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COURT REFORM COUNCIL
ADMINISTRATIVE PROCEDURE ACT SUBCOMMITTEE

Meeting #1
June 22, 2017 at 9:00 AM
State Capitol, 206 Washington Street SW, Atlanta, Georgia
Room 133

Meeting Summary

Judge Michael Malihi called to order the first meeting of the subcommittee on Thursday, June 22, 2017, at 9 a.m. Following brief opening remarks and introductions, Judge Malihi reviewed the subcommittee's goal, which is to identify potential areas of reform in Georgia's Administrative Procedure Act ("APA"). A brief slide presentation ensued, which gave an overview of seven potential reform topics: (1) final-decision authority in contested cases; (2) judicial review of final decisions; (3) the APA's jurisdiction over agencies; (4) evidentiary issues, including the application of the Georgia Evidence Code and standards for telephone testimony at hearings; (5) the Civil Practice Act's relevance to APA proceedings; (6) administrative law judges' authority with regard to subpoena enforcement and issuance of fines as sanctions; and (7) procedures for filing hearing requests. At the end of the presentation, Judge Malihi opened the floor for discussion on each of these topics as well as any other potential areas of reform. The discussion explored various options for amending APA provisions, as well as the possible advantages and disadvantages to each. Additionally, the subcommittee identified subjects for further exploration, including the approaches taken by the Model Administrative Procedure Act and other states, the caseloads for agencies and reviewing courts, and the need for agency feedback. At the conclusion of the meeting, Judge Malihi thanked participants and announced that the full Court Reform Council would meet July 17 to hear initial findings from the subcommittee. The subcommittee's next meeting will be scheduled after the Council's meeting on July 17; the exact date, time, and location are to be determined.