

1. Typically hearings will last from 1 to 2 hours.
2. Hearings can be held in-person or via telephone. A downside to telephone hearings is that they do not enable the parties to meet the person affected by the decision being appealed or read each other's non-verbal cues. Your Arc advocate will request that the hearing be held in-person.
3. In-person hearings are held in a conference room setting.
4. A judge officiates the hearing.
5. The judge introduces the hearing and swears everyone in – the entire hearing will be audio taped.
6. Rules of evidence do not apply. Hearsay is allowed – you can talk about what other people have said, even if they are not present. There is no need for a witness list.
7. The judge decides who goes first. Typically the agency who initiated the action goes first (whoever made the decision that led to this appeal). Your advocate will ask for the opportunity to make a brief opening statement before allowing the county to proceed.
  - i) The agency representative must clearly and specifically state the reasons and basis for their decision (listen and take careful notes).
  - ii) You have the right to question their witnesses. When it is your turn, they have the right to question your witnesses.
8. The judge will ask questions throughout.
9. The Arc Greater Twin Cities advocate and you will work together to prepare and bring the packet of evidence for the judge and the agency representative, including a memo of how you see the case that includes:
  - i) Background/facts
  - ii) Issue
  - iii) Law
  - iv) Conclusion
10. All pertinent evidence must be submitted at the hearing since no new evidence is admissible after the hearing, unless the record is kept open.
11. When the hearing is over, your advocate will ask the judge to keep the record open for a period of time (1 week) so that a memo can be written and submitted restating your argument, given the testimony from the hearing.

**For further information or advocacy services, contact Arc Greater Twin Cities at 952-920-0855 or visit [www.arcgreatertwincities.org](http://www.arcgreatertwincities.org). Tell us what you think about this Arc Guide. Please complete a short survey online at <http://arcgreatertwincities.org/resources.aspx>. Thank you!**