



National Association of Hearing Officials

2006 Annual Professional Development Conference

Faculty

The National Association of Hearing Officials is proud to present its slate of the 2006 Annual Professional Development Conference faculty for your review. *Thank you!*

Donald L. Burnett, Jr. brings to legal education the broad professional background of an appellate judge, practicing lawyer, state bar president, law teacher, and dean of two law schools. A native of Pocatello, Idaho, he received his baccalaureate degree *magna cum laude* in economics from Harvard, his J.D. degree from the University of Chicago, and an LL.M. degree from the University of Virginia. He also graduated on the "Commandant's List" from the Command & General Staff College of the United States Army.

Dean Burnett's scholarly and teaching interests include professional responsibility, criminal procedure, law and economic analysis, and judicial decision-making. He is the national chairperson of the Professionalism Committee, ABA Section of Legal Education and Admissions to the Bar; an elected Fellow of the American Bar Foundation; and a member of the American Judicature Society's National Advisory Council, as well as the AJS Task Force on Judicial Independence and Accountability.

Dean Burnett's career has included service as a law clerk to the Chief Justice of the Idaho Supreme Court and as an assistant attorney general for the state of Idaho. He entered private practice in Pocatello; became president of the Idaho State Bar; chaired the Bar's professional conduct standards committee; served by contract as a judge of the Shoshone-Bannock Tribal Court; and served as executive director of the Idaho Judicial Council. In 1982, he was appointed to the Idaho Court of Appeals and was retained in office by statewide election (unopposed) in 1986. In 1990, Dean Burnett accepted the University of Louisville's appointment as dean of the law school now named for its historic and visionary benefactor: Justice Louis D. Brandeis. Dean Burnett served twelve years on the Brandeis faculty, including ten years in the deanship. He chaired the Ethics Committee of the Kentucky Bar Association as well as the State Judiciary Policy Council of the Kentucky Center for Public Issues. As a reserve officer in the Army Judge Advocate General's Corps, he received the U.S. Armed Forces Legion of Merit award for career achievements when he retired with the rank of Colonel in 2001.

In 2002, Dean Burnett accepted the University of Idaho's invitation to return to his native state. In addition to administrative duties as dean of the law faculty, he teaches the Professional Responsibility course and has taught the Indian Natural Resources Law seminar as well as an undergraduate Honors Program seminar on Law, Literature, and Cinema. He recently chaired the University's steering committee on diversity and human rights.

Chris Cassetta is a Conflict Management Consultant at the University of North Dakota Conflict Resolution Center. His roles at the Center include mediation facilitation, education, development, and marketing. Chris received his initial training from the Center as a student in the UND Peace Studies Program and the School of Law with additional training at the Austrian Center for Peace and Conflict Resolution training program for civilian peacekeeping staff. Chris has worked as a civilian consultant for numerous international governmental and non-governmental organizations in the areas of conflict management, post-conflict reconstruction, democracy building, rule of law development, and human rights protection and promotion.

Hugo M. Franco is a board member of the Appeals Board of the Arizona Department of Economic Security. He has worked at the Appeals Board for over 10 years and just completed his third one-year term as the Board's Chairman. Mr. Franco has been employed with the Department since 1983, and has previously held the position of Legal Analyst, Administrative Law Judge, Presiding Administrative Law

Judge and Acting Chief of the Office of Appeals. Mr. Franco is currently an At-Large Board Member of NAHO. He has been a presenter at past NAHO conferences and is a frequent speaker at training seminars and classes for administrative law judges, unemployment insurance deputies, and eligibility interviewers of the Department. Mr. Franco holds a BS and JD degree from Arizona State University in Tempe, AZ.

Laurence H. Geller was a presiding administrative law judge with the California Department of Social Services. In 1967 he graduated from Colgate University and received his J.D. from the University of Buffalo School of Law in 1972. Judge Geller was the California Department of Social Services Chief Referee from 1979 to 1983 administering the state's hearing system for welfare applicants and recipients. Judge Geller retired in 2004 from state service.

Judge Geller has provided training at national conferences for the National Association of Hearing Officials and the National Association of Administrative Law Judges, as well as provided numerous workshops to ALJs, counties, authorized representative groups, fraud investigators, and to attorneys and those doing pro bono work. He has provided training and presentations to ALJs and investigators in Washington and Minnesota, the district attorneys of Mississippi, the California Jury Commissioners, U.S. Department of Agriculture conferences. Judge Geller has been a faculty member of the National Judicial College since April 2000. He is the co-author of "Last Chance for Justice: The Juror's Lonely Quest" with Peter Hemenway.

