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President's Page How to Become a Federal Administrative Law Judge

David J. Agatstein

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PRESIDENT'S PAGE

How to Become a Federal Administrative Law Judge

Those of us who attended the 1980 Convention of this Association may recall that Judge Marvin B. Morse, Director of the Office of Administrative Law Judges of the United States Office of Personnel Management, indicated his willingness to reconsider a long standing determination adverse to many of our members. Specifically, OPM formerly held that the position of Unemployment Insurance Referee meets the lower requirement for the position of Federal Administrative Law Judge (seven years of "relevant" experience) but not the higher prerequisite for such position (two years of "qualifying" experience).

At the suggestion of Judge Morse, voluminous documentation was submitted in support of our contention that the position of Unemployment Insurance Judge should properly be considered "qualifying", and many cordial conversations were held between officers of the Association and members of Judge Morse's staff. As a result of these communications, Judge Morse has authorized me to announce that, for purposes of the present, on-going examination for Federal Administrative Law Judge, the position of New York State Unemployment Insurance ALJ will be deemed "qualifying", and that others will be considered on a state-by-state basis. Since the requirements for Unemployment Insurance Judge in many large states equal or exceed those of New York, Judge Morse's decision bodes well for a substantial number of Unemployment Insurance ALJs.

In announcing his decision, Judge Morse cautioned that his office is not equipped to process a large influx of poorly documented individual applications for federal judgeships. Accordingly, it is strongly urged that, in states which have not yet been found qualifying, the local chapter president or state representative compile and submit a brief demonstrating that the position of U.I. Referee in that state is comparable to positions already determined to be qualifying.

ALJs in state agencies other than U.I. should obtain a copy of Announcement 318 from the Office of Personnel Management, 1900 E. Street NW, Washington, D.C. 20415, to determine if their experience meets the federal prerequisites. Only attorneys-at-law, having sufficiently complex trial or administrative experience, have been found eligible for appointment to the federal administrative judiciary.

It is a continuing object of this Association to open the door to advancement for all of our diverse members. In this regard, I will be happy to provide whatever assistance I can.