

Office of Administrative Hearings (OAH) Procedures Transmittal	Transmittal Number: 96-19 Date: June 4, 1996
Distribution:	
ALB OAH Staff <input checked="" type="checkbox"/> UPS ALJs/ [] Upstate LDSS [] SUP ALJs []	Subject: Requests for Documents Pursuant to <u>Rivera v. Bane/Sabol</u>
NYC OAH Staff <input checked="" type="checkbox"/> NYC ALJs/ [] NYC Agencies [] SUP ALJs []	

Pursuant to an order in Rivera v. Bane and Sabol, any request received from an appellant for copies of documents that the local agency intends to present at the fair hearing should be directed to the local agency. This is in accordance with Department Regulations at 18 NYCRR 358-3.7. A form letter has been devised for use in directing correspondents to contact the local agency.

At the time that this form letter is used, a notation should be included on the Comment screen (PFHREQ3) to indicate the following: "Document form letter mailed to client (representative)," and the date and initials of the Correspondence Intake staff member who handles it. There is no need for a copy of the letter to be placed in the file once the Comment screen is noted.

Telephone intake staff should verbally advise appellants of the necessity to obtain documents directly from the local agency. If you have any questions, please call Susan Fiehl at 518-473-4779 or via e-mail 90j029.

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Mark Lacivita, Director of Administration
Office of Administrative Hearings