Jim Gerl is a special education law consultant, a trainer of hearing officers and mediators, a hearing officer, a mediator, and a lawyer, and he is a frequent speaker on special education law topics. He has been a due process hearing officer and mediator for the West Virginia Department of Education since 1989. Jim serves as a consultant to a number of state education agencies, and he has trained hearing officers from 40 states. He is also a hearing officer for the West Virginia Division of Rehabilitation, and he is engaged in the practice of law as a partner in the Lewisburg law firm of Scotti & Gerl. Jim has previously served as a hearing examiner for the West Virginia Human Rights Commission. From 1980 to 1984, he was a full time administrative law judge for the Illinois Human Rights Commission. Before that, he worked as a hearing officer for the Medicaid fraud program of the Illinois Department of Public Aid. Jim has presented at the hearing officer trainings at the LRP National Institute on Legal Issues of Educating Individuals with Disabilities, at the American Council on Rural Special Education, at the Utah Institute on Special Education Law, and at the National Association of Hearing Officials. Jim has served as a faculty advisor for the administrative law-fair hearing program offered at the National Judicial College, he has taught four college-level law courses, and he is the recipient of numerous awards in recognition of distinguished public service. Jim has a law degree from the University of San Francisco, a Masters degree in public policy analysis from the University of Illinois-Chicago, and a B.A. from the University of Illinois at Urbana-Champaign.

Eric P. Hartwig received his doctorate in Educational Administration from the University of Wisconsin-Madison, a M.S. in School Psychology, and a B.S. in Psychology from the University of Wisconsin-La Crosse. He is experienced and licensed as a Director of Pupil Services, District Administrator, and a school psychologist. Presently, he is the administrator of pupil services for the Marathon County Children with Disabilities Education Board and is the author and principle trainer on the Just-in-Time: Behavioral Initiative Project. Dr. Hartwig has done extensive research on discipline, school violence, psychoeducational assessment, and related special education issues.

He has been an adjunct professor for the University of Wisconsin-Madison, Cardinal Stritch College-Milwaukee, and for Aurora University-Wisconsin Campus.

Dr. Hartwig is a well respected and noted speaker providing consultative services for numerous regional, state, and national conferences.

Melissa A. Hauer graduated *cum laude* from Gonzaga University School of Law in Spokane, Washington in 1993 and from the University of North Dakota *cum laude* in 1989. She was engaged in the private practice of law in Washington and in North Dakota from 1993 to 1999. Her practice focused mainly on elder law, Medicaid trusts, wills, probate, and family law. Ms. Hauer joined the North Dakota Department of Human Services in August 1999 and has been the director of its Legal Advisory Unit since June 2000. Her duties as a special assistant attorney general include providing general legal counsel to the Department, assisting in policy development and rulemaking, and drafting legislation. Ms. Hauer is a member of the Washington State Bar Association, the State Bar Association of North Dakota, the American Association of Public Welfare Attorneys, and the National Academy of Elder Law Attorneys.

Peter Hemenway was an administrative law judge specialist with the California Department of Social Services from 1972 until his retirement in 2003. He graduated *cum laude* from Amherst College in 1963, graduated from the University of Florence in 1964, and received his J.D. in 1967 from the University of California Berkeley Law School. Before becoming an ALJ, he was in private practice for four years.

Judge Hemenway has provided training at national conferences for the National Association of Hearing Officials and the National Association of Administrative Law Judges, as well as written articles for both organizations. He has provided training for attorneys, ALJs, and laypersons in California, Washington, and Minnesota. In 2000, he became a member of the National Judicial College and has been a guest lecturer at Stanford, University of Southern California, University of San Francisco, and New College Law Schools. He co-authored "Last Chance for Justice: The Juror's Lonely Quest" with Larry Geller.

Allen C. Hoberg is the director of the North Dakota Office of Administrative Hearings. He has been the director since OAH's establishment in 1991. From 1989 to 1991 he served as division director of the Administrative Hearings Officer Division in the North Dakota Office of Attorney General. In 1988-89 he was the first director of the National Agricultural Law Research Center at the University of Arkansas School of Law. From 1983 to 1988 he was an assistant attorney general in the North Dakota Office of Attorney General doing mostly agricultural law related and administrative hearings work. In 1983, Mr. Hoberg received an LL.M. in agricultural law from the University of Arkansas School of Law and for a semester was a visiting assistant professor there. From 1980 to 1983 he was a student at the American Graduate School of International Management and the University of Arkansas School of Law. From 1977 to 1980 he was a staff attorney for the North Dakota Legislative Council. Mr. Hoberg received his J.D. from the University of North Dakota School of Law in 1977 and his B.A. degree in History from the University of North Dakota in 1972. Mr. Hoberg has published several articles in various law journals on central panel and agricultural law topics.

Margaret Moore Jackson teaches in the Clinical Education Program at the University of North Dakota School of Law where law students learn by taking on the roles and responsibilities of real attorneys. Under Professor Jackson's supervision, students handle employment, housing, and related legal matters on behalf of clients who would otherwise go unrepresented.

