



REPORT ON CUSTOMER SERVICE

FISCAL YEAR 2015

STATE OFFICE OF ADMINISTRATIVE HEARINGS

SUBMITTED April 11, 2016

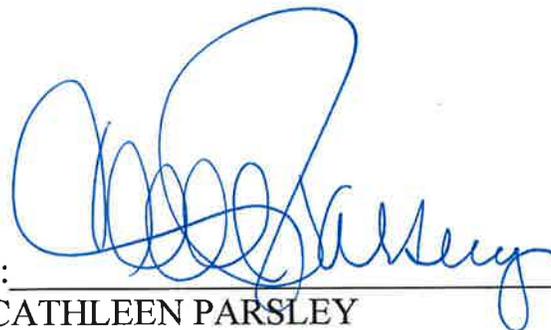
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SIGNED AND APPROVED:



CATHLEEN PARSLEY
CHIEF ADMINISTRATIVE LAW JUDGE

**STATE OFFICE OF ADMINISTRATIVE HEARINGS
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**Inventory of External Customers Served and
Description of the Information-Gathering Methods Utilized to
Obtain Input from Agency Customers**

The State Office of Administrative Hearings (SOAH) conducts an annual Customer Satisfaction Survey in order to report its measure, “Percentage of Participants Surveyed Expressing Satisfaction with Overall Process.” The data collection begins with the compilation from SOAH’s case databases (the case management system for general docket cases and Lotus Notes for the administrative license suspension cases) of a list of the cases in which the hearing or alternative dispute resolution process was completed during the fiscal year. For Fiscal Year 2015, the list was taken from cases completed after September 1, 2014. A computer program then randomly selects from among all those cases’ participants the persons to whom the survey will be sent. Targeting participants in completed cases is designed to ensure that survey recipients have had meaningful contact with SOAH. Participants may be attorneys who have represented parties in hearings and parties themselves.

Data collection and preparation of the survey document occurred in May 2015. The survey was disseminated in June 2015, with responses to be returned in approximately 30 days. SOAH administered the survey through SurveyMonkey. Results were tabulated by mid-August and are reported in SOAH’s report of annual measures to the Legislative Budget Board. Also, SOAH is required to report survey results in its biennial Legislative Appropriations Request.

By postcard advising them of the availability and Internet location of the survey, SOAH notified 1,100 individuals of the FY 2015 survey. Of those, only 16 individuals responded to it, for a return rate of 1.5%. Survey responses are anonymous except where the responding individual included his or her name.

SOAH cannot explain the low return rate for the FY 2015 survey. Two recipients of the postcard referred to in the preceding paragraph notified SOAH that they could not access the survey on SurveyMonkey. When SOAH investigated, it found the survey accessible and operating as designed and intended. In any event, in response to a management recommendation made by the Sunset Advisory Commission during its 2015 review, SOAH has revamped the manner in which its customer service survey will be conducted. The new method will attempt to reach significantly more, though perhaps not all, participants in its cases. The survey will continue to be conducted electronically.

CUSTOMER-DETERMINED SERVICE QUALITY CHART

Survey Inquiry Question	Satisfied	Dissatisfied	No Opinion	Percentage Satisfied
STAFF: Courtesy and professionalism	14	0	2	100.0%
Responsiveness to inquiries	13	0	3	100.0%
Knowledge of SOAH Procedures	13	0	3	100.0%
JUDGES: Knowledge of applicable laws and procedures	13	2	1	86.7%
Clarity and quality of writing	13	0	3	100.0%
Timeliness of decisions	13	0	3	100.0%
Courtesy and professionalism	15	0	1	100.0%
Fairness and efficiency of hearing	14	1	1	93.3%
MEDIATION: ¹ Satisfaction with process	3	0	13	100.0%
FACILITIES: Adequacy of hearing rooms	10	1	5	91.0%
Office location and accessibility	12	1	3	92.3%
COMMUNICATION: Quality of written materials	12	1	3	92.3%
Website usefulness	9	2	5	81.8%

¹ To tabulate the satisfied/dissatisfied percentages for mediation, SOAH counted only the responses from responders who had participated in mediations. Only four responders had participated in mediation.

CUSTOMER SATISFACTION SURVERY OVERALL RESPONSE FY 2015

YEAR	TOTAL SENT	TOTAL RESPONSES	% OVERALL SATISFACTION
2015	1100	16	97.01%

Analysis of Survey Findings and Responses to Comments Received

SOAH acknowledges that the response rate for the FY 2015 survey was quite low. As mentioned earlier, SOAH has revised the survey process to attempt to reach significantly more, though not all, hearing participants. Nevertheless, the overall satisfaction rate of 97% is a positive indicator that SOAH's work and the manner in which it implements its mission are well regarded. SOAH believes that the satisfaction rate indicates that it is successfully providing due process and a fair and independent forum for administrative contested cases. Where improvements can be identified, SOAH will endeavor to make them.

