	
Office of Administrative Hearings (OAH)	Transmittal Number: 95-10
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Distribution:	
ALB OAH Staff [X] UPS ALJs/ [] Upstate LDSS [] SUP ALJs []	Subject: Revised NYC ALJ Adjournment Memo
NYC OAH Staff [X] NYC ALJs/ [X] NYC Agencies [] SUP ALJs [X]	

The New York City ALJ Adjournment Memo has been revised to incorporate suggestions for improving its usefulness, as follows:

The ALJ and client identifying section remains the same. For any definite date adjournments, ALJs should continue to refer the file to the reception clerk to complete a DSS-2846. The 2846 is used to update FHIS and the Master Calendar, and a copy is forwarded to the city agency to notify it of the new date. The file is kept on site and is added to the future calendar's files.

If there is a change of aid status, the reason for the change must be noted. If the change is from non-aid to aid-continuing, the ALJ should request that the reception clerk complete an "AC violation new direct" using the DSS-3792. The explanation for the aid change must be noted on this form in order to notify the city agency. The AC violation box should be checked whenever the clerk is asked to complete a redirect form.

The adjournment code, listed on the reverse side, should indicate the reason for the adjournment. This provides a record on FHIS and is used for statistical purposes. The reason for the adjournment should be noted, and if it is due to the wrong agency being listed, the new box for this reason should be checked. The following additional steps may be necessary.

For a new or changed agency, the ALJ must circle the appropriate agency box on the bottom of the ALJ memo form. If an ISC or Food Stamp center is added, the exact center should be indicated, rather than, for example "change to PA", to ensure that the proper center is notified of the rescheduled hearing. If the issue is affected (e.g. changed from PA recert to OES sanction), it may require a change in agency, action, and/or issue codes. The ALJ should specify the action and reason (and any newly obtained notice dates) for amended issues. The assistant supervisors in the Adjournment Unit will then enter all necessary changes on FHIS to generate a corrected 1891 for the file and the agency.

If the appellant or representative has a change of address, this can be noted in the designated area and will be added electronically by Adjournment staff. If the case is heard, the change should be noted on the file.

If the case is adjourned to obtain an interpreter, two codes are needed. The adjournment code 24 indicates only that an interpreter is needed. The language and/or dialect must be noted, then Adjournment staff must enter the language identifying code electronically in order to generate the correct information on the

interpreter list which is faxed to the translation agency. If the adjournment is to a definite date, Adjournment staff must also call the agency to reserve an interpreter.

The bottom portion of the form has been revised to include most city agencies notified by OAH. If there is a change of agency, it is important to circle "ADD" or "CHANGE TO" in terms of who must be notified of the rescheduled hearing. The hearing will be scheduled at the site designated for the agency listed first on the 1891, but up to three agencies may be noted (e.g. NOES/N053). If the ALJ wants to eliminate the agency originally listed, circle CHANGE TO. If another agency should be listed in addition to the current agency, circle ADD. Attached is a list of agency abbreviations currently used by OAH.

On the left are spaces to identify specific Centers which should also be used if the current listing identifies only NIM or NFS. Under this space is a box which identifies all the FHIS changes needed to adjourn a case from the Food Stamp Calendar to a PA calendar. The ALJ must identify the PA center; the other changes will be entered by Adjournment staff. Under this box is the space to note if the hearing should be personalized to a specific ALJ.

On the right is a space to check if a telephone homebound hearing is needed, and space for the telephone number. Adjournment staff will forward these files to Albany for all FHIS updates.

The restriction box is used to reflect when an appellant (or representative) is unable to attend a hearing (eg. has classes Tuesdays and Thursdays, or is in court Friday afternoons). If an X is entered in these time slots, the hearing will not be scheduled at the restricted time.

The "pending box" located on the bottom right corner is used to indicate that an agency has contacted this office claiming that a case is not theirs, but there is not sufficient time to notify the appellant that the case is adjourned. Administrative staff will review these complaints, complete the ALJ memo, have it placed in the file, and the ALJ only needs to note the disposition.

The "Other" agency field should be completed for any agency not listed on the form. Subcategories should be added as appropriate. A list of subcategories currently in use is included for your reference.

Please be advised that the DSS-2846 is no longer completed for most general adjournments, nor are adjournment slips forwarded to most city agencies. They now receive adjournment notification via FHIS or copies of the completed calendar. It is important that any definite date adjournments on the calendar note the new date, time, and ALJ number as this is the scheduling notification for some city agencies.

If you have any questions or comments please contact Vicki Shuster at (212) 417-4334 or e-mail 89a278. Thank you.

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