Office of Administrative Hearings (OAH) Procedures Transmittal			Transmittal Number: 08-14
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Distribution:			Page: 1 of 1 plus Attach.
ALB OAH Staff [X]	**UPS ALJs** [X]	**Upstate LDSS** [X]	**Subject:**
	SUP ALJs [X]		Appearances at Upstate Hearings
NYC OAH Staff [ ]	**NYC ALJs** [ ]	**NYC Agencies** [ ]	
	SUP ALJs [ ]		

The attached is forwarded for your use in informing appellants of procedures incident to their attendance at fair hearings. This information should be provided to every appellant appearing for their fair hearing.

Every appellant appearing for a fair hearing must be seen by the Hearing Officer. The determination to default the appellant or to grant an adjournment is solely within the discretion of the Hearing Officer.

Appellants who appear late for their appointed time should be advised that they must remain until such time as the Hearing Officer advises them as to the disposition of their hearing.

Should appellants elect to leave before their case is called, it is incumbent on Agency staff to alert the Hearing Officer of the need to afford such appellants an opportunity to explain any urgent situations. It is solely the judgment of the Hearing Officer as to whether the hearing can be held, whether the situation warrants an adjournment, or whether the disposition will be noted as a default.

If there are any questions with respect to this transmittal, you may contact your supervisor or Susan Fiehl at (518) 473-4779 or via email susan.fiehl@otda.state.ny.us.

Mark Lacivita

Mark Lacivita, Director of Administration
Office of Administrative Hearings