



ADMINISTRATIVE CONFERENCE OF THE UNITED STATES

Request for Proposals—August 14, 2024

Collection, Use, and Availability of Agency Adjudicative Data

The Administrative Conference of the United States (ACUS) is accepting proposals from individuals interested in serving as a consultant(s) to produce a report on the issue of agency collection and use of data to improve their adjudication systems, as well as the public availability of such data. The study will support the development of a recommendation for action by federal agencies.

About ACUS

ACUS is an independent federal agency in the executive branch charged with identifying and promoting improvements in the efficiency, adequacy, and fairness of the procedures by which federal agencies conduct administrative processes.

Many of the hundreds of recommendations ACUS has issued since 1968 have resulted in reforms by federal agencies, the President, Congress, and the Judicial Conference of the United States. All are available at acus.gov/recommendations.

Recommendations are issued by the Conference, which consists of a Chair appointed by the President and confirmed by the Senate; ten presidential appointees; 50 senior federal officials designated by the heads of participating agencies; and 40 leading academics, practitioners, and other private-sector experts. Except for the Chair, all members are unpaid.

Recommendations are typically informed by a report prepared by one or more consultants. Consultants also work closely with committees of Conference members and the full Conference membership to develop the recommendations. Previous consultant reports are available at acus.gov/reports.

Project Description

ACUS has long recommended that agencies employ statistical and nonstatistical techniques to evaluate the quality, timeliness, fairness, and efficiency of their adjudications, particularly in recent years given recent developments in electronic case management and other processes. These recommendations have generally focused on the case management processes required to efficiently collect, store, and use adjudication data or identified specific technological tools that agencies can and should use more efficiently and effectively to collect, retain, and use data, particularly for data analytics and artificial intelligence. ACUS is now undertaking a project to

study what adjudication data agencies collect, how they ensure data quality, what they use adjudication data for, and to what extent they make adjudication data publicly available.

The project will address, among other possible topics:

- How agencies identify data elements most essential for improving the quality, timeliness, fairness, and efficiency of their adjudicatory processes;
- How agencies build capacity to identify these data elements, collect data, and analyze collected data effectively;
- Future integration of artificial intelligence and machine learning in data collection and analysis processes;
- How and when agencies should make data they collect publicly available; and
- Data retention and security issues.

The project will consist of a report prepared by a consultant(s) and, it is expected, a recommendation adopted by the Conference. Both the report and recommendation will identify agency best practices for collecting and using adjudication data and, when appropriate, making it publicly available.

Consultant Responsibilities

The consultant(s) will complete a draft report by August 2025. The consultant(s) will work with Conference staff to finalize the draft report, which will be provided to a committee of Conference members and made publicly available on the ACUS website.

During fall 2025, the consultant(s) will work with Conference staff and the committee to develop a proposed recommendation. Committees typically meet two to three times per project; meetings are conducted virtually and typically last about three hours.

The consultant(s) will work with Conference staff to complete a final report by November 2025, which will be provided to the full Conference and made publicly available on the ACUS website. The consultant(s) will also work with Conference staff and the full Conference membership to consider the committee-proposed recommendation at a plenary session of the Conference, likely in December 2025.

The Conference may select a single consultant or assemble a team of consultants depending on the proposals it receives. Consultants will receive between \$8,000 and \$25,000, plus a budget for related expenses, depending on the number of consultants and allocation of responsibilities. The total value of consulting fees for this project will not exceed \$25,000, to be apportioned in accordance with the number of consultants and division of responsibilities.

Submitting a Proposal and Evaluation Criteria

If you are interested in serving as a consultant for the report, send an email to Matthew Gluth (mgluth@acus.gov) with the phrase “ACUS Project Proposal” in the subject line. Attach your curriculum vitae to the email, along with a short statement (ideally no more than two pages) that:

- Addresses your interest in this study,
- Describes specific topics you would be interested in researching,
- Describes the methodologies you might employ to researching these topics, and
- Identifies any relevant scholarship you have published.

All responsible sources must submit a proposal by 5:00 p.m. Eastern Time on September 15, 2024, in order to be guaranteed consideration by the agency.

Proposals will be evaluated based on quality, clarity, and the proposer’s qualifications. The Conference has a strong preference for consultants who have previously authored scholarly work on administrative adjudication, especially organizational, management, or operational aspects of adjudication.