

# National Association of Hearing Officials 2008 Annual Professional Development Conference Conference Faculty

The National Association of Hearing Officials is proud to present its outstanding slate of the faculty for the 2008 Annual Professional Development Conference.



**SANDRA KIA AMBROSE** received a B. A. degree (cum laude) from the University of South Florida in 1980 and a J.D. from the Florida State University College of Law in 1985. She was admitted to the Florida Bar in 1986 and the U.S. District Court for the Middle District of Florida in 1987. She served as general master/hearing officer for the 18<sup>th</sup> Judicial Circuit Family Division from March 1993 until July 2003 where she heard thousands of family related matters, such as child support enforcement, child custody, equitable distribution, paternity, and divorce, as well as mental health cases.

Ms. Ambrose joined the law firm of Stenstrom, McIntosh, Colbert, Whigham, and Partlow, P.A. in Lake Mary, Florida in 2005 and focused primarily on family cases. She has litigated child support enforcement issues on both sides, seeking strict enforcement and/or incarceration and defending those accused of non support. This gives her a valuable perspective to share with hearing officers.

Ms. Ambrose is a member of the Seminole County Bar Association (past director, 2004), The Florida Bar (member Family Section, past chair of General Master Committee) and the Volie Williams Inn of Court. She received Supreme Court recognitions for her pro bono work with the Seminole County Guardian ad Litem program. In 2006, she was recognized by the Seminole County Bar Association Legal Aid Society for her contribution in serving the local community as a Pro Bono attorney. She has been an adjunct professor in legal studies at both Valencia Community College and Rollins College.



**ELLEN ANDERSON** is immediate past president of NAHO and has been a state-level hearing official for 18 years. Since 2002 she has held hearings exclusively for the Washington State Department of Retirement Systems, a consolidated agency that administers seven statewide retirement systems for approximately a half-million public service employee-members and retirees.

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**B.J. BAILEY**, program director for the Washington [state] Department of Social and Health Services.

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**CAROL BERKOWITZ** is senior director of regulations and compliance at Florida Association of Homes and Services for the Aging (FAHSA). The association is comprised of more than 500 members; including approximately 340 Florida's continuing care retirement communities, assisted living facilities, nursing homes and affordable elderly housing communities. Over 84,000 older persons reside in FAHSA-member communities. Thousands more are served through home health services, adult day care centers, and other community outreach services. FAHSA member homes are sponsored primarily by community-based nonprofit civic, religious, fraternal, and other quality groups and are mission-driven organizations.

Carol earned her Juris Doctorate from Florida State University and has been a member of the Florida Bar since 1989. Carol earned her undergraduate degrees from the University of South Florida. She holds a Bachelor's degree in Psychology and a Master's degree in Gerontology.

She has been with FAHSA since September 2004. Prior to joining FAHSA, she worked 10 years for the Florida Dental Association and 4 years for the Department of Health and Rehabilitative Services. She has more than 18 years of legislative and regulatory experience.

# National Association of Hearing Officials 2008 Annual Professional Development Conference Conference Faculty - Page 2



**TIMOTHY D. BLEVINS** provides instruction to law students regarding communication skills, both written and oral, that are critical attributes of a skillful advocate. Following careers in the U.S. Navy, law enforcement, and with Lexis-Nexis, Professor Blevins began teaching at Stetson's College of Law, accepted a writing instructor position with Barry's School of Law during its formative years, and now teaches at Florida A&M University's new College of Law in Orlando, FL. He is a frequent attendee at professional development conferences and he has spoken at a number of conferences regarding writing and other experiential skills for lawyers. Professor Blevins has written a number of articles that focus on legal education pedagogy and the impact of concise writing. He resides in Orlando with his wife, Dorothy.



**RHODA PIERRE CATO** joined the faculty of Florida A&M University College of Law, in 2005, after serving 8 years as a judge and magistrate for the city of Houston, Texas, Municipal Courts. As judge, Cato presided over bench and jury trials related to class C misdemeanors, city ordinances, and traffic violations. As magistrate, she administered statutory warnings to arrestees, set bonds, and issued search and arrest warrants.