Before joining the UND faculty, she practiced law for eleven years in the San Francisco Bay Area and in the Upper Midwest. Professor Jackson received her B.A. from the University of North Carolina at Chapel Hill in 1988 and her J.D., *cum laude*, from the University of San Francisco School of Law in 1992.

Professor Jackson served on the Board of the North Dakota Legal Aid Association from 2000-2003. She also served as Vice Chair of the Inquiry Committee Northeast, an investigative arm of the North Dakota State Disciplinary Board.

Professor Jackson is a member of the Bar in the states of California, North Dakota, and Minnesota. She is admitted to the United States District Court for the District of North Dakota, the United States District Court for the District of Minnesota, and the United States District Court for the Northern District of the State of California.

She writes and lectures in the areas of sexual harassment law and employment law. She also serves as the faculty advisor for the Public Interest Law Students Association (PILSA).

Katrin Johnson has served as statewide coordinator of the Minnesota Court Interpreter Program (CIP) since October 2004. The CIP oversees the testing and training of interpreters, as well as regulation of interpreter rules and procedures for court staff, judges, and court interpreters. Ms. Johnson regularly provides trainings on the use of interpreters in the courtroom to judges, attorneys, and court staff, and trains new court interpreters on court interpreting practices and the legal system. Previously, she was managing attorney with the Seventh District Public Defender's Office. As the only Spanish-speaking attorney in the St. Cloud area, she frequently worked with foreign language interpreters in legal settings inside and outside of the courtroom. Ms. Johnson earned a J.D. and Masters in Public Administration from Hamline University in St. Paul, Minnesota.

Dixie Knoebel holds a Bachelor of Science degree in Political Science from Central Michigan University and a Master of Science degree in Judicial Administration from American University. She has worked in court administration for over 25 years. First, in Tennessee, then at the National Center for State Courts in Williamsburg, Virginia, and most recently, the Broward County Circuit Court in Florida. She is currently serving as the district court administrator for the Northwest District Court in North Dakota.

Andrea White Lee is a native of Detroit, Michigan. In 1982, Andrea graduated with honors from Wayne State University in Detroit, Michigan. In 1985, Andrea received her law degree with honors from Wayne State University Law School. Andrea has worked in the private and corporate sector in Michigan. In 1991, Andrea was appointed assistant attorney general for the Commonwealth of Virginia. Andrea has served as a Deputy Commissioner for the Virginia Workers' Compensation Commission since 1992. Andrea presides over workers' compensation hearings in Richmond, Williamsburg, and Danville, Virginia. Andrea has attended NAHO conferences in 1995, 1998, 2000, 2003, and 2005. Andrea is serving on the NAHO Board of Directors as Secretary and she also serves on the Curriculum Committee.

Chad E. Litton is the chair of the Social and Behavioral Sciences Division and Director of the Criminal Justice Program at the University of Mary in Bismarck, ND. He received his BA from the University of Minnesota, Morris in Anthropology and Political Science; his MA from Bowling Green State University in American Culture Studies; and his PhD from the University of Wisconsin, Milwaukee in Anthropology. Dr. Litton has been teaching and researching in the areas of difference and inequality for more than a decade. He serves as the Chair of the Diversity Cadre at the University of Mary and has served as a faculty advisor for a wide variety of student organizations that focus on diversity issues. He is a committee member and former Chair of the Native American Symposium Committee at Southeastern Oklahoma State University. He also serves on the Board of Directors for the North Dakota Human Rights Coalition.

Linda Jo Nicholson is a graduate of Northern Illinois University with post graduate degrees in education and nutritional biochemistry. Ms. Nicholson has sixteen years of experience with the Florida Department of Children and Families holding positions as public assistance specialist, senior public assistance specialist, public assistance specialist supervisor, and senior human services program specialist/hearing officer. In her current position as administrative hearing officer, she conducts hearings for public assistance programs, child support, and child welfare.

Ms. Nicholson has been a member of NAHO and has attended all NAHO conferences since 1998. She completed certification as a NAHO Certified Hearing Officer in 2001. She was assistant registrar for NAHO in 2002 and registrar for NAHO in 2003 and 2004. She was the conference co-coordinator and on-line registrar for the 2005 NAHO Conference in Durham, North Carolina. She was the NAHO Southeast Alternate representative from 2002 through 2005 and is the current NAHO Southeast representative.

Blaine L. Nordwall is director of the Economic Assistance Policy Division of the North Dakota Department of Human Services. That division administers Basic Care Assistance, Child Care Assistance, Low Income Home Energy Assistance, Food Stamps, Temporary Assistance for Needy Families, and provides (electronic) system support, regional support, and quality control related to those programs and Medicaid. Mr. Nordwall also directs Medicaid estate recovery efforts in North Dakota.

