

# REQUIREMENTS FOR CERTIFICATION

In order to be certified or recertified, applicants must meet eligibility criteria and educational requirements, and, as of January 1, 2019, be interviewed by a member of the Certification Committee about their work and fundamental concepts of the administrative hearing process.

## ELIGIBILITY

### Certification

- Membership - NAHO member in good standing for one year at time of application and when approved for certification.
- Status - Currently employed or under contract as a hearing officer or administrative law judge or have worked in this capacity within the last three years prior to application. (*“Experience” means an applicant: 1) has the authority to conduct a hearing and issue a proposed or final decision in administrative proceedings; 2) personally reviews the record of administrative proceedings as a reviewing judge; or 3) supervises hearing officials who are either hearing officers or administrative law judges.*)
- Education/Experience – One of following qualifications.

A law degree (JD or equivalent) and at least 2 years as a hearing official;  
A Graduate degree (MA, MS or equivalent) and 3 years as a hearing official;  
A Bachelor’s degree (BA, BS or equivalent) and 4 years as a hearing official; or  
College credits and experience as hearing official that equate to 8 years.

### Recertification

- Membership – NAHO member in good standing for at least three years before the date of application and at the time of approval for recertification.
- Current certification – Currently certified at time of application. If certification has expired prior to date of application, must apply for new initial certification.

## EDUCATIONAL REQUIREMENTS

NAHO conference classes are classified as Mandatory (M), Elective (E) or Specialized (S), as more fully described below. The hours required for each class category are as follows.

### Certification –

60 hours of qualifying classwork, distributed as: 40 hours M classes; 16 hours E classes (with 2 hours of legal research/legal terminology for non-lawyers), and 4 hours S classes.

### Recertification

If applicant has attended a NAHO training conference within three years prior to the calendar year of application, credit given for 16 hours of qualifying classes completed at the conference. Additional 4 hours of any one or combination of M, E, or S classes required.

If applicant has not attended a NAHO conference in the three years preceding calendar year of application, 20 hours of qualifying classwork required, allocated as 10 hours M classes; 8 hours E classes; and 2 hours S classes.

### Class Credit

#### Online, Audio/Video and In-Person Classes

One hour of credit is awarded for each hour of class or video/audio instruction or for two hours in an online class or webinar. No more than 20 hours of coursework necessary for certification and no more than 6 hours of coursework necessary for recertification shall be fulfilled through video/audio instruction or online instruction. Applicants must complete the balance of the hours necessary to qualify for certification or recertification by attending live courses. Applicants for certification must verify attendance at classes with attendance records, certificates, etc.

#### Qualifying Classes

Credit hours can be fulfilled by classes offered at an annual NAHO conference attended in the same year in which an application is filed. Courses can be taken at other recognized programs addressing the hearing process including those sponsored by the National Judicial College, the National Association of Administrative Law Judiciary, state or federal agencies, state bar-approved Continuing Legal Education, or classes offered by accredited colleges, paralegal programs, or law schools. Courses must be

completed within five years prior to application, except for NAHO-sponsored courses or classes offered by the National Judicial College. No credit will be given for courses taken as credit for an academic degree.

Applicants must classify non-NAHO classes as M, E or S based on the descriptions of these categories (see below). Applicants may obtain approval for specific courses before or after they take them by submitting a written request to the Certification Committee identifying the requirement the course is intended to fulfill (M, E, or S) and attaching written materials fully describing the course, where taken, and the instructor. The Certification Committee may ask for additional information and may determine what classes can be used to satisfy the applicant's classwork requirement.

### [NAHO Library](#)

NAHO maintains a library of materials, including videotapes of conference classes and other educational resources for the use of NAHO members who are pursuing certification or recertification. Please see the Library dropdown under Professional Development on the main page of the NAHO website for more information. .

## Course Descriptions

### **Mandatory Courses – (40 total hours)**

These courses involve training in the fundamental skills that are essential to the work of a hearing official. The hours indicated below are the maximum hours allowed per course subject.

**Conducting Hearings/Hearing Management (5 hours)** – *Process-oriented subjects such as: prehearing procedures; eliciting testimony; developing the record; and special skills needed to conduct a hearing using electronic media. At least 4 courses must include listening skills; a mock hearing seminar; and managing hearings with difficult or special parties, such as attorneys, witnesses, self-represented litigants, and limited English speakers and interpreters.*

**Decision Writing (5 hours)** - *Courses on decision-writing skills or improvement of those skills, including the editing of others' decisions.*

**Due Process in Administrative Hearings (6 hours)** – *Classes focused on guaranteeing that administrative hearings are procedurally fair for all hearing participants.*

**Equity and Inclusion (4 hours)** - *Courses concerning the equitable treatment of all people regardless of race, ethnicity, gender, sexual orientation, language, culture, religion, physical or mental ability/disability, class or immigration status, in an administrative hearing and in another contexts as a hearing official.*

**Ethics (4 hours)** - *Courses regarding the ethical obligation of hearing officials and challenges to maintaining that responsibility.*

