, M. Brent Oldham of Washington, D.C., and he brought the NAALJ to that city in 1982. It was back to Reno and the National Judicial College for the annual meeting in 1983, and in 1984 the site was San Antonio, Texas, with its mild weather, the Alamo and other missions, and the lovely "Riverwalk." However, it was back to the National Judicial College in Reno for 1985 and 1986. The Board of Governors observed the falling attendance at the Reno meetings, noting the lack of local administrative law judge support, including California, and the need to entice NAALJ members with a different locale.

Vice-President Noble and I suggested Chicago as the site for 1987 annual meeting and there the attendance and activity came back to previous levels. It was, however, at the 1985 and 1986 meeting in Reno where several significant events occurred. First, Margaret Giovanniello of New York was elected as the first female president-elect of the NAALJ, serving as President from 1986-87. Second, the early records of NAAHO and the NAALJ were, as previously mentioned, lost.

In 1986, the Two World Trade Center Office of the NAALJ was no longer used and temporarily the headquarters of the NAALJ was again the personal offices of the members. As Secretary of NAALJ, I had organized the organizational documents of the association, developed minute books of the corporation and maintained the minutes of the Board and membership meetings. In 1985, these records were carried by me to the annual meeting in Reno, because I had anticipated that I would be taking on other responsibilities and that another would become Secretary. I gave the records to the new Secretary of NAALJ after the meeting and the records were lost at the airport, possibly because the new Secretary had forgotten that her luggage now contained an additional catalog case containing the early NAALJ records.

President Giovanniello proposed a permanent mailing address, headquarters and depository of NAALJ records and solicited the National Center for State Courts in Williamsburg, VA, to act as the Secretariat of the NAALJ for that purpose in 1987. The National Center of State Courts served as the Secretariat until 1997 when the American Bar Association's Judicial Division temporarily took over that function. The current Secretariat Laura Ladd Bierman took over in 1998.

The 1987 annual meeting in Chicago was successful and renewed the NAALJ interest in local annual and mid-year meetings. The following annual meetings in Minneapolis, Minnesota; New Orleans, Louisiana; Kansas City, Missouri; and especially Richmond, Virginia, validated the wisdom of the Board's desire for locally-organized meetings. It was at that superb Virginia

meeting in 1991 that I finally became President and new troubles began. The 1992 annual meeting was originally planned for Los Angeles, California, near Disneyland, I remember, but early in 1992 the local organizers cancelled and the responsibility fell upon me and the Board to select a new site. Because of time restraints, Reno and the National Judicial College was again selected as the location of the NAALJ annual meeting. However, the result was the poorest attendance of any modern NAALJ annual meetings. Although famed Professor of administrative law and procedure L. Harold Levinson of Vanderbilt University School of Law was a featured speaker, the educational agenda, designed to attract federal administrative judges, did not attract our usual attendees and also failed to attract federal administrative judges. Despite this failed experiment, a draft Model Code of Judicial Conduct for State Administrative Law Judges began to develop at that meeting, a long-term goal of the NAALJ, drafted primarily by me and former NAALJ President Kentucky Administrative Law Judge James W. Deese, as well as a committee of NAALJ delegated for that purpose. The NAALJ Model Code of Judicial Conduct for State Administrative Law Judges was significantly amended for presentation at the 1993 membership meeting and, after comment and further amendments, was unanimously approved by the NAALJ Board of Governors in November of 1993 and published in the fall 1994. *Journal of the NAALJ* (XIV J.NAALJ 269). The American Bar Association's National Conference of Administrative Law Judges (NCALJ) two years later adopted a similar version of the NAALJ Model Code.

Financial disaster of the NAALJ due to the poorly attended 1992 Reno meeting was averted by negotiations Judge Deese and I conducted with the National Judicial College, and by the relative success of subsequent NAALJ meetings, including one in 1995 in Williamsburg, Virginia, site of our then national headquarters, partnered with the National Association of Hearing Officers, a social -19-service hearing official association. At that meeting President John W. Hardwicke, then Chief Administrative Law Judge of the Office of Administrative Hearings in Maryland, and current Executive Director of NAALJ, presented a draft version of the Model Act Creating a State Central Hearing Agency, which was finally approved at NAALJ's mid-year meeting on June 8, 1996, and published in the next edition of the *Journal* (XVI J.NAALJ 121 (1996)). A revised version was later approved by the National Conference of Administrative Law Judges and the American Bar Association.

