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Title 22@ Social Security

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Division 13@ Department of Child Support Services

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Chapter 10@ Complaint Resolution

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Article 3@ State Hearing

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Section 120210@ Postponements and Continuances

120210 Postponements and Continuances

(a)

The State Hearing Office or the Administrative Law Judge shall have the authority to postpone the hearing for good cause. Good cause for a postponement is any of the following: (1) Death in the family. (2) Personal illness of or injury to the complainant or authorized representative. (3) Sudden and unexpected emergencies including, but not limited to, traffic accidents on the day of the hearing and illness of or injury to a household or family member who requires immediate care. (4) A conflicting court appearance that cannot be postponed. (5) The local child support agency does not make a position statement required by Section 120204 available to the complainant at least two business days prior to the date of the scheduled hearing, or the local child support agency has substantively revised the position statement required by Section 120204 subsequent to providing the statement to the complainant and the complainant requests a postponement. (6) The complainant did not receive notice of the time and place of the hearing. Failure by the complainant to notify the local child support agency or the State Hearing Office of a change of address while a request for state hearing is pending, shall not constitute a reason for postponement under this section. (7) Any other reason the State Hearing Office or Administrative Law Judge deems appropriate.

(1)

Death in the family.

(2)

Personal illness of or injury to the complainant or authorized representative.

(3)

Sudden and unexpected emergencies including, but not limited to, traffic accidents on the day of the hearing and illness of or injury to a household or family member who requires immediate care.

(4)

A conflicting court appearance that cannot be postponed.

(5)

The local child support agency does not make a position statement required by Section 120204 available to the complainant at least two business days prior to the date of the scheduled hearing, or the local child support agency has substantively revised the position statement required by Section 120204 subsequent to providing the statement to the complainant and the complainant requests a postponement.

(6)

The complainant did not receive notice of the time and place of the hearing. Failure by the complainant to notify the local child support agency or the State Hearing Office of a change of address while a request for state hearing is pending, shall not constitute a reason for postponement under this section.

(7)

Any other reason the State Hearing Office or Administrative Law Judge deems appropriate.

(b)

The Administrative Law Judge shall have the authority to grant a continuance of the hearing for a stated period not to exceed 30 days, for additional evidence or close the hearing and hold the record open for a stated period not to exceed 30

days, in order to permit the submission of additional documentary evidence.

(c)

When a hearing is postponed, continued, or reopened, the State Hearing Office shall mail or give written notice to the parties that explains the hearing date may be put off for a period not to exceed 30 days.