



National Association of Hearing Officials Presents 2023 Spring Professional Development Virtual Mini-Conference

**Thursday,
April 20**

11:00 a.m. Eastern
10:00 a.m. Central
9:00 a.m. Mountain
8:00 a.m. Pacific
7:00 a.m. Alaska
5:00 a.m. Hawaii

Registration fees:
Members \$35

Non-Members \$70

Registration +
2023 Membership \$85

**Advance
Registration
Required**

To register:
Click on Register Here
on NAHO's homepage
at NAHO.org or go to
<https://www.yesevents.com/NAHO-Spring>

For registration assistance:
nahoinfo@yesevents.com

Three one-hour sessions:

Using Demeanor Evidence to Determine Facts (M)

This session discusses the nature, history, and use of demeanor evidence to determine witness credibility in fact-finding by administrative adjudicators, analyzes credibility determinations involving demeanor evidence in the written decisions of adjudicators, and examines the use of demeanor evidence using hypotheticals drawn from administrative hearings.

Recent Developments in Administrative Law (M)

The U.S. Supreme Court recently decided, in a unanimous decision, that a disabled student who'd suffered "profound lapses" in his education could sue his school district for damages. Other recent SCOTUS decisions require administrative agencies to have clear *legislative* endorsement to decide "major questions," have limited the *Chevron* deference agencies have in interpreting their regulations, and have held that some ALJs lack the proper authority to decide certain cases. Do you know when and how U.S. Supreme Court decisions impact what we do? This thought-provoking class will provide context and background to help you grasp these important concepts and how they apply.

Creating & Preserving the Record for Review (M)

A dispute was settled by hearing, but the petitioning party didn't like the outcome. Due process demands there be a means of review for the dissatisfied party. The reviewing entity cannot speculate regarding whether the adjudicator determined the case correctly. They must rely upon the record to determine whether the adjudicator made any legal errors and whether the facts found were supported by the evidence admitted. This class addresses best practices and pitfalls on creating and preserving hearing records.

Presented by:

Gregory L. Ogden, Professor of Law (CA)
Pepperdine Caruso School of Law

Prof. Ogden has a BA, *cum laude*, from UCLA, a JD from UC Davis School of Law, an LLM from Temple University in legal education, and an LLM from Columbia University in administrative law. Since 1978, he has taught administrative law, civil procedure, professional responsibility, and remedies and is principal author of California Public Administrative Law. He's been faculty editor of the National Association of Administrative Law Judiciary (NAALJ) Journal since 2000 and teaches at many continuing legal and judicial education conferences on administrative law, judicial ethics and related topics.

W. Michael Gillette, Associate Justice (OR)
Oregon Supreme Court

Mick Gillette holds a JD from Harvard and a BA, *cum laude*, from Whitman College. He served as Deputy D.A. in Portland, Oregon, Assistant Attorney General for American Samoa, and Deputy Attorney General, Chief Trial Counsel and Solicitor General in Oregon. He was on the Oregon Court of Appeals for 8 years, on the Oregon Supreme Court for 25 years, and has taught at the National Judicial College for 43 years. He received NJC's Award for Excellence in Teaching in 2006 and has served as adjunct professor at Portland State University and at Lewis and Clark and Willamette University Schools of Law.

Toni Boone, Administrative Law Judge (OR)
Nevada Department of Motor Vehicles (retired)

In 31 years of presiding over administrative hearings, Toni Boone was final authority on thousands of high-volume cases and hundreds of complex cases and conducted review of initial proceedings. She's an alumna of the University of Arkansas and of The National Judicial College (NJC), having attained Certificates of Judicial Development in Administrative Law Adjudication Skills and Dispute Resolution Skills. In 2000, she joined the NJC faculty and in 2019 was given NJC's Award for Excellence in Teaching. She achieved NAHO certification in 2008 and currently serves as NAHO's President.