
ACTIVE ADJUDICATION

Active adjudication is a proactive approach to decision-making in which adjudicators take an active role in managing proceedings to ensure they are focused, fair, efficient and cost-effective. Adjudicators manage the process, clarify key issues and streamline participation, while maintaining procedural fairness and transparency.

EXAMPLES OF APPROACHES TO ACTIVE ADJUDICATION



Designing and managing the hearing process to maximize efficiency, predictability, and timeliness



Defining the scope of the hearing process (e.g., use of Issues Lists)



Consulting parties on necessary procedural steps (e.g., use of Pre-Hearing Conference)



Assessing and determining intervenor participation and evidentiary submissions



Focusing the proceeding on matters under consideration and directing parties accordingly



Directing parties with similar or narrow interests to collaborate when appropriate



Considering - and in some cases limiting - the number of interrogatories per intervenor



Establishing a framework conducive to parties reaching an agreement (e.g., Practice Direction on Settlement Conferences)