

The Division of Administrative Hearings

by Seann M. Frazier

An Independent Judiciary

The citizens of this great state enjoy a privilege that they may not recognize. When state agency actions affect the interests of Floridians, they have a place where their grievances may be heard - independently. Unlike complaints against federal agencies and agencies in many other states, grievances against Florida agency actions most often appear before a central panel for administrative adjudication. In Florida, citizens have the right to be heard before an independent judiciary at the Division of Administrative Hearings (DOAH).

Though housed within the Department of Management Services, DOAH effectively operates as an independent, central panel that serves all state agencies, and the public, by acting as an impartial trier of fact to resolve disputes with agency actions. DOAH's judges are not subject to the control, direction or supervision of any particular state agency. DOAH's mission is to provide a uniform and impartial forum for the resolution of disputes between private citizens and state agencies in an efficient and timely manner, as well as mediating and adjudicating workers' compensation claims.

Organizational Structure

DOAH is directed by a division director, its Chief Administrative Law Judge, Chief Judge Robert Cohen. Judge Cohen was appointed by the Governor and Cabinet and confirmed by the Florida Senate. Second in command is Judge Charles Stampelos. These judges oversee two units, the Adjudication of Disputes Program and the Workers' Compensation Appeals Program.

The Adjudication of Disputes Program oversees most types of Chapter 120 proceedings including formal administrative proceedings, rule challenges and the like. DOAH's Adjudication Program includes approximately 35 administrative law judges organized into three geographic regions and with one special district.

The Northern Region is led by Judge Li Nelson, with the Middle Region led by Judge Susan Harrell and the Southern Region helmed by Judge John Van Laningham. Separately, DOAH employs the use of a statewide Environmental and Health District to adjudicate complex cases in those two fields. This section includes a panel of 5 - 6 judges that oversee cases ranging from complex environmental permits to health facility certificate of need litigation.

Several years ago, DOAH was expanded to include a Workers' Compensation Appeals Program. This Program includes an additional 32 judges specializing in the adjudication of compensation claims working in 17 district offices.

Electronic Filing

DOAH is a leader in electronic filing. In 2009, DOAH accepted more than 18,000 electronic filings in its Administrative Adjudication cases and, incredibly, more than 430,000 electronic filings in its Workers' Compensation section. Most dockets are available online, and the Division boasts a searchable website for current and past cases at www.doah.state.fl.us.

Timely Administrative Adjudication

Sometimes, justice delayed is justice denied. Unlike cases that might linger in circuit or federal court for years, cases before DOAH are intended to be resolved within 120 days. In fact, DOAH has established a goal of resolving more than 70% of its cases within 120 days. In 2009, 87% of the cases referred to DOAH were scheduled for hearing within 90 days and 80% of cases were closed within 120 days.

Agency Contacts

Most Chapter 120 cases begin at individual state agencies and are then referred to DOAH. However, DOAH retains original jurisdiction and final order authority in several types of cases, including rule challenges. Filings may be made by contacting the Agency Clerk:

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