



## **Request for Proposals—July 15, 2022 Online Processes in Agency Adjudication**

The Administrative Conference of the United States (ACUS) is accepting proposals from individuals interested in serving as a consultant to produce a report on online processes by which participants in federal agency adjudications, including private parties and their representatives, can file forms, evidence, and briefs; view case materials and status information; receive notices and orders; and perform other common tasks required for participation in adjudication.

### **Project Description and Consultant Responsibilities**

In Recommendation 2018-3, *Electronic Case Management in Federal Administrative Adjudication*, ACUS recommended that agencies consider whether they should design electronic case management systems to provide “web access . . . that allows parties the flexibility to file a claim, complaint, or petition; submit documents; and obtain case information at any time.”

Since then, many agencies have developed or enhanced online processes that members of the public can use to perform common adjudicative tasks, particularly in response to office closures during the COVID-19 pandemic. A number of recent federal laws and executive-branch policies also encourage or direct agencies to provide options for members of the public to transact with them electronically.

This project will recommend best practices for developing online processes by which private parties, representatives, and other participants in agency adjudications can perform common adjudicative tasks such as those listed above. In doing so, it will address relevant legal and policy developments since Recommendation 2018-3 was adopted, including the 21st Century Integrated Digital Experience Act and Executive Order 14058, *Transforming Federal Customer Experience and Service Delivery To Rebuild Trust in Government*. It will also analyze practices used for a range of adjudication programs, including programs that now offer robust customer service portals that non-agency participants can use to participate in adjudications, programs at which electronic case management systems are not publicly accessible, and programs that do not have electronic case management systems.

The draft report will be completed by February 2023, and the consultant(s) will thereafter be expected to work with Conference staff and committees as the Conference develops recommendations from the report in time for the Conference’s June 2023 plenary session. The Conference may select a single consultant or assemble a team of consultants depending on the proposals it receives. Consultants will receive between \$8,000 and \$25,000, plus a budget for related expenses, depending on the number of consultants and allocation of responsibilities. The

total value of consulting fees for this project will not exceed \$25,000, to be apportioned in accordance with the number of consultants and division of responsibilities.

**Submitting a Proposal and Evaluation Criteria**

If you are interested in serving as a consultant for the report, send an email to Matthew Gluth (mgluth@acus.gov) with the phrase “ACUS Project Proposal” in the subject line. Attach your curriculum vitae to the email, along with a short (ideally no more than one page) statement identifying what you see as the primary issues that the report should address. **All responsible sources must submit a proposal by 5:00 p.m. Eastern Time on August 5, 2022, in order to be guaranteed consideration by the agency.**

Proposals will be evaluated based on quality, clarity, and the proposer’s qualifications. The Conference has a strong preference for consultants who have previously authored scholarly work on the intersection of law, especially administrative adjudication, and technology.