

Section 6.2.2

Hearing Officer Responsibilities

Introduction

County Agricultural Commissioners (CAC) often use the services of a Hearing Officer for administrative pesticide penalty hearings on behalf of the CAC. Occasionally, CACs may choose a Hearing Officer from other county programs, or they may exchange services with a neighboring CAC, or they may choose a Hearing Officer from the California Agricultural Commissioner and Sealer's Association's (CACASA) list of "contract hearing officers."

To avoid misunderstandings, the CAC, or his or her designee, should always convey the basic responsibilities and duties to a Hearing Officer before assigning them to hear a case on the CAC's behalf.

Responsibilities and duties

The responsibilities and duties of the Hearing Officer are to:

- 1) Fairly and impartially hear the matter on behalf of the CAC;
 - 2) Run the hearing;
 - 3) Consider the evidence presented at the hearing, make findings of fact and determinations about the evidence presented;
 - 4) Make sure the CAC classified the violation correctly, and that the fine is then placed within the corresponding fine class;
 - 5) Apply relevant rules and laws correctly, using the appropriate burden of proof; and
 - 6) Write a timely proposed decision for the CAC.
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Questions

If you are a Hearing Officer, please direct questions to the CAC engaging your services.

CACs or staff should contact your Enforcement Branch Liaison.
