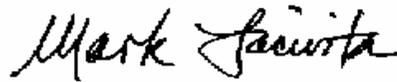


Office of Administrative Hearings (OAH) Procedures Transmittal		Transmittal Number: 05-03
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ALB OAH Staff <input checked="" type="checkbox"/>	UPS ALJs <input checked="" type="checkbox"/>	Upstate LDSS <input checked="" type="checkbox"/>
	SUP ALJs <input checked="" type="checkbox"/>	
NYC OAH Staff <input checked="" type="checkbox"/>	NYC ALJs <input checked="" type="checkbox"/>	NYC Agencies <input checked="" type="checkbox"/>
	SUP ALJs <input checked="" type="checkbox"/>	
		Subject: Reminder to Agencies on Communications with Represented Clients/Appellants

This is a reminder on a topic addressed in OAH Transmittal 98-17 issued on March 31, 1998 (see attached). Once an Upstate district/NYC agency has been notified that a person or organization has been authorized as an appellant's representative, the authorized representative must receive copies of all correspondence directed to the appellant concerning the fair hearing and any related conference. [See 18 NYCRR Section 358-3.9(b)].

For example, when Upstate districts/NYC agencies utilize the resolution process to settle disputes for clients who have pending hearing requests, any written communication to those clients as confirmation of the appellant's proposed withdrawal on the fair hearing issue, where a representative has been authorized, requires that a copy is also sent to such representative. This is in accordance with 18 NYCRR Section 358-4.2(j).

If there are any questions with respect to this transmittal, you may contact your supervisor or Sue Fiehl at (518) 473-4779 or via email 90J029@dfa.state.ny.us.



Mark Lacivita, Director of Administration
Office of Administrative Hearings

Attachment