Statement of Agency Organization and Operation

General Description and Functions of the Division of Administrative Hearings.

The Division of Administrative Hearings (the Division or DOAH) operates two distinct programs: the adjudication of administrative disputes by Administrative Law Judges (ALJs) and the adjudication of workers' compensation disputes by Judges of Compensation Claims (JCCs). The Division provides independent ALJs to conduct hearings pursuant to sections 120.569 and 120.57(1), Florida Statutes, and other laws, and under contract with governmental entities. The Division also, pursuant to chapter 440, Florida Statutes, provides JCCs in 17 offices throughout the state. The ALJs and JCCs are not subject to control, supervision, or direction by any party or any department or commission of state government. The Division is established within the Department of Management Services for provision of support services only.

Organization of the Division of Administrative Hearings.

The Administration Commission (Governor and Cabinet) appoints the Director of the Division, subject to confirmation by the Senate. The Director, Robert S. Cohen, is the head of the Division and also serves as the Chief Judge. The Director appoints the Deputy Chief Administrative Law Judge, the ALJs, and the Clerk of the Division. The Deputy Chief Judge for Compensation Claims, who reports to the Director, and all JCCs are nominated by a judicial nominating commission and appointed by the Governor.

General Description of the Functions of the Office of the Clerk.

The Office of the Clerk receives, dockets, and maintains all pleadings and other legal documents filed with the Division in cases heard by ALJs; assembles, certifies, and transmits records on appeal to appellate courts for review of cases in which final orders are entered by an ALJ; responds to requests for information or copies of documents relating to cases filed with the Division and resolved by ALJs; and bills and collects monies for records on appeal and reproduced documents. Claudia Lladó is the Clerk of the Division.

The Office of the Judges of Compensation Claims (OJCC) performs similar functions to the extent that pleadings framing the disputes to be heard by JCCs and orders entered by JCCs resolving those disputes are filed with the OJCC. However, other documents are filed with the JCC before whom a case is pending and that JCC's office is responsible for maintaining dockets, preparing records on appeal, and billing and collecting monies for records on appeal and reproducing documents.
General Information.

The Division's headquarters is located in The DeSoto Building, 1230 Apalachee Parkway, Tallahassee, Florida 32399-3060. Business hours are 8:00 a.m. to 5:00 p.m., Monday through Friday, except for legal holidays. The Division's telephone number for the ALJ program is (850) 488-9675. The telephone number for the OJCC in Tallahassee for the JCC program is (850) 487-1911. The locations and contact information for all other JCC locations are available at www.jcc.state.fl.us.

Statutory Provisions and Rules.

The following statutory chapter and rule chapter directly affect and govern proceedings before an ALJ: chapter 120, Florida Statutes, and Florida Administrative Code Chapter 28-106, Parts I and II. The following statutory chapter and rule chapter directly affect and govern proceedings before a JCC: chapter 440, Florida Statutes, and Florida Administrative Code Chapter 60Q-6.

Inspecting and Copying Division Files.

Pursuant to chapter 119, Florida Statutes, public records not otherwise confidential, may be inspected during normal business hours. Copies will be furnished upon payment as provided in chapter 119, Florida Statutes. Documents in ALJ case files may also be reproduced from the official records docket at DOAH's website: www.doah.state.fl.us. Documents in JCC case files may also be reproduced from the official records docket at the OJCC's website: www.jcc.state.fl.us.

Public Access to Division Proceedings.

Except where restricted by law, all hearings before an ALJ or a JCC are open to the public.

Administrative Law Judge and Judge of Compensation Claims Vacancies.

Public notice is given of available Administrative Law Judge and Judge of Compensation Claims positions in accordance with law. Additional notice to professional organizations and publications is given to the extent practicable. Candidates for ALJ positions are considered for employment by the Director on the basis of the criteria set out in section 120.65, Florida Statutes, and on the basis of their overall qualifications, including academic achievement, past experience, legal writing ability, and personal qualities. JCC positions are filled in accordance with section 440.45, Florida Statutes.
Registered E-Filing in ALJ cases.

