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**GOVERNMENT CODE - GOV**

**TITLE 2. GOVERNMENT OF THE STATE OF CALIFORNIA [8000 - 22980]** ( Title 2 enacted by Stats. 1943, Ch. 134. )

**DIVISION 3. EXECUTIVE DEPARTMENT [11000 - 15990.3]** ( Division 3 added by Stats. 1945, Ch. 111. )

**PART 1. STATE DEPARTMENTS AND AGENCIES [11000 - 11898]** ( Part 1 added by Stats. 1945, Ch. 111. )

**CHAPTER 4. Office of Administrative Hearings [11370 - 11380]** ( Heading of Chapter 4 amended by Stats. 1971, Ch. 1303. )

**ARTICLE 1. General Provisions [11370 - 11370.5]** ( Article 1 heading added by Stats. 1995, Ch. 938, Sec. 16. )

[11370.](#) Chapter 3.5 (commencing with Section 11340), Chapter 4 (commencing with Section 11370), Chapter 4.5 (commencing with Section 11400), and Chapter 5 (commencing with Section 11500) constitute, and may be cited as, the Administrative Procedure Act. (Amended by Stats. 1995, Ch. 938, Sec. 16.5. Effective January 1, 1996. Operative July 1, 1997, by Sec. 98 of Ch. 938.)

[11370.1.](#) As used in the Administrative Procedure Act "director" means the executive officer of the Office of Administrative Hearings. (Amended by Stats. 1971, Ch. 1303.)

[11370.2.](#) (a) There is in the Department of General Services the Office of Administrative Hearings which is under the direction and control of an executive officer who shall be known as the director.

(b) The director shall have the same qualifications as administrative law judges, and shall be appointed by the Governor subject to the confirmation of the Senate.

(c) Any and all references in any law to the Office of Administrative Procedure shall be deemed to be the Office of Administrative Hearings.

(Amended by Stats. 1985, Ch. 324, Sec. 13.)

[11370.3.](#) The director shall appoint and maintain a staff of full-time, and may appoint pro tempore part-time, administrative law judges qualified under Section 11502 which is sufficient to fill the needs of the various state agencies. The director shall also appoint any other technical and clerical personnel as may be required to perform the duties of the office. The director shall assign an administrative law judge for any proceeding arising under Chapter 5 (commencing with Section 11500) and, upon request from any agency, may assign an administrative law judge to conduct other administrative proceedings not arising under that chapter and shall assign hearing reporters as required. Any administrative law judge or other employee so assigned shall be deemed an employee of the office and not of the agency to which he or she is assigned. When not engaged in hearing cases, administrative law judges may be assigned by the director to perform other duties vested in or required of the office, including those provided for in Section 11370.5.

(Amended by Stats. 1995, Ch. 938, Sec. 17. Effective January 1, 1996. Operative July 1, 1997, by Sec. 98 of Ch. 938.)

[11370.4.](#) The total cost to the state of maintaining and operating the Office of Administrative Hearings shall be determined by, and collected by the Department of General Services in advance or upon such other basis as it may determine from the state or other public agencies for which services are provided by the office.

(Amended by Stats. 1971, Ch. 1303.)

[11370.5.](#) (a) The office is authorized and directed to study the subject of administrative adjudication in all its aspects; to submit its suggestions to the various agencies in the interests of fairness, uniformity and the expedition of business; and to report its recommendations to the Governor and Legislature. All departments, agencies, officers, and employees of the state shall give the office ready access to their records and full information and reasonable assistance in any matter of research requiring recourse to

them or to data within their knowledge or control. Nothing in this section authorizes an agency to provide access to records required by statute to be kept confidential.

(b) The office may adopt rules and regulations to carry out the functions and duties of the office under the Administrative Procedure Act. The regulations are subject to Chapter 3.5 (commencing with Section 11340).

*(Amended by Stats. 2002, Ch. 370, Sec. 3. Effective January 1, 2003. Operative July 1, 1997, by Sec. 98 of Ch. 938.)*