Prior to her appointment to the bench, Cato served as counsel to the Administrative Hearing Official, the Buildings and Standards Commission, and the vice division of the city of Houston Police Department. During her assignment with the vice division, Cato facilitated the passage of the city's new ordinance regulating sexually oriented businesses. In 1997, she was appointed judge.

Since joining the faculty of Florida A&M University College of Law, "the judge" has taught a variety of courses including Contracts I and II, Juvenile Law, Family Law, Interviewing, Counseling and Negotiations, Legal Methods I and II, and Law and Film. She also coaches the Negotiations, Arbitrations and Client Counseling teams, serves on the faculty senate, and has directed the formation of the Juvenile Advocates Network, a student organization designed to mentor high school students by engaging them through education and activities, in positive experiences with law and the legal system.



**BOB COHEN**, a native of Orlando, Florida, graduated from Brandeis University in 1979 with a B.A. degree *cum laude* in American Studies. He graduated in 1981 from the Florida State University College of Law, where he served on the *Law Review*. After more than 20 years in private practice, concentrating in administrative and civil law representing large companies, professional licensees and consumer associations, Bob was appointed by the Governor and Cabinet in October, 2003, as the Director and Chief Administrative Law Judge of the Florida Division of Administrative Hearings which includes under its umbrella, the Office of Judges of Compensation Claims. Bob currently serves as Secretary to the National Association of Administrative Law Judiciary, on the Second Judicial Circuit Bench/Bar Committee, the William Stafford Inn of Court as a Master Bencher, President of the Tallahassee Legal Aid Foundation, and has served as a consumer organization representative on the Federal Alliance for Safe Homes Steering Committee, The Residential Community Mitigation Program Advisory Committee, and the Department of Revenue Property Tax Administration Task Force. He is active in the community, having served as President of the Tallahassee Bar Association, the Legal Aid Foundation, and numerous community organizations. He is also a past recipient of the Florida Bar's Pro Bono Service Award for the Second Judicial Circuit. Bob is a frequent speaker on topics related to administrative law at Bar events, regional and state organizations, and in the classroom.

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**SUSAN DIXON** received her bachelor's in Social Work from University of West Florida. She began with the Florida Department of Children & Families (DCF) in 1980 determining eligibility for cash assistance, food stamp benefits and Medicaid, and began supervising all public assistance programs, including adult, in 1986. Ms. Dixon served as Agency for Health Care Administration Program Administrator for one year. She became a DCF hearing officer in 1998 and began supervising hearing officers in 2005.



**BONNY FETCH** is employed as an administrative law judge with the North Dakota Office of Administrative Hearings, a position she has held since the inception of the agency in July 1991. Before that, she conducted hearings for the North Dakota State Personnel Board. Bonny currently serves as NAHO's president for the 2008-2009 term. She was vice-president in 2006-2007, and served on the Board before that as Mountain Region representative and Mountain Region alternate. Bonny has been a certified administrative law judge (CALJ) since 2002.

Bonny has conducted many training sessions on a wide variety of topics. She has also prepared and participated in mock hearings. As lead ALJ for the North Dakota Department of Human Services hearings portfolio, she is aware of the particular need for training for unrepresented workers who appear on behalf of the Department and present the agency's case. In conjunction with the Department, she developed training to address that need and has conducted training sessions for several of the Department's programs.

# National Association of Hearing Officials 2008 Annual Professional Development Conference Conference Faculty - Page 3



**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, Minnesota, and in Tennessee in 2007, the District Attorneys of Mississippi, the California Jury Commissioners, and U.S.D.A. 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.



**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 12 years and has served three one-year terms as the Board's Chairman. Mr. Franco has been employed with the Department since 1983. He 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. Mr. Franco is also a member of the National Association of Unemployment Insurance Appellate Boards (NAUIAB). He has been a presenter at past NAHO conferences and at training 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, Arizona.

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**RON HARDCASTLE** is a training specialist in the DCF ACCESS central office training unit. Ron has worked for DCF for the past 15 years in various capacities, including various positions in ACCESS operations, policy and training, child welfare and the Florida abuse hotline. In his current position, Mr. Hardcastle is responsible for the development of Medicaid training associated with aged and disabled populations.