Effective July 1, 2011, electronic filing became mandatory pursuant to chapter 2011-208, section 7, Laws of Florida. Members of The Florida Bar (attorneys), and qualified representatives, may register for electronic filing on DOAH's website under the "eALJ" link. Self-represented parties, if possible, may register and file by electronic means through the eALJ link. Pleadings filed in this manner will substitute for paper and are sufficient for all record purposes. The filing date for a document filed in this manner is the date the Clerk receives the complete document. As with any other document filed at DOAH, any document received after 5:00 p.m. EST will be deemed filed as of 8:00 a.m., the next business day. Pleadings tendered in this manner must be in PDF format and no larger than 25Mb. The party who files any document by electronic transmission shall be responsible for any delay, disruption, interruption of the electronic signals, and readability of the document, and accepts the full risk that the document may not be properly filed as a result. Upon successful transmission the filer will receive an e-Filing Confirmation with the filing date and time. The filing attorney, qualified representative, or self-represented party, shall be responsible for serving copies of the filed document on all other parties. The date on which a document was filed may also be verified by viewing the docket for that case on DOAH's website.

Self-represented Parties Filing in ALJ cases.

Self-represented parties who are not able to file electronically may file pleadings for cases within the ALJ program by facsimile transmission in lieu of filing the original. Pleadings filed in this manner will substitute for paper documents and are sufficient for all record purposes. The ALJ fax filing number is (850) 921-6847. A self-represented party who files a document by facsimile transmission represents that the original, signed document will be retained by that party for the duration of the proceeding and of any subsequent appeal or subsequent proceedings in that case and will be produced upon the request of other parties. A self-represented party who files a document by facsimile transmission is responsible for any delay, disruption, or interruption of the electronic signals and accepts the risk that the document may not be properly filed with the Clerk as a result. The filing date for a document filed by facsimile transmission is the date the Clerk receives the complete document. As with any other document filed at the Division, any document received by facsimile transmission after 5:00 p.m. EST will be deemed filed as of 8:00 a.m. the next business day. The date on which a document was filed may be verified by viewing the docket for that case on DOAH's website.
E-Filing of New Cases by Agency Clerk/General Counsel in ALJ Cases.

Effective July 1, 2011, electronic filing became mandatory pursuant to chapter 2011-208, section 7, Laws of Florida. Agency Clerks may register to submit new cases through electronic filing on DOAH's website under the "eALJ" link. The case file must be accompanied by an agency referral letter, request or petition for administrative hearing or election of rights, and an agency action letter or equivalent. Pleadings filed in this manner will substitute for paper documents and are sufficient for all record purposes. The filing date for a document filed in this manner is the date the Clerk receives the complete document. As with any other document filed at DOAH, any document received after 5:00 p.m. EST will be deemed filed as of 8:00 a.m., the next business day. Pleadings tendered in this manner must be in PDF format and no larger than 25Mb. The Agency Clerk/General Counsel who files a new case by electronic transmission is responsible for any delay, disruption, or interruption of the electronic signals and accepts the risk that the document may not be properly filed as a result. Upon successful transmission the filer will receive an e-Filing Confirmation with the filing date, time, and DOAH Case Number. The filing Agency Clerk/General Counsel is responsible for serving copies of the filed document on all other parties. The date on which a document was filed may also be verified by viewing the docket for that case on DOAH's website.

Registered E-Filing in JCC cases.

Effective July 1, 2011, electronic filing became mandatory pursuant to chapter 2011-208, section 7, Laws of Florida. Members of The Florida Bar and licensed adjusters may register for electronic filing on OJCC's website under the "eJCC" link. Pleadings filed in this manner will substitute for paper documents and are sufficient for all record purposes. The filing date for a document filed in this manner is the date the OJCC receives the complete document. As with any other document filed in JCC cases, any document received after 5:00 p.m. will be deemed filed as of 8:00 a.m., the next business day. Any attorney, party, or other person who files any document by electronic transmission shall be responsible for any delay, disruption, interruption of the electronic signals, and readability of the document, and accepts the full risk that the document may not be properly filed as a result. The filing attorney is responsible for serving copies of the filed document on all other parties. The date on which a document was filed may be verified by viewing the docket for that case on OJCC's website.