



# My Experience as an Administrative Law Judge

BY KARA R. CAYCE

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*This series explores what it means to be a judge or justice at various levels of the state court system. Authors share their personal journey to the bench and help others navigate their way to a judgeship.*

**T**his article discusses my journey to becoming an administrative law judge (ALJ), the application process, what the position entails, the Office of Administrative Courts (OAC), and the importance of diversity and bringing your unique perspective to the bench.

## **My Road to Becoming an Administrative Law Judge**

A keen awareness of differences, their meanings, and their outcomes instilled a sense of fairness and justice that has informed my legal career and led to my current role as an ALJ. A native

of Denver, I was raised in what was, at the time, one of the more diverse neighborhoods in the city, Park Hill. At a young age, I was fortunate to interact with people of varying backgrounds, religions, ethnicities, and socioeconomic statuses. As one of few African American students at an affluent local private school, I quickly came to value the importance of diversity and to identify the benefits of different backgrounds and perspectives.

When the time came, I sought a more culturally diverse high school experience and chose to attend East High School, which comprised more than 50% students of color of all

backgrounds. I was excited at the prospect of learning beside students with whom I shared some cultural connection. Having received an excellent educational foundation at my previous school, I automatically placed into accelerated and advanced placement courses. While the school hallways reflected a student population that was anything but homogenous, in my classes I remained one of a handful of students of color. As the advanced classes were often considered stepping stones to college, I wondered if the disproportionate numbers signaled a greater issue.

In an effort to address the disparity, I became involved in a youth organization empowering students to make changes in their schools and communities. My fellow youth organizers and I developed and conducted a study in which we surveyed students regarding their experiences with accelerated and advanced placement classes. We discovered that qualified students of color were often not provided adequate information regarding such classes or, at times, were even discouraged from taking the classes. Through a nationally recognized report, we brought attention to the issues of racial tracking and equal access to educational opportunities.

As a result of this experience, I traveled the country participating in various youth organizing efforts and became, at the time, the

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youngest recipient of the Colorado Civil Rights Commission's Martin Luther King, Jr. Humanitarian Award. More than any accolade, I valued the opportunity to facilitate change in the pursuit of equity for others. The work was important to me as a matter of fairness.

I went on to study psychology and sociology at Temple University in Philadelphia, serving as a research assistant on a national research study on child development. Upon graduating, I returned to Denver and worked as a community organizer for a national women's organization. I worked on various legislative and community initiatives aimed at promoting economic justice and improving working conditions for women.

I then attended law school at Georgetown University Law Center, where I continued to seek diversity in my experiences in the nation's capital and abroad. I spent one semester at the school's Transnational Legal Studies Program in London, learning with, and from, law students from around the world. The varying legal perspectives helped in pushing my own boundaries of critical thinking and legal analysis.

During law school, I interned at the Denver office of an international law firm and discovered

a burgeoning interest in transactional law. I ultimately worked as a corporate and securities associate at the same firm, providing legal counsel to clients on a variety of matters involving public, private, and nonprofit corporations, and other business entities. Working at the law firm provided the opportunity to analyze a wide array of diverse and complex legal issues and to hone my legal research and writing skills, all of which are necessary components in my role as an ALJ. While the work was challenging and fulfilling in its own way, I ultimately wanted a different sense of fulfillment—one that reconnected me with my interest in public service.

I eventually returned to work in the public sector as a hearing officer at the Colorado Department of Labor and Employment. I became interested in the position because it was a transition from advocate to adjudicator. It also provided the opportunity to learn a new area

of law and work with the public. As a hearing officer, I presided over appellate unemployment compensation insurance hearings and was responsible for developing a clear and concise record by identifying relevant legal issues and facts, questioning parties, and ruling on objections and motions. I evaluated evidence and issued written orders. The hearing officer role was my introduction to working in administrative law and provided the opportunity to not only hone my legal skills, but to also practice effective and respectful engagement with hearing participants, most of whom appeared pro se. Claimants and employers from various backgrounds appeared before me, and I was responsible for ensuring the parties received fair and impartial hearings. My experience as a hearing officer laid the foundation to pursue my current role as an ALJ in the workers' compensation unit of the OAC.

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**The Application and Interview Process**

The process of becoming an ALJ differs on the federal and state levels and by state agency. Applying for an ALJ position with Colorado's OAC entails three phases. First, you must submit an online application detailing your educational background and work history, and you must provide your law school transcripts and professional references. Applicants must have at least five years of experience practicing law and two years of experience in administrative law. If chosen for the next phase of the process, you then participate in an oral examination before a panel of ALJs where you are asked to address a series of hypothetical judicial scenarios. You also complete a short written examination. The third phase involves a panel interview conducted by multiple ALJs, including the chief ALJ. The process is designed to not only determine an applicant's legal knowledge, but also to assess

whether an applicant has the appropriate demeanor for the bench.

