

Faculti Summary

<https://faculti.net/the-last-frontier-fair-procedures-in-informal-administrative-adjudication/>

This video is a transcription of a discussion regarding informal adjudication, focusing on its role within administrative law, specifically in the context of disputes involving government agencies. The conversation highlights that while formal trials are often emphasized, much of administrative adjudication occurs informally through means such as negotiations, presentations of data, and mediations.

The speaker notes that the field is vast and varied, leading to challenges in studying informal adjudication due to the lack of commonality across different governmental schemes. They emphasize the importance of recognizing this informal sector to critically examine the fairness and efficiency of the procedures used.

A consultancy project conducted for the Administrative Conference of the United States led to recommendations for improving informal adjudication practices. Key suggestions include ensuring proper notice to parties involved, providing opportunities for representation, minimizing conflicts of interest among decision-makers, and establishing a review process for decisions. Access to an ombudsman was also recommended to address issues informally without formal legal proceedings.

The discussion concludes with calls for administrative agencies to recognize the significance of their informal adjudication practices and to strive for improvements in fairness and efficiency, as these processes greatly impact many people's perceptions of justice in their dealings with the government.