



**CITY OF ATLANTA
CIVIL SERVICE BOARD**

HEARING RULES AND PROCEDURES

Revised February 1, 2021

In accordance with the law, including the City of Atlanta Code of Ordinances (“the Code”), all Civil Service Board (“CSB”) appeal hearings shall be conducted by the following rules and procedures.

1.0 Failure to Appear at Hearing

The failure to appear by a party on the date and time the hearing is scheduled, or within a fifteen (15) minute grace period thereafter shall, at the discretion of the hearing panel chair, result in one of the following:

- (a) Rescheduling of the hearing;
- (b) Dismissal of the Appeal; or
- (c) Granting of the Appeal without evidence.

2.0 Change of Appellant’s Contact Information

Appellants are required to notify by email, the CSB Coordinator of any changes in their home street address, email address or telephone numbers, sent to AtlantaCSB@atlantaga.gov.

3.0 Request for Continuance

Request from any party for a continuance will be granted at the discretion of the Civil Service Board Chairperson, hearing officer or panel chairperson. Requests must be emailed to the CSB coordinator at the below email address no later than fifteen (15) business days prior to the hearing date. All requests for continuance and any opposition thereto must be made in writing to AtlantaCSB@atlantaga.gov.

Also, the requester must copy the opposing party by email on such request. Parties will be notified of the Board’s decision by email.

4.0 Pre-Hearing Conferences and Written Motions

The Code allows for a pre-hearing conference of appeals to be scheduled and held at the discretion of the Board. Parties will be notified by email of any such conference.

All pre-hearing motions must be filed no later than fifteen (15) days before the scheduled hearing date and any response briefs must be filed no later than ten (10) days before the scheduled hearing date. All pre-hearing motions will either be ruled on before or at the beginning of the hearing. The Board's ruling will either be sent to the parties by email before the hearing or given orally on the day of the hearing after the hearing begins.

5.0 Hearing Length and Format

- (a) Each hearing will last no more than three (3) hours and each party will have one and one-half (1 ½) hours in which to present their case.
- (b) The hearing officer/panel shall read or cause to be read the hearing agenda and the parties shall identify themselves on the record.
- (c) Opening statements will be given from both parties, with the City proceeding first.
- (d) Next, the presentation of witnesses shall occur in the order of direct examination, cross examination, re-direct examination, if any, then re-cross examination, if any.
- (e) The same presentation of witnesses above will then be followed by the Appellant.
- (f) The hearing officer/panel may question a witness at any time during the presentation of the witness' testimony.
- (g) Closing statements from both parties, with the City proceeding first or last at their discretion.

6.0 Witness' Sworn Testimony

All witnesses shall give testimony under oath and will be sequestered until called to testify. Either party may reserve the right to recall any witness. If said right is not reserved, the witness will be excused for the remainder of the hearing.

7.0 Party Representation

An opportunity shall be afforded to both parties to engage a representative of their choice. All arrangements for and cost of engaging representation is the responsibility of the party desiring such representation.

8.0 Exhibits

All exhibits shall be marked for identification prior to submission to the CSB Coordinator by the presenting party. Such exhibits shall be sequentially numbered with the City's exhibit numbers having a "C-" directly before the number and the Appellant's exhibits shall have an "A-" directly before each exhibit number.

All exhibits shall be emailed in one email to the Board Coordinator, at AtlantaCSB@AtlantaGA.Gov no later than 10:00AM the day before the hearing, copying the

opposing party. The subject line of the email should say: Virtual Hearing Exhibits of (City of Atlanta or Appellant) Case No. _____. The documentary exhibits must be in PDF format.

If a party's exhibits are too voluminous to send in one email, contact the Board Coordinator at AtlantaCSB@atlantaga.gov for instructions.

As required by law, all exhibits have to be redacted before submission to the CSB Coordinator to conceal all personal and/or confidential information, such as home addresses, personal telephone numbers, dates of birth, social security numbers, etc.

9.0 Legal Rules of Evidence

Legal Rules of Evidence will not be strictly applied in the hearing and hearsay evidence is allowed and will be given such weight as the CSB hearing panel deems appropriate.

10.0 Notice of Proposed Adverse Action and Notice of Final Adverse Action

The City shall enter into evidence a copy of the Notice of Proposed Adverse Action and the Notice of Final Adverse Action.

11.0 Objections

Objections made by a party during the hearing shall be directed to the hearing officer/panel with a stated reason for such objection. The hearing panel chairperson will rule on objections on the record.

12.0 Hearing Decorum

Proper decorum and civility will be required by the hearing officer/panel during the hearing. Advocates will address any concerns to the hearing officer/panel during the hearing. Conversations during the hearing between parties should be minimized. The hearing officer/panel will remove from the hearing any person disrupting the orderly conduct of the hearing or using profane or abusive language.

13.0 Record of Hearing

All hearings will be recorded by a city-hired, independent, official court reporter. Any party desiring to obtain a transcript from the court reporter shall make arrangements, at their own expense, directly with the court reporter.