

## HEARING TIPS

### MAKE THE HEARING REQUEST SIMPLE

- Just say "I disagree with ..." and list the action the county is taking. Example: "with the overpayment," or "with the grant cut."
- Keep your original notice — send a copy.
- Unless you want your aid to stop, *don't* check the box that says, "To Have Your Benefits Cut Now."

### GET AID PENDING YOUR HEARING

If you ask for a hearing *before* the action takes effect, your aid will stay the same until you get your hearing decision. (You should get the full aid amount within 5 working days of when the county gets your hearing request.)

### ASK QUESTIONS, GET THE RULES

Have the county show you the rules or documents they say supports their position. Make sure you understand any settlement papers. You can ask for different wording of a settlement (Conditional Withdrawal), if you think the county hasn't explained their action well.

### DON'T SIGN A "WITHDRAWAL

A withdrawal or dismissal of your hearing request means that you will not have a hearing. It is not a settlement. *Get legal advice before you do this.*

### MISSED YOUR HEARING?

You **must** call 800-743-8525 *within 10 days of the hearing* and tell them why you had a good reason for missing the hearing.

### PROBLEMS?

Call Legal Services:

## EMERGENCY HEARINGS

If you need a hearing held faster because of an emergency, you can ask for an "expedited hearing."

- Normally it takes 4-6 weeks to get a hearing; expedited hearings are held in 10 business days.
- You can get an expedited hearing for a denial of Expedited Food Stamps, CalWORKs Immediate Need or Homeless Assistance, and any other urgent matter. (If you are getting aid until your hearing decision, it is not an urgent matter.)
- You may need to have the hearing done by phone. You can have an in-person hearing on the regular schedule.
- You get your hearing decision within **5 business days**.
- Call 1-800-952-5253 and tell the operator you need an "expedited"

## GOOD CAUSE/LATE FILING

For **state** hearings, you may be allowed to have a hearing, although you asked for it more than 90 days after the notice. You must have "good cause." Good cause is a reason that is means a really important and convincing reason. It needs to be beyond the your control. The state will look at the length of the delay, the efforts you made to ask for your hearing on time.

## State Hearings

Making Them Work for You

# Representing Yourself at Hearing

## Tips to Succeed



Prepared by  
Legal Services of Northern California  
[www.lsnrc.net](http://www.lsnrc.net)

# STATE FAIR HEARINGS

## YOUR RIGHTS

You have the right to:

- A written Notice of Action *before* the county changes your benefits in a way.
- Ask for a hearing **anytime** you think there is something wrong with your case, *even if you didn't get a notice*. This includes Welfare-to-work.

## HOW TO GET A STATE HEARING

- Fill out the back of *any* notice of action. Say, briefly, why you want a hearing. Example: "I think my Food Stamps are wrong."

List every program you are having problems with, and the issues you want to talk about at the hearing.

- You can call toll-free, (800)952-5253. (Don't delay — ask in writing if you can't get through.)
- You can fax your request to (916) 651-5210.

## ASK ON TIME!

- You only get to have a hearing if you ask on time. The notice will say how much time you have.
- For **state** fair hearings, there is a **limited** "good cause" reason to file late. Ask for your hearing, and seek legal advice about your late filing.



Time to ask for **General Assistance** and hearings about **Child Care** issues may be much shorter!

## CONTACT THE COUNTY APPEALS OFFICER

The Appeals officer can:

- Tell you the county's position.
- See if the county can settle with you.
- Arrange for you to see your file.
- Get you the county's written statement of its position 2 days before the hearing.



The Appeals officer works for the County, not you. They may not think of all your arguments.

## REVIEW YOUR FILE

Look in your case file for the paperwork on your specific problem. The Appeals Officer can show you how the file is organized. Ask for print outs of what you want copied.

Is the document missing? This may help you, if your argument is that you didn't get a Notice or written instructions.

## SETTLEMENT ISSUES

- **Conditional Withdrawals**  
This is when the county agrees to take an action to fix your case. In exchange, you agree to give up your hearing.
- **Should I Settle?**  
If the county is giving you what you want, yes. If you're not sure if it's fair, see if a Legal Advocate can review the settlement terms. Not sure? Continue with your hearing.



- **Should I withdraw?**

A *Withdrawal* is when the county wants you to drop your hearing, without them doing anything for you. Even if the Appeals Officer doesn't agree with you, you have a right to have a judge decide your case. The Appeals Officer could be wrong. If you withdraw your hearing, you may lose your right to bring up the issue again.

## POSTPONEMENTS

You can get a postponement if:

- The county's position statement is not ready 2 business days before your hearing.
- For a good reason, such as if you are sick or your witness won't be able to come that date.

To postpone, call 800-743-8525. They will need your Hearing Number, listed on the letters from the state.

## PREPARE YOUR STATEMENT

- Write a short summary of what you want to say.
- List the evidence you want to turn in. (And bring the documents to your hearing!)
- Arrange for witnesses to come to the hearing, or to sign a statement.
- **PRACTICE!** Go over what you want to say.

