

**BEFORE THE OKLAHOMA STATE DEPARTMENT OF HEALTH
STATE OF OKLAHOMA**

**STANDING ORDER NO. 1
VIDEO-TELECONFERENCE HEARING**

**Explanation and Procedure
(Please read carefully)**

THE ADMINISTRATIVE HEARING OFFICE OF THE OKLAHOMA STATE DEPARTMENT OF HEALTH WILL CONDUCT YOUR HEARING BY REMOTE VIDEO-TELECONFERENCE. YOU SHOULD READ THE FOLLOWING ORDER CAREFULLY.

Administrative Law Hearings may be held using video-teleconference technology. This enables the Court to conduct proceedings without the requirement that all parties be at the same location. The opposing party and/or witnesses may appear at a location closer to where you/they live and the court personnel may be at another location.

The proceedings are similar to those conducted when all parties are in the same room. Everyone sits in front of a television monitor and can see the parties at the other location. The television cameras are located so that eye contact appears natural. Sound volume and camera angles can be adjusted so everyone sees and hears comfortably.

The opposing party and/or witnesses should arrive at the designated video-teleconference venue at least **20 minutes** prior to the time of hearing. At the commencement of a video-teleconference the presiding judge/court clerk/video co-ordinator will check that the link has been established. The judge will confirm that the witness/person at the remote point can be seen and heard clearly and similarly that the witness at the remote point can clearly see and hear the judicial officer. The Presiding Judge will decide and explain the procedure for the video-teleconference prior to testimony being taken.

There may be other hearings at other locations scheduled on the same docket as this case. **All parties are to remain at the video-teleconferenc location until their case is called and their hearing has been conducted.** The Court may dismiss witnesses prior to conclusion of the hearing. At the beginning of the docket, each case will be called and the parties will be given the number in which their case will be heard. Only the case being heard will be in actual televideo contact with the Court.

The state's representative and witnesses will sit on the **right** side of the table as they are facing the court. The opposing party and witnesses will sit on the **left** side of the table as they are facing the court. Depending on the arrangement of the particular room at the off-site location, seating arrangements may change. All parties will use good manners and maintain a civil attitude. All parties will dress and act appropriately as if they were in a formal courtroom. The hearing conference is still a court regardless of the setting. Proper decorum will apply and all parties

shall act accordingly. No hats will be worn in the courtroom. Identification such as a driver's license or photo I.D. may be required.

Once a hearing begins, all video-teleconference participants at all locations connected to the conference shall be in full view of the camera at all times, with minimal visual obstructions.

If a recess is taken, the ALJ will indicate for the record when it starts and stops and when the record is to continue. (The ALJ should note the presence or absence of those attending and previously identified prior to the recess).

The Administrative Law Judge will be in charge of the proceedings. Parties will be sworn in and testimony taken as in a regular courtroom situation. The entire proceeding will be recorded in both audio and video medium. It is important that only one party talk at a time as directed by the Court.

EXHIBITS: The parties to a video-teleconference hearing are given adequate notice of the place and time of the hearing. **All exhibits that a party intends to present at a hearing must be submitted to the administrative hearing clerk and opposing party/counsel at least five (5) days prior to the hearing.** All exhibits must be identified numerically and indicate if the exhibit is by petitioner or respondent. (Example: Respondent's Exhibit 1). Like in any hearing, if the author of a document is not present to testify and the document does not come under an exclusion, it may be considered hearsay and may not be admitted into evidence. Letters to the Court or letters to the Agency are not part of the evidence unless offered by one of the parties and admitted. The court's address, telephone number and telefax number are as follows:

Office of Administrative Hearings
Oklahoma State Department of Health
1000 N.E. 10th Street
Oklahoma City, OK 73117-1299
Office: (405) 271-1269
Fax: (405) 271-5604

Witnesses: In some cases, witnesses may be required to wait outside the hearing room because of limitations on space or because of a procedure requirement. In most cases, all witnesses will be sworn in at the beginning of the hearing and admonished not to discuss their testimony with other witnesses.

Attorneys: No attorney shall be provided to represent anyone. If the Oklahoma State Department of Health is a party in this case an attorney might represent it. You may represent yourself or hire an attorney to represent you. If you should choose to have an attorney represent you, their fees are your responsibility.

Interpreters: All hearings are conducted in English, and the decision published in English. **If a party or witness who will be appearing at the hearing speaks limited English, or is visually or hearing impaired, notify the Office of Administrative Hearings at least 5 days prior to the hearing so arrangements can be made to accommodate your needs.**

Continuances: A request to continue a video-teleconference hearing must be made within five (5) days before the hearing unless there is a showing of good cause. The request must be in writing and either mailed, faxed or emailed to the hearing clerk within the time specified. It must explain why a continuance is necessary, must indicate the person requesting the continuance, must indicate if the opposing counsel has been contacted and/or whether opposing counsel approves of the continuance request. If the hearing is continued, it will be scheduled on the next available docket.

Technical Difficulties: In the rare event that a video link is interrupted or cannot be established, the hearing may be postponed or proceed as a telephone hearing as determined by the Court.

IT IS ORDERED, ADJUDGED AND DECREED that the hearing in this case shall be heard on the date, time and place above set forth and that all parties shall adhere to the procedure set forth above.

Dated the 15th day of January, 2008.

/s/ Gary Payne
Chief Administrative Law Judge