

Section 5.1

Hearing Contact Record

Introduction

The Hearing Contact Record is an *optional* record-keeping tool to assist the county agricultural commissioner (CAC), Advocate, and Biologist keep a record of contacts that occur before and after the Hearing. The record begins at the time the Notice of Proposed Action (NOPA) is mailed to the Respondent and before any prehearing discussions are held. This optional tool may be developed by counties to suit their own needs. This optional tool is not intended to replace or supersede the Enforcement and Compliance Data Entry Form or any other similar required form.

Sections of the Hearing Contact Record

The Hearing Contact Record contains:

- Case information
 - Respondent(s) information
 - Section(s) violated
 - Mail contacts
 - Telephone contacts
 - Personal contacts
 - Hearing information
 - Decision
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Case information

Case information includes:

- Name of the case
 - Case number
 - Penalty information
 - Date Record is opened
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Respondent information

Respondent* information includes:

- Name
- Address
- Telephone number, including home and work telephone numbers

*If more than one respondent, use separate form

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Hearing Contact Record, Continued

Section(s) violated Include the Food and Agricultural Code section (FAC), Business and Professions Code section (B&P Code), California Code of Regulations section (CCR), or other appropriate code and section number violated and the date(s), time(s), and location(s) the alleged violation(s) occurred.

Mail contacts This includes:

- Who you mailed the information to
- What was mailed
- When the letter was mailed
- Certified Mail receipt number. Certified Mail provides proof of mailing and delivery of mail. The sender receives a mailing receipt at the time of mailing; the United States Postal Service maintains a record of delivery. For an additional fee, a return receipt can also be purchased to provide the sender with proof of delivery.
- Return receipt. You can use a return receipt, the traditional “green post card,” and it will be mailed back to you once your letter is delivered.

Telephone contacts Include the name of the person(s) you spoke with. Be sure to include the date, time, telephone number, and details of the topic discussed.

Personal contacts (after the NOPA has been mailed) Include the name of the person(s) you spoke with. Include the occupation of the person you contacted. Be sure to include the date, time, location, and details of the topic discussed. If you need to contact the person in the future, ask for their telephone number.

Important dates to include Include the following dates:

- Pre-hearing date
- Hearing date/Hearing reschedule date
- Date the Decision is received from the Hearing Officer
- Date the Decision and Order is mailed to the Respondent
- Decision and Order information

Optional information Include information you may wish to add that is pertinent to the case and your organization.