**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. Since 2004 he has been general counsel for MicrobeTech, an environmental corporation. 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, Minnesota, and in Tennessee in 2007. 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.

# National Association of Hearing Officials 2008 Annual Professional Development Conference Conference Faculty - Page 4

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**DEBORAH KLEINMAN-ROBINSON** is a former assistant attorney general for the Department of Justice, St. Thomas, US Virgin Islands. While there, Ms. Kleinman-Robinson started a Domestic Violence Litigation Unit. The vision of that unit was developed from her prior experiences working as a staff attorney with Legal Services of the Virgin Islands, representing battered women on a variety of issues, including custody battles, landlord/tenant disputes, and public benefits cases. In 1997, Ms. Kleinman-Robinson moved to Florida to accept a position as Deputy Director for Rural Programs with the Governor's Task Force on Domestic Violence. Ms. Kleinman-Robinson spent another seven years developing expertise on training issues and Department of Children and Families policy issues. She has been a supervisor in the Office of Appeal Hearings, Office of the Inspector General, Department of Children and Families for the past five years. This position has allowed her to blend her legal experience, knowledge of programs within the Department, and training expertise to work with hearing officers. She is also an adjunct professor at Tallahassee Community College teaching constitutional law.

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**ELLEN LORENZEN** was originally from Los Angeles, CA, but grew up in Baton Rouge, LA. She received her B.A. from Emory University, Atlanta, GA in 1971 and moved to Florida. She began working as an all-lines adjuster until she attended Stetson College of Law where she graduated in 1978. After admission to the Bar, she became employed as staff counsel for Continental Insurance in Tampa, practicing primarily in the area of personal injury defense with some workers' compensation cases. In 1985 Ms. Lorenzen became employed with the firm of Morris & Rosen where she represented injured employees. In 1986 she was hired by Travelers Insurance as a staff attorney where she was responsible for a mix of workers' compensation and personal injury cases until 1990. At that time she became the managing attorney for the Tampa staff counsel office of Travelers and restricted her practice solely to workers' compensation defense. In 1994 Ms. Lorenzen became associated with the firm of Barr, Murman, Tonelli in Tampa and became a partner there in 1997. In 1998 Ms. Lorenzen and John Dixon, Esq. formed a firm handling workers' compensation defense statewide on behalf of several self-insured employers. Ms. Lorenzen resigned her membership in that firm in 2004 when she was appointed a Judge of Compensation Claims by Governor Bush. She has been board certified in workers' compensation since 1988 and has been a board certified circuit civil mediator since 1994. Ms. Lorenzen serves on the board of Tampa Jewish Family Services, a non-profit social services agency providing mental health counseling and food bank assistance to those in need in the Tampa area irrespective of race or religion. She also serves on the Board of Friends of 440 Scholarship Fund, Inc., a non-profit organization which provides scholarships to the children of workers injured on-the-job or whose primary employment is connected with the Florida workers' compensation act. Ms. Lorenzen also serves as the public co-chair of the workers' compensation section of the ABA Section of Labor and Employment Law.



**ROBERT NALL** was admitted in 1977 to the State Bar of Arizona, federal district court, and US Tax Court. Since becoming an administrative law judge in 1987, he has heard and decided welfare (TANF and Food Stamps), vocational rehabilitation, medical assistance eligibility, foster care and child care license revocations and denials, and unemployment insurance cases. The caseload of about 2000 cases per year involved swearing in about 50 witnesses each week. Since 2001, he has been involved in higher review of up to 50 different human services programs. Appeals from these decisions would go to the judicial Court of Appeals. He is a NAHO board member, has led conference seminars, and has authored articles for the NAHO newsletter.



