



ADMINISTRATIVE CONFERENCE OF THE UNITED STATES

Request for Proposals—January 20, 2023 Improving Timeliness in Agency Adjudication

The Administrative Conference of the United States (ACUS) is accepting proposals from individuals or groups interested in serving as a consultant(s) to produce a report on issues related to timeliness in agency adjudication.

Project Description and Consultant Responsibilities

Federal agencies adjudicate millions of cases each year, including applications for benefits and services, applications for licenses and permits, and enforcement actions against persons suspected of violating the law. Although agencies strive to decide cases in a timely and efficient manner, circumstances sometimes lead to mounting caseloads, resulting in backlogs and delays.

Over the years, different agencies have devised many solutions to backlogs and delays and ACUS has considered some potential strategies to promote timeliness in adjudication.¹ However, ACUS has not comprehensively surveyed all strategies that agencies and Congress have employed or might employ to improve timeliness in administrative adjudication. Nor has ACUS addressed how agencies and Congress should choose among available options to manage backlogs and delays when they arise.

This project will survey strategies—including procedural, technological, personnel, or other reforms—that agencies have used or might use to address backlogs or delays in administrative adjudication. Based on this survey, it will identify best practices to help agencies devise plans to promote timeliness in administrative adjudication, in accord with principles of fairness, accuracy, and efficiency. The project will also consider potential congressional reforms, if warranted.

The draft report will be completed by August 15, 2023, and the consultant(s) will then be expected to work with ACUS staff and committees as ACUS develops recommendations from the report in time for ACUS's December 2023 plenary session. ACUS 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

¹ *E.g.*, Admin. Conf. of the U.S., Recommendation 2021-10, *Quality Assurance Systems in Agency Adjudication*, 87 Fed. Reg. 1722 (Jan. 12, 2022); Admin. Conf. of the U.S. Recommendation 2018-3, *Electronic Case Management in Federal Administrative Adjudication*, 83 Fed. Reg. 30,686 (June 29, 2018); Admin. Conf. of the U.S. Recommendation 2016-2, *Aggregation of Similar Claims in Agency Adjudication*, 81 Fed. Reg. 40,260 (June 21, 2016); Admin. Conf. of the U.S. Recommendation 86-7, *Case Management as a Tool for Improving Agency Adjudication*, 51 Fed. Reg. 46,989 (Dec. 30, 1986); Admin. Conf. of the U.S. Recommendation 78-3, *Time Limits on Agency Actions*, 43 Fed. Reg. 27,509 (June 26, 1978).

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 Jennifer Selin (jselin@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 two pages) statement identifying what you see as the primary issues that the report should address. **Proposals must be submitted by 5:00 p.m. Eastern Time on February 10, 2023, in order to be guaranteed consideration by the agency.**

Proposals will be evaluated based on quality, clarity, and the proposer’s qualifications. ACUS has a strong preference for consultants who have previously authored scholarly work on administrative adjudication.