

**TRANSCRIPT OF THE NEW YORK CITY  
OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS (OATH)  
PUBLIC HEARING**



**DATE OF PUBLIC HEARING: June 3, 2021**

**TIME: 11 AM – 12 PM**

**WebEx Video Conference**

1. ***Joy Thompson: It is 11am. Okay, we are going to start this***  
2. ***public hearing regarding the authority of the Chief Administrative***  
3. ***Law Judge to transfer cases between divisions.***  
4. ***Good morning again. My name is Joy Thompson. I am the Assistant***  
5. ***General Counsel at the New York City Office of Administrative Trials***  
6. ***and Hearings, also known as OATH. Thank you for attending today's***  
7. ***hearing.***  
8. **OATH is conducting this hearing in accordance with the**  
9. **requirements of the City Administrative Procedure Act also**  
10. **known as CAPA. The purpose of this hearing is to receive**  
11. **comments from the public on OATH's proposed rule to inform**  
12. **parties of the authority of the Chief Administrative Law Judge to**  
13. **direct cases between OATH's Trials and Hearings Divisions.**  
14. **OATH is proposing to amend the Rules of Practice for OATH's Trials**  
15. **and Hearings Divisions, currently located in Chapters 1 and 6**  
16. **of Title 48 of the Rules of the City of New York.**  
17. **This proposed rule would amend Subdivision (e) of Section 1-26 of**  
18. **Title 48 of the Rules of the City, of the City of New York to clarify that**  
19. **provision and to correct grammatical errors. Pursuant to the**  
20. **authority set forth in the Charter Sections 1049 and 1049-a, this rule**  
21. **would also add a new paragraph (3) to Subdivision (a) of**  
22. **Section 6-08 of the same title to clarify the Chief Administrative**  
23. **Law Judge that he may, he or she may, in his or her discretion,**

24. remove cases from the Hearings Division to the Trials Division.

25. These amendments would increase the transparency in the

26. management of proceedings.

27. The proposed rule was published in The City Record on

28. April 26, 2021. OATH also e-mailed the rule to the Speaker of the

29. City Council; every member of the City Council; all community board

30. managers; the news media; as well as civic organizations. In

31. addition, OATH posted the proposed rule on OATH's website, the

32. New York City Rules website, and the City Records online website.

33. OATH has been accepting written comments on the proposed rule

34. since the date it was published in The City Record and will continue

35. to accept written comments through the close of business today.

36. At this hearing, you may present an oral statement concerning the

37. proposed rule. Before you begin speaking: 1) Please state your

38. name and affiliation whether you are with an agency, the media, etc.

39. Please speak slowly and clearly, so that your statement may be

40. accurately recorded. Please limit your statement to no more than

41. three minutes.

42. Shortly after today's hearing, copies of all written comments

43. received by OATH, concerning this proposed rule, and a

44. summary of the statements given today, will be made

45. available to the public on OATH's website. I am actually going to

46. read this website out but I will also put it in the chat. It is:

47. <https://www1.nyc.gov/site/oath/about/legal-resources-and-rule-making.page>

48. That is a long website. We are virtually meeting so I will add that to

49. the chat.

50. Before issuing its Final Rule, OATH will carefully consider

51. the statements presented at today's hearing, as well as all written

52. comments received by the close of business today. Again, thank

53. you for attending this hearing. Now the floor is open for comments.

54. Again, before you begin speaking: 1) Please state your name and

55. affiliation. Speak slowly and clearly so that your statement can be

56. accurately recorded and please limit your statement to no more than

57. three minutes.

58. Okay, the floor is open. I see we have one guest. Will someone like

59. to make a comment. If so, please speak now.

60. So, give a few more minutes. At least one more minute. What I am

61. doing now is adding to the chat where any comments can be made.

62. Okay, I see we are being joined by our General Counsel. Again, any

63. discussion about this proposed rule about the Chief Administrative

64. Law Judge's authority to transfer cases among between the

65. divisions.

66. As there are no comments on OATH's proposed rule to inform

67. parties of the authority of the Chief Administrative Law Judge to

68. direct cases between OATH's Trials and Hearings Divisions, this

69. meeting is now adjourned. Thank you for attending and please

70. be safe and well.

## CERTIFICATION

This is to certify that I have typed the above record by listening to the Webex video conference in the State of New York and that to the best of my knowledge and belief the above record that is typed by me is a true and accurate record of the Webex video.

  
Elizabeth Nolan

Date Transcribed: July 8, 2021