



Colorado Department of Personnel & Administration Office of Administrative Courts

General Service Unit Newsletter

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February 2013

Welcome to the GSU News

The OAC has created this newsletter to provide information of interest to the customers of the OAC in general and the General Services Unit (GSU) in particular.

E-Filing Update

It has been a frustration to many customers over the years that the OAC only accepts filings via fax (if less than 10 pages), mail or hand delivery. This may be changing.

In the legislative session just completed, the legislature approved OAC's request to implement an e-filing system. We have completed the contracting process with the vendor and are in the initial planning faze of the project. E-Filing is expected to go live in the summer of 2013.

E-filing will be a way for parties to submit pleadings through a secure website. Parties can submit through fillable forms and also by uploading PDF files. Parties will be able to see what has been filed and when.

In addition to enabling the electronic filing of documents, this application will interact with the OAC's case management system, Legal Files. The information in Legal Files will be updated when filings are submitted through the E-Filing application.

The OAC is also working with the Governor's Office of Information Technology on ways to allow our client agencies as well as the Attorney General's office access to Legal Files.

What We Need to Open an Appeal

To initiate an appeal, a benefit recipient need do no more than provide a written statement to the OAC that they wish to have a hearing. We request but can not require that the following information be provided:

- Full Name
- Address
- Telephone Number
- Benefit in dispute
- County or State Agency that made the decision
- A brief description of the reason for the appeal
- The Appellant's signature

The only reasons that an appeal will not be opened upon receipt is if there is insufficient information available to open the case (i.e. no indication what the benefit in dispute might be), or in circumstances where an appeal is filed by a third party on the Appellant's behalf, but there is no indication that this third party has legal authority to act on the Appellant's behalf. Clerks do not investigate the claims in the appeal or any information or statements made. The OAC does not have any access to the CBMS system.

Non-Attorney Representation of Appellants

The rules of the State Departments of Health Care Policy and Financing (HCPF) and Human Services (DHS) allow for an Appellant to be represented in their appeal by a non-attorney. This is limited to cases involving benefits that were denied, reduced or terminated.

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In order to be recognized as a Non-Attorney Representative, the OAC must receive documentation showing that it is the Appellant's wish to have a Non-Attorney Representative. This can be as simple as the Appellant signing the Request for State Level Hearing Form, or writing a letter from the Appellant stating that they appoint so and so to be their representative. In other circumstances someone holding Power of Attorney over the Appellant can file an appeal and act on Appellant's behalf, but **ONLY** if a copy of the Power of Attorney has been submitted to the OAC.

If the case involves Medicaid benefits, the HCPF Authorization for Non-Attorney Representation form must be completed, signed, and filed with the OAC.

Updating Information with the OAC

Are you moving? Do you have a new Director? Make sure to let the Court know.

GSU maintains an extensive list of county departments of human/social services, hearing locations and contacts around the state. When there are changes in personnel, addresses or phones, it's very important that we are informed so that our lists can be updated. Please notify us in writing of any changes.

For more information, please contact Casey Singleton at katherine.singleton@state.co.us

Contacts

General Questions about process or cases - 303-866-5626

Complaints, Concerns, Comments or Request

Donna Childers or Matt Azer
303-866-5338

To suggest topics for Newsletters

Dianne Moore
303-866-5683

Transcript Requests and Information Updates

Casey Singleton
303-866-5779

Special Requests for Courtrooms

Paula Cortese
303-866-5669

Hearing Packets or Trailing Phone Dockets

Adriana Chavez
303-866-5137

The Office of Administrative Courts is (OAC) is Colorado's centralized administrative court system. The OAC was established to provide specialized legal processes within the executive branch. This structure enables both agencies and citizens to have certain disputes resolved while avoiding the time and expense of litigation in district court. In 1976, the General Assembly created the Division of Administrative Hearings as a central panel of administrative law judges ("ALJs") to decide workers' compensation, human services, licensing, and a variety of other cases.

The OAC is split into 4 separate units, Worker's Compensation, Operations, Mediations and General Services. General Services processes hearing requests for all non-Worker's Compensation cases. These include benefit disputes (Food Stamps, Medicaid, LEAP, etc), suspension or revocation of an occupational or professional license (such as doctors, dentists, nurses, etc), complaints of violations of the Fair Campaign Practices Act, highway access and sign code appeals, teacher licensing and dismissal and appeals under the Individuals with Disabilities Education Act.