

<p align="center"><b>Office of Administrative Hearings (OAH) Procedures Transmittal</b></p> <p><b>Distribution:</b></p> <p>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"/></p> <p>NYC OAH Staff <input type="checkbox"/>    NYC ALJs <input type="checkbox"/>    NYC Agencies <input type="checkbox"/>  SUP ALJs <input type="checkbox"/></p>	<p><b>Transmittal Number:</b> 08-14</p>
	<p><b>Date:</b> October 1, 2008  <b>Page:</b> 1 of 1 plus Attach.</p>
	<p><b>Subject:</b>  Appearances at Upstate Hearings</p>

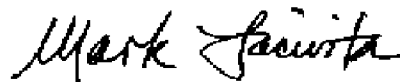
The attached is forwarded for your use in informing appellants of procedures incident to their attendance at fair hearings. This information should be provided to every appellant appearing for their fair hearing.

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](mailto:susan.fiehl@otda.state.ny.us).




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Mark Lacivita, Director of Administration  
Office of Administrative Hearings