# OAH Information

**Location.** The Office of Administrative Hearings (OAH) is located on the first and second floors of the Harold Stassen Office Building in the Capitol complex. The street address is 600 Robert Street North, St. Paul, Minnesota 55164-0620. The mailing address is P.O. Box 64620, St. Paul, MN 55164-0620. The hearing rooms are located on the first floor in the Stassen Building.

From Minneapolis take 94 East to 10th Street exit; take 10th Street to Wabasha; turn left onto Wabasha Street; turn right onto 11th Street, turn left onto Jackson Street (just before I-35E entrance), turn left onto 14th Street, turn left into either the 14th Street Lot or Lot W.

The 14th Street Lot at the corner of 14th Street and Robert Street and the Lot W at the corner of 14th Street and Jackson Street provide all-day hour metered parking. The meters accept coins and debit/credit cards. Meters are enforced 7:00 AM to 4:00 PM.

**Recommended Forms.** For many of the forms used in the Manual, we started with the forms contained in Minnesota Rules 1400.2510–.2570 and then added practice tips. The Manual’s forms are designed to be checklists for meeting the requirements of OAH Rules. The forms, however, are recommendations. It is best to apply your judgment, review them before using, and choose what best fits your needs or customize them as you see fit. Of course, you must meet all statutory and rule requirements at a minimum. If you make your forms more readable, that is better. If you write to your audience, that is better yet. **In addition, on April 8, 2019, Governor Tim Walz signed Executive Order 19-29, which requires state agencies to use plain language in their communications with the public.** So, you should draft with this in mind.

**eFiling Rule-Related Documents.** OAH requires agencies to eFile all rule-related documents. OAH has posted step-by-step instructions for creating an account and filing your documents on its website at [OAH eFiling (https://mn.gov/oah/forms-and-filing/efiling/)](https://mn.gov/oah/forms-and-filing/efiling/). (The page also includes a link to frequently asked questions.) You may also request a hearing date through eFiling, or, if you have difficulty with the eFiling system, you may call OAH via telephone.

**OAH-Received Comments.** Strongly consider using OAH’s eComments website for collecting your public comments. If agencies request to use an eComments site, OAH will collect public comments on its [Office of Administrative Hearings Rulemaking eComments website (https://mn.gov/oah/forms-and-filing/ecomments/)](Office%20of%20Administrative%20Hearings%20Rulemaking%20eComments%20website%20(https://mn.gov/oah/forms-and-filing/ecomments/)), as well as through U.S. Mail, eFiling, personal delivery, or fax. Public instructions for making comments can be found at [Office of Administrative Hearings Rulemaking eComments website (https://mn.gov/oah/forms-and-filing/ecomments/)](https://mn.gov/oah/forms-and-filing/ecomments/).

When you are seeking comments from the public that they will be submitting to OAH, keep the following in mind:

* Agencies must use thissystemafter public hearings on proposed rules, when comments must be submitted to the ALJ under Minnesota Rule 1400.2230. OAH will set up an eComments page after the hearing.
* Agencies may also use this system for collecting public comments during the 60-day comment period after the Request for Comments is published or the 30-day comment period after rules are proposed.
* To set up your public eComments site, contact OAH Administrative Rule and Applications Specialist, William Moore, at William.T.Moore@state.mn.us or (651) 361-7893 at least a week before you publish your notice in the *State Register* or eFile your case. When requesting to set up a public eComments page for your rule, please provide the following:

1. OAH docket number, if already assigned.
2. The dates that the comment period will open and close.
3. A link to the agency’s rulemaking webpage, if applicable. OAH will add a link to the agency’s rulemaking webpage on the eComments site.
4. If applicable, the date that the Request for Comments or Notice will appear in the *State Register*.
5. Optional: Finalized, accessible copies of the documents you want to appear on the OAH eComments webpage, if any. These might include the Notice, proposed rules, SONAR, etc. See the [Office of Accessibility (https://mn.gov/mnit/about-mnit/accessibility/)](https://mn.gov/mnit/about-mnit/accessibility/) for more information on making documents accessible.