**Evidence (6 hours)** - *All evidence courses including basic and advanced evidence, hearsay issues, ruling on objections, and other evidentiary challenges.*

**History of Administrative Law (2 hours)** - *Classes on the history and development of administrative law.*

**Witness/Evidence Credibility – (4 hours)** - *Courses including subjects such as: determining witness credibility; evaluating the reliability of evidence; and assessing how implicit biases of hearing officials may impact the perception of witnesses and their credibility.*

### **Elective Courses – (16 total hours)**

These are optional courses designed to heighten a hearing official’s understanding of the law and legal concepts or to improve the hearing official’s skills and abilities. Subjects of these courses include:

*Caseload management*

*Case law update*

*Constitutional issues in administrative hearings*

*Immunity/liability of hearing officials*

*Legal terminology and/or legal research (2 credit hours required for non-attorneys)*

*Security*

*Stress management/time management*

*Understanding appellate judicial review of administrative decisions*

### **Specialized Courses (4 total hours) –**

Courses specific to the area in which a hearing official conducts hearings and/or relate to the policy of their employing agency. No more than two hours credit will be given for any Specialized Course regardless of the length of the class. Examples of classes include:

*Conducting DUI License Revocation Hearings*

*Conducting IPV/Medicaid Hearings*

*Conducting Special Education/Student Discipline Hearings*

*Mediation/Alternative Dispute Resolution*

*Overview of Environmental Law*

*Understanding Attention Deficit Disorders*

## **THE APPLICATION PROCESS**

**APPLICATION SUBMITTED** – After an applicant has completed the required coursework and fulfilled any other requirements for certification or recertification, they shall complete and send their application to the Chairperson of the Certification Committee. All applications must include: proof of completion of all educational requirements, including proof of NAHO conference attendance, if applicable; the signature of the applicant’s employer/supervisor; and payment of appropriate fee. **THE APPLICATION FEE IS NONREFUNDABLE.**

**COMMITTEE REVIEW OF APPLICATION** - The Certification Committee will review the application to confirm that it is complete.

If the Committee finds the application is incomplete or deficient, it will inform the applicant in writing and give the applicant a specified period of time to cure the deficiencies by filing additional information. If the applicant does not cure the deficiencies within the time provided, the Certification Committee shall deny the application and notify the applicant in writing of the denial. An applicant whose application is denied for failure to cure deficiencies may appeal the denial to the Board by filing a written appeal with the NAHO President within 30 days of the date of the notice of denial. The appeal must include a short statement of the reasons for the appeal and must be accompanied by all of the written or other materials the applicant wants the Board to consider in deciding the appeal. The Board will act on the appeal as soon as possible and notify the applicant of its decision in writing.

**INTERVIEW** – After the Certification Committee has determined that an application is complete, a member of the Committee will contact the applicant to arrange for a telephone interview. This interview is designed to allow the Committee to determine that conducting hearings is a significant part of the applicant’s job and that the applicant has a working knowledge of how to address situations and issues which routinely arise during a hearing. Applicants who do not have a satisfactory interview may be required to complete certain classes or take other actions. Applicants must have a successful interview before the Certification Committee will act on their application.

**COMMITTEE ACTION ON APPLICATION** – The Committee shall forward the application to the NAHO Board with its recommendation. If the Committee determines that an application is complete but does not merit approval, it may forward the application to the Board with its recommendation that the application be denied and the reasons therefore.

**BOARD ACTION ON RECOMMENDATION** - The Board shall approve or deny all recommendations it receives from the Certification Committee. The Committee Chair shall give the applicant written notice of the Board’s decision; an applicant is not certified or recertified until the Board has acted to approve the application and the applicant has been notified of the decision. If an application is denied by the Board, written notice of denial shall include the reasons for the Board’s decision.

Denials may be appealed in writing and must be filed with the Certification Committee Chair within 60 days of the date of the denial notice. The appeal must include a short statement of the reasons for the appeal as well as all documentation in support of the appeal. The Committee shall consider the appeal and make a written recommendation to the Board. The Board may adopt, reject, or change the Certification Committee’s recommendation in whole or in part and shall send the applicant a written notice of their decision in the appeal, including the reason(s) for their decision.

The Board may revoke a member's certification or recertification at any time for good cause. Revocations may be appealed in the same manner as that for the denial of certification or recertification.

Successful applicants are presented with Certificates designating them as a CHO or CALJ at the annual NAHO conference. (Certificates are mailed after a conference for those not present.)

## Fees

### Certification

- \$50 for NAHO member attending NAHO conference in last three years
- \$90 for NAHO member not attending NAHO conference in last three years

### Recertification

- \$40 for NAHO member attending NAHO conference in last three years
- \$100 for NAHO member not attending NAHO conference in last three years

## Applications Online

[Certification Application \(Word0119\)](#)

[Certification Application \(PDF0119\)](#)

[Recertification Application \(Word0119\)](#)

[Recertification Application \(PDF0119\)](#)