



AALJ Endorses Bipartisan Bill that Would Restore Merit-Based Administrative Law Judge Appointments

WASHINGTON — The [Association of Administrative Law Judges \(AALJ\)](#), the professional association representing over 1,400 Social Security administrative law judges (ALJs), fully backs the [Administrative Law Judge Competitive Service Restoration Act](#), introduced by Rep. Elijah E. Cummings (D-Md.), the chair of the U.S. House Committee on Oversight and Reform.

The bill, upon becoming law, would override [executive order 13843](#), which last year ended the longtime practice of appointment of administrative law judges (ALJs) based entirely on merit and ability, after undergoing an extensive vetting process that included a written examination, peer references and panel interview. The executive order now states that ALJs only need to be a lawyer.

In fact, the Social Security Administration’s own website still [says](#) ALJs are supposed to be “independent impartial triers of fact in formal proceedings requiring a decision on the record after the opportunity for a hearing.”

The bipartisan bill co-sponsors are: Rep. Brian Fitzpatrick (R-Penn.); Rep. Richard Neal (D-Mass.); Rep. Rodney Davis (R-Ill.); Rep. Gerry Connolly (D-Va.); Rep. Danny K. Davis (D-Ill.); Rep. Bobby Scott (D-Va.); Rep. John Larson (D-Conn.); Rep. Tom Cole (R-Okla.); and Rep. Chris Smith (R-N.J.).

In a recent AALJ member survey, 90 percent either strongly disagree or disagree with the executive order that allowed the administration to directly appoint ALJs. Furthermore, one out of two members say judicial independence is the top issue they face.

“Administrative law judges are very proud to serve the American public and take the responsibility of ensuring their due process rights seriously. We believe the public deserves a well-qualified, impartial administrative judiciary removed from political pressure,” says Judge Melissa McIntosh, president, AALJ. “We are grateful to Chair Cummings and the other sponsors of the bill for their work. Decisions made about whether someone is eligible or not for a disability claim must be free of partisanship.”

More than two-thirds of Social Security Administration bargaining unit judges are active members of AALJ.

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