At the great Nashville, Tennessee, annual meeting of the NAALJ, in the Fall of 1996, organized by the brilliant Administrative Law Judge Ann Marshall Young, President of NAALJ 1998-99, and current Federal Administrative judge with the United States Nuclear Energy Commission, who also organized the superb and highly successful Chicago mid-year meeting in 1999, Judge Giovaniello and I decided not to run for re-election to the Board of Governors to allow for the election of new members to the Board. Future history is the responsibility of those members.

Presidents and Annual Meetings Sites of NAALJ

1975-1976	Harvey N. Finger (AZ)	1975 Chicago, IL (d. February 25, 2005)
1976-1977	Abraham Linderman (IL)	1976 Chicago, IL (d. May 2, 2003)
1977-1978	Kenneth Cameron (CA)	1977 Des Moines, IA
1978-1979	Ross Williams, Jr. (IA)	1978 Hollywood, FL (d. Jul 31 2003)
1979-1980	Robert V. Steinhilber (FL)	1979 Seattle, WA
1980-1981	David J. Agatstein (NY)	1980 New York, NY
1981-1982	Paul Wyler (CA)	1981 Reno, NV (NJC)
1982-1983	M. Brent Oldham (DC)	1982 Washington, DC (d. July 14, 1992)
1983-1984	M. E. Thompson (OK)	1983 Reno, NV (NJC)
1984-1985	Anthony Kazen (TX)	1984 San Antonio, TX
1985-1986	James W. Deese (KY)	1985 Reno, NV (NJC) (d. March 3, 2008)
1986-1987	Margaret Giovannello (NY)	1986 Reno, NV (NJC)
1987-1988	Kent E. Todd (MN)	1987 Chicago, IL
1988-1989	Dennis W. Dykes, Sr. (LA)	1988 Minneapolis, MN
1989-1990	Barbara L. Kovarovic (KS)	1989 New Orleans, LA
1990-1991	Joseph L. Hayes (VA)	1990 Kansas City, MO
1991-1992	Stanley J. Cygan (IL)	1991 Richmond, VA
1992-1993	Sue Laborde (LA)	1992 Reno, NV (NJC)
1993-1994	Frank E. Wallemann (MO)	1993 St. Louis, MO
1994-1995	Edward J. Schoenbaum (IL)	1994 Baltimore, MD
1995-1996	John W. Hardwicke (MD)	1995 Williamsburg, VA (d. December 24, 2009)
1996-1997	Willie C. Thompson, Jr. (VA)	1996 Nashville, TN
1997-1998	Julian Mann, III (NC)	1997 Denver, CO
1998-1999	Ann Marshall Young (TN)	1998 Portland, OR
1999-2000	Marvin F. (Buddy) Kittrell (SC)	1999 Asheville, NC
2000-2001	Bryan McDaniel (LA)	2000 Albany, NY
2001-2002	Larry Craddock (TX)	2001 Austin, TX
2002-2003	Janet Raider (KY)	2002 Lexington, KY
2003-2004	Christopher Graham (MO)	2003 Orlando, FL
2004-2005	Tyrone Butler (DC)	2004 Baltimore, MD
2005-2006	Lois Oakley (GA)	2005 Chicago, IL
2006-2007	Catherine Bennett (NY)	2006 Seattle, WA
2007-2008	L. David Brunke (TX)	2007 Washington, DC
2008-2009	Steven Wise (IA)	2008 New York City, NY
2009-2010	Robert Cohen (FL)	2009 Orlando, FL

Vic Roskopf Award Recipients:

2001	Judge Arthur A. Gladstone
2002	Judge Sammie Chess, Jr.
2003	Judge John Hardwicke
2004	Judge Stanley J. Cygan
2005	Janet Raider
2007	Edward J. Schoenbaum
2008	Julian Mann, III
2009	Larry Craddock