Mr. Nordwall has degrees in social work and law. He has conducted lectures and seminars on public welfare law for state and national entities, including the State Bar Association of North Dakota, the American Bar Association, and the American Association of Public Welfare Attorneys.

Gregory L. Ogden graduated *cum laude* from the University of California Los Angeles with a Bachelor of Arts degree, from the University of California Davis School of Law where he was Law Review Editor, and has two LL.M.s, one from Temple University in legal education, and one from Columbia University in administrative law. He has been a professor of law since 1978 at Pepperdine University where he teaches administrative law, civil procedure, professional responsibility, and remedies. He has been an administrative law consultant to the Administrative Conference of the United States and to the California Law Revision Commission, as well as the principal author of California Public Agency Practice (three volumes, Matthew, Bender & Co., Inc. 1997), the leading treatise on California administrative law. A number of law firms in California have hired Professor Ogden as an expert consultant in California administrative law, and he an administrative law pro bono advisor to the Foundation for Taxpayer and Consumer Rights, a leading public interest and consumer advocacy organization.

He has authored several articles in the administrative law field, including most recently the following article in the Journal of the NAALJ: Ogden, Gregory L., "The Role of Demeanor Evidence in Determining Credibility of Witnesses in Fact Finding: The Views of ALJs," 20 Journal of NAALJ 1 (2000). Professor Ogden has been the faculty editor of the Journal of the NAALJ since the beginning of the 2000-2001 academic year, when the Journal's editorial responsibilities were taken over by Pepperdine University School of Law. Professor Ogden has spoken at numerous NAALJ conferences on current developments in administrative law and judicial ethics for ALJs since 2000. He was on the planning committee for the Evidence for ALJs program hosted at Pepperdine University School of Law in May 2001. In 2002 he presented three programs on Judicial Ethics for ALJs for the California Office of Administrative Hearings (OAH), presented a program on judicial ethics and demeanor evidence for the Fall 2003 NAHO conference in Minneapolis, Minnesota, and presented a program on current developments in state administrative law for the Fall 2003 NAALJ conference in Orlando, Florida. He presented similar programs for the Fall 2004 and 2005 NAHO and NAALJ conferences.

Mark E. Richmond is a 1993 graduate of Boise State University where he received a Bachelor of Science degree in Criminal Justice with an emphasis on courts and law. He was a correctional officer for a short time before being appointed by Idaho's Parole Commission as a parole hearing officer. Mr. Richmond is currently an administrative hearing examiner with the Idaho Transportation Department, a position he was appointed to in 1997. He has been a CHO with NAHO since 1999 and is also certified as an ALJ by the National Judicial College.

Dale V. Sandstrom is a graduate of North Dakota State University, the University of North Dakota School of Law, and the National Judicial College.

He worked for the United States Senate under Senator Milton R. Young and served on the staff of the North Dakota Criminal Justice Commission. After heading the Attorney General's Consumer Fraud Division and serving as Securities Commissioner, he served 10 years on the Public Service Commission.

Justice Sandstrom was elected in 1992 to the North Dakota Supreme Court, and re-elected in 1996 to a full 10-year term. He chairs the Joint Procedure Committee and the Advisory Commission on Cameras in the Courtroom. He serves on the Court Technology Committee, the Administrative Council, and the Judiciary Standards Committee, and served as chair of the North Dakota Judicial Conference. In 1996, he created the North Dakota Supreme Court's award-winning web site.

Gerald W. VandeWalle was appointed to the North Dakota Supreme Court in 1978 and has been Chief Justice since January 1, 1993. Before his appointment to the court he was a first assistant attorney general of North Dakota. Chief Justice VandeWalle holds a B.S.C. and J.D. *magna cum laude* from the University of North Dakota. He is a member of the Order of the Coif. He was president of the Conference of Chief Justices in 2000-2001 and appointed by Chief Justice Rehnquist to serve on the Federal/State Jurisdiction Committee of the Judicial Conference of the United States; he served as chair of the Section of Legal Education and Admissions to the Bar of the American Bar Association in 2001-2002. Chief Justice VandeWalle was a Jurist-in-Residence at Georgetown University Law Center in October 2002. He was inducted into the Warren E. Burger Society in October 2002 and was a recipient of the Paul C. Reardon Award in 2003.

Curtis Volesky received a degree in business administration from the University of Maryland, European Division in 1983, while serving in the US military. He began employment with the Medicaid program in the Department of Human Services in August 1989 and has seen many changes in the program since then. Curtis became the director of the Medicaid Eligibility unit in June 1998. Prior to his employment with the Medicaid program he worked in eligibility for all economic assistance programs at Stark County Social Services in Dickinson for 5½ years.