**Life as an ALJ at the Office of Administrative Courts**

The OAC is an independent centralized administrative court system within the State of Colorado's executive branch. ALJs at the OAC preside over a variety of administrative law matters, which fall under workers' compensation and general services. ALJs in the general services unit adjudicate all non-workers' compensation matters, including, among other things, public assistance, professional licensure, special education, and campaign disclosures. Many judges are trained in alternative dispute resolution and mediate various disputes in the realm of general services.

The workers' compensation unit of the OAC employs 12 judges in offices in Denver,

Colorado Springs, and Grand Junction. Workers' compensation ALJs have statewide jurisdiction and conduct hearings in various locations throughout Colorado. OAC ALJs preside over formal hearings, which are held pursuant to the Colorado Workers' Compensation Act, Division of Workers' Compensation Rules of Procedure, and OAC Rules of Procedure. ALJs are also present at various stages of the workers' compensation system in Colorado. Prehearing ALJs at the Division of Workers' Compensation conduct prehearing conferences on procedural issues, discovery matters, and evidentiary disputes, as well as hold settlement conferences and arbitrations. The Industrial Claim Appeals Panel consists of a panel of ALJs who consider appeals of workers' compensation orders issued by OAC judges.

As an ALJ in the workers' compensation unit, I conduct multiple hearings each week on various issues, including compensability, medical benefits, temporary disability benefits, permanent disability benefits, employee/independent contractor issues, disfigurements, and penalties. The rules of evidence apply, as do the rules of civil procedure to the extent they are not inconsistent with the OAC Rules of Procedure or the provisions of the Workers' Compensation Act. Claimants and employers come from various circumstances. By the time they appear in my courtroom, parties are involved in sometimes heated disputes regarding sensitive monetary and medical issues. An understanding of the complexities of the law and of human nature is essential in holding an effective hearing and coming to an appropriate resolution of the matter. The majority of parties in workers' compensation cases are represented by legal counsel; however, if a claimant appears pro se, it is incumbent on me to clearly explain the process and expectations. When not on the bench, I am ruling on written motions, carefully evaluating evidence, and issuing written orders.

In addition to the tangible analytical, reasoning, and writing skills necessary for the position, being an ALJ requires integrity, impartiality, patience, and diplomacy. A good judicial demeanor is imperative in creating an atmosphere of mutual respect. ALJs are responsible for maintaining decorum and

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ensuring that parties receive fair and impartial hearings. It requires a sincere commitment to deciding the correct outcome of cases to the best of your ability, and honoring your role as a public servant. As an ALJ, you are in a constant process of learning and growing in your knowledge of the law and your interactions with the public.


Many OAC ALJs serve for several years, enjoying the complexity of issues and unique judicial opportunity within the executive branch, while others pursue opportunities as federal ALJs and district court judges.

### Beyond the Bench

My role as a public servant extends beyond the courtroom. I volunteer with different youth programs, teaching GED courses, constitutional rights, and life skills. In a field where women and people of color have been historically underrepresented, it is important to me to both

represent a possibility and facilitate opportunities for individuals from underrepresented communities.

### Conclusion

Principles of diversity and equity have guided my life and informed my perspective, leading to my current role as an independent and impartial arbiter of fact. Many are familiar with the adage, "It's not what you know, but who you know." I would argue it is not only what you know and who you know, but who you are. Your unique experience informs your perspective and contribution as a judge. Whatever path leads to the bench, the basic principles of integrity, impartiality, discernment, and compassion remain the final destination. Diversity of background, thought, and experience only serve to better the legal system and, by extension, the community. 



**Kara R. Cayce** is an administrative law judge in the Workers' Compensation Unit of the Office of Administrative Courts. She previously worked as a hearing officer in the Unemployment Insurance Division of the Colorado Department of Labor and Employment and as a corporate and securities attorney. Judge Cayce is a member of the CBA and the Sam Cary Bar Association. She obtained her BA from Temple University and her JD from Georgetown University Law Center.

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### NOTES

1. Open OAC ALJ positions are posted on [www.governmentjobs.com](http://www.governmentjobs.com).
2. For more information about the OAC, visit [www.colorado.gov/oac](http://www.colorado.gov/oac).

## COLORADO LAWYER ASSISTANCE PROGRAM



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