



## **Frequently Asked Questions**

### **Hearings Before an Administrative Law Judge**

**1. Can I have an attorney represent me?**

Yes. You have the right to be represented by an attorney, at your expense.

**2. Can the bureau provide me with an attorney?**

No. The Bureau is not authorized to do so.

**3. Is cross-examination of witnesses allowed in a hearing?**

Yes. You will have the opportunity to cross-examine witnesses testifying against you. You may also present evidence in support of your contentions.

**4. When will my hearing be scheduled?**

A hearing for your appeal will be scheduled by the Office of Administrative Hearings (OAH) on a first-come, first-served basis. The average wait time is about six months. OAH will send you a Notice of Hearing document. The notice will contain details about the hearing as well as the address and telephone number for OAH.

**5. What if I cannot attend the hearing on the scheduled hearing date?**

If you fail to attend the hearing, most likely you would lose your case based on your failure to appear. That would result in a "default judgment."

If you feel that you will be unable to attend your hearing as it is scheduled, you should immediately contact OAH and request a change of hearing date. Your request must be in writing and must explain the facts and reasons that support the request. Usually, you must show good cause to change a hearing date. The sooner you make your request, the better chance you will have of having the date changed. Contact OAH for more details.

**6. Can I request that the hearing be conducted in my native language?**

The hearings are conducted in English only. If an interpreter is needed, you should notify the Office of Administrative Hearings.