**GREGORY L. OGDEN** is a professor of law at Pepperdine University where he has taught since 1978. He teaches administrative law, civil procedure, professional responsibility, and remedies. He is a graduate of UCLA (B.A., cum laude), UC Davis School of Law (J.D., Law Review Editor), and he has two LL.M.s, one from Temple University in legal education, and one from Columbia University in administrative law. He has been an administrative law consultant to the Administrative Conference of the United States, and to the California Law Revision Commission. He has taught administrative law for over 25 years, and was the principal author of California Public Agency Practice (three volumes, Matthew Bender & Co., Inc. 1989), and California Public Administrative Law (two volumes, Matthew Bender & Co., Inc. 1997), the leading treatise on California administrative law. He prepares treatise updates five times per year and the treatise is available both in print version and online on Lexis-Nexis. In the fall of 2005, he completed a major revision of a State Administrative Law in California chapter (200 pages) for a multi-volume treatise on California Environmental Law and Land Use Planning (Manaster & Selmi, Matthew Bender & Co.). 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 was the 1999 NAALJ Fellowship recipient, and he presented his fellowship paper on demeanor evidence at the 1999 NAALJ Conference in Asheville, North Carolina.

Professor Ogden has been the faculty editor of the Journal of the NAALJ since the 2000-2001 academic year, when the Journal editorial responsibilities were taken over by Pepperdine University School of Law. He was on the planning committee for the Evidence for ALJs program hosted at Pepperdine Law School in May 2001. Since

# National Association of Hearing Officials 2008 Annual Professional Development Conference Conference Faculty - Page 5

2000, Professor Ogden has spoken at numerous continuing judicial education conferences on current developments in administrative law, evidence basics for administrative law judges, demeanor evidence and credibility determinations, and judicial ethics for ALJs. His topics have been presented at programs sponsored by the California Office of Administrative Hearings (OAH), the National Association of Hearing Officials (NAHO), the Association for Administrative Law Judges (AALJ), the National Association of Administrative Law Judiciary (NAALJ), and the Arkansas, Iowa, and South Carolina NAALJ affiliate organizations. He has also presented programs on legal ethics for government attorneys for the SEC and for the state administrative law section of the Arkansas State Bar Association. Ogden has been retained as a consultant to several law firms needing administrative law expertise. In 2006, Ogden was appointed reporter for the Drafting Committee of the Model State Administrative Procedure Act revision project sponsored by the National Conference of Commissioners for Uniform State Laws (NCCUSL). Ogden will continue to serve in that capacity until the model act project is completed in 2008 or 2009.

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**SHARON PIMLEY-FONG** is a University of Florida alumna and graduate of Stetson University College of Law. Prior to practicing products-liability law in New Jersey, Sharon was a Senior Investigator with the City of St. Petersburg's Human Relations Department, investigating employment, housing, and public accommodation discrimination complaints; was a principle in the management-consulting firm of Dionne – Pimley & Associates, specializing in upper-management training programs in employment and discrimination law; and an adjunct instructor for the Paralegal Program at Webster University in Pasco County. Ms. Pimley-Fong was asked to be a contributing-editor to the two-volume treatise, *Labor and Employment in Florida - Law, Policy & Practice* authored by the late Stetson Dean W. Gary Vause and with her business partner, co-authored *Employment Practices for Small-Businesses* (1991). Sharon has worked as a Civil Rights Officer for the Department of Children and Families Office of Civil Rights since 2001, while retaining her active status with the New Jersey Bar. She resides with her husband in Citrus County and believes learning is a life-long pursuit.

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**JOHN PRITCHARD** graduated from the University of South Florida with a BS in Political Science. He has worked 39 years for the Department of Children and Families. He has been involved with the Department's hearing process first as a hearing officer from 1976 to 1992, and then as chief until the present. He has been involved in the development of statutes and rules for the implementation of the Department's hearing process.

The Department hearing staff conducts state level hearings for the public assistance programs, including nursing facility discharge hearings and administrative disqualification hearings for the food stamp and cash assistance programs.

John has been attending NAHO conferences since 1988 and been a certified hearing official since 2000.



**MARK RICHMOND** has been a hearing officer for the state of Idaho for 12 years. His background includes two years as a parole hearing officer and 10 years as a DUI license suspension hearing examiner for the Idaho Transportation Department. Mark has been a NAHO certified hearing officer since 2002 and has also received his Certificate in Judicial Development from the National Judicial College.