



Administrative Tribunals vs Courts

Is There A Clear Winner?



Introductions

Moderator: **Orlando Acosta**, Texas Office of the Attorney General

Speakers: **Renee Banks**, Oklahoma Human Services

Adam Norman, Indiana Department of Child Services

April Armstrong, Montana Department of Public Health
and Human Services



OKLAHOMA: Hybrid



Oklahoma

- Operates under both an office of administrative hearings and district court
- Administrative hearings have evolved to a virtual courtroom using Microsoft Teams—video preferred, but we have the capability for participants to appear using any type of telephone as well
- Appeals are to the district court
- Attorneys represent the state at all hearings
- District courts across the state mostly in person, but since resuming hearings in the pandemic, some districts continue to offer the option for attorneys and parties to appear virtually
- Most CSS offices use a combination of admin and district court, but have the flexibility to use the most effective method for their location



INDIANA: Hybrid



INDIANA

- Centrally Administered
- Locally Implemented
- 91 Elected Prosecuting Attorney Offices
- 92 Elected Clerk Offices
- Paternity Establishment: Judicial and Administrative
- Order Establishment/Modification: Judicial Only
- Enforcement: Judicial and Administrative (Central and Local)



INDIANA

- Total Number of Cases: 384,250
 - NIVD: 163,818
 - IV-D: 220,432
- Total Distributions: \$789,251,727
 - NIVD: \$263,504,294
 - IV-D: \$525,747,433
- Total IV-D Participants: 1,191,800
 - Children on IV-D Cases: 303,953
 - Average Age of Children: 16 years



MONTANA: Administrative



MONTANA

- Administrative hearings by telephone or ZOOM – no video.
- In-person hearing only available after a telephone or ZOOM hearing.
- Appeals to District Court limited to record.
- Program attorneys are not routinely present.
- Caseworkers provide testimony.



Discussion / Q&A

Oklahoma (Hybrid)

Indiana (Hybrid)

Montana (Administrative)