For giving instructions to the public:

1. Announce OAH’s eComments website for accepting electronic comments [Office of Administrative Hearings Rulemaking eComments website (https://mn.gov/oah/forms-and-filing/ecomments/)](https://mn.gov/oah/forms-and-filing/ecomments/) and the rule subjectat the hearing. The same deadline that applies to written comments applies to eComments.
2. People submitting comments will be able to see their comments on the website, making a hard copy unnecessary.
3. eComments will collate comments by their respective rulemaking subjects, eliminating the need for the commenter to add the OAH Docket Number.
4. The agency will be able to collect the comments directly from eComments, so there is no need to email them to the agency.

For advising the agency:

1. At the end of the comment period or any time the agency requests, OAH will provide a report to the agency. The reports will include comments, each commenter’s name and email address, and the date and time each comment was posted. The report is available as a PDF document. To request reports, email William Moore at[**william.t.moore@state.mn.us**](mailto:william.t.moore@state.mn.us)**.**
2. The agency will also be able to download comments mailed to OAH in a PDF format.
3. The agency will need to print out the comments and include them in the record.

**Telephone/Fax.** The OAH telephone number is (651) 361-7900. The fax number is (651) 539‑0310.

**Questions about Notice Plans or Rulemaking Process.** If you have questions about requesting OAH prior approval of your Notice Plan or about the rulemaking process, contact OAH by sending an email to William Moore.

**Requesting an OAH docket number or schedule a hearing date.** You must obtain a docket number and ALJ assignment before submitting your documents for OAH review.

1. Complete the Notice of Appearance form. You may use either the form available on the OAH website at [OAH Forms (https://mn.gov/oah/forms-and-filing/forms/)](https://mn.gov/oah/forms-and-filing/forms/) or form **OAH-NOA** in the Appendix, which is customized for rulemaking use. (Skip the OAH Docket Number field at the top of the form. You will receive your docket number as part of this process.)
2. Complete the online [Contested Case Docket Request on the OAH website (https://mn.gov/oah/lawyers-and-litigants/administrative-law/docket-request.jsp)](https://mn.gov/oah/lawyers-and-litigants/administrative-law/docket-request.jsp); skip any nonapplicable fields in the request form. Identify the responsible agency unit as the Party Name. Attach the Notice of Appearance to your request. (Note that the Contested Case Docket Request form is used, even though rulemaking does not involve a contested case hearing. That is why some of the fields do not apply or field labels are an awkward fit, such as “Party Name.”)
3. OAH staff will create an eFiling folder and notify you of the ALJ assignment and OAH docket number via the Initial Scheduling Email from an OAH scheduler.
4. A separate, automated email will be sent to your email address for eFiling access. Check your spam folder if you do not receive an email. Click the link in the email to view your eFile folder (and activate your account if this is your first time eFiling). The email address(es) listed on the Notice of Appearance will be the one(s) that are granted eFiling access.

## Frequently Asked Questions from Agencies:

***How can the agency find out who the assigned ALJ’s legal assistant is?***

The best way to identify the judge’s legal assistant is to refer to the Initial Scheduling Email you received when first opening the case at OAH. The judge’s legal assistant will be listed there.

***What do the legal assistants do compared to the staff attorneys? Do the legal assistants also bill for their time?***

Legal assistants assist the judge in finalizing and serving rule related documents.  Their time is included in the judge’s rate.  Staff attorneys, who do bill for their time, often help the judge prepare the report.  If you have questions about where to direct your questions, email **William Moore at** [**william.t.moore@state.mn.us**](mailto:william.t.moore@state.mn.us)**.**

***Can agency staff reply to comments on the eComments website?***

Yes. Any agency staff member who registers for an account and has a valid email address may comment on pending rulemaking matters. The agency can also request that their response to the comments be posted as a PDF on the agency’s public eComments webpage by emailing the accessible PDF to William Moore at [william.t.moore@state.mn.us](mailto:william.t.moore@state.mn.us).

***How will the agency receive the comments?***

During the comment period, the agency may view comments via the eComments website. At the end of the comment period or any time the agency requests, OAH will also provide a report to the agency. The reports will include comments, each commenter’s name and email address, and the date and time each comment was posted. The report is available as a PDF. To request reports, email William Moore at [william.t.moore@state.mn.us](mailto:william.t.moore@state.mn.us).

***What information about the commenter will be provided to the agency contact person?***

The agency will be given the commenter’s name and email address.

***Will the agency be able to see the eComments as they are received?***

Yes. Comments are visible in real time. They are posted as they are received and can be viewed by anyone viewing the eComments website.