The analysis below focuses on specific suggestions and comments offered by survey respondents.

Overall satisfaction. Comments included:

- ▶ “Not what I expected as to how proces [sic] was done. More of a trial type scenario, I did not have an attorney because I was advised it was not necessary, but the hearing is conducted as a trial and court rules pretty much applied.”
- ▶ Thank-you for UPHOLDING the DRY designation of the protected Houston Historic District of Heights South recognized by the City of Houston and the State of Texas, with borders of Heights Blvd to Oxford/4th to 11th within the historically dry gentrified single family neighborhood[.] I appreciate knowing that the process was non-biased, and represented the neighborhood, by not bowing to outside influences. THANK-YOU for making this process possible.”
- ▶ “Your judge found that ‘the State provided no evidence’ to prove their case and then reduced my max penalties to the low end of the range. How can you be found not guilty and then get a fine anyway. The whole system is rigged, not least because the judge’s decision goes to the head of the state agency whom I am engaged in a lawsuit. If I had know [sic] that at the beginning, I would have suggest we have my wife review the judge’s decision with impartiality. I also don’t like the idea that I am not afforded a jury. The trial was a sham. The state agency falsified government documents with zero evidence to support their claim of that any Level B criteria were met. It was a sham. DADS agents falsified government documents, their lawyer pressed forward with the fraud knowing full well that her co-workers falsified government documents. And the judge enables their behavior by getting the findings of fact correct, but giving them a pass when she incorrectly ruled that even though no evidence was present, we should be fined

for something since we are here. A complete joke. We were taken advantage of. This state is incompetent.”

► “I received it through the mail.”

SOAH appreciates all of the comments. It believes that the positive comment is reflective of the high level of satisfaction expressed in the survey. SOAH regrets that the commenter making the critical comment found the process lacking. However, given the anonymity provided by the survey, SOAH does not have details that would allow it to research the particulars of the case. SOAH points out, however, that proposals for decision and final decisions are peer reviewed for clarity, logic, legal soundness, and judicial tone before they are issued. The proposal for decision issued in the commenter’s case would have been reviewed accordingly, and presumably, the ALJ described the evidence and explained the reasons and justifications supporting the findings of fact, conclusions of law, and the penalty recommendation.

To the comment that the hearing was not what the self-represented litigant expected, and that the hearing was conducted as a trial, SOAH notes that it is engaged in a project to enhance and expand the information available on its website to self-represented litigants. However, its website currently contains information, and has contained information for many years, about the process and the manner in which hearings are conducted, and cites and provides links to pertinent statutes and rules. SOAH has always worked hard to ensure as much as possible that self-represented litigants understand how hearings will be conducted and how they can prepare for them.

Courtesy and respect.

► “I was impressed by the overall courtesy and respect I received.”

SOAH is gratified at the comment. It strives to treat everyone with courtesy and respect, and it is an expectation for the employees.

Website usefulness.

► “SOAH decisions are not reasonably, electronically searchable to find precedent on a topic. This should be remedied.”

SOAH understands that the search function on its website is not ideal, but it does work. The Legislature appropriated funds to SOAH for the purchase and implementation of an integrated case management system. The current timeline for implementation of the general docket portion of the system is early FY 2018. One of the goals for the new system is to have a smooth and user-friendly search function.

**Performance Measure Information
Related to Customer Service**

Customer Service Measure	FY 2015
Percentage of Surveyed Customer Respondents Expressing Overall Satisfaction with Service Received	97.01%²
Percentage of Surveyed Customer Respondents Identifying Ways to Improve Service Quality	6.25%
Numbers of Customers Surveyed	1,100
Number of Customers Served³	45
Cost per Customer Surveyed⁴	\$0.54
Number of Customers Identified	1,100
Number of Customer Groups Inventoried	1

SOAH's satisfaction percentage has ranged from 79% in FY 2011 to 76.6% in FY 2014. The average satisfaction rate over the last five fiscal years is 86%. SOAH estimates that its performance in FY 2016 will be in this range.

² This percentage is calculated as a compilation of pertinent survey responses and was the number reported to the Legislative Budget Board for the performance measure.

³ Number of Customers Served refers to the number of agencies for which SOAH did work in FY 2015. Some agencies referred large number of cases and all cases involved more than one party. Therefore, the figure for customers surveyed is much larger than the number of customers served.

⁴ Cost per customer surveyed includes the cost of postage, but does not include administrative costs incurred to prepare and distribute the survey and review the responses.