

IBM Cúram Social Program Management
Version 6.0.5

Cúram Appeals Guide



Note

Before using this information and the product it supports, read the information in "Notices" on page 49

Revised: March 2014

This edition applies to IBM Cúram Social Program Management v6.0.5 and to all subsequent releases unless otherwise indicated in new editions.

Licensed Materials - Property of IBM.

© **Copyright IBM Corporation 2012, 2014.**

US Government Users Restricted Rights – Use, duplication or disclosure restricted by GSA ADP Schedule Contract with IBM Corp.

© Cúram Software Limited. 2011. All rights reserved.

Contents

Figures v

Tables vii

Cúram Appeals Guide. 1

Introduction 1

 Purpose 1

 Audience 1

 Prerequisites 1

 Chapters in this Guide 1

Understanding Appeals and Legal Actions 2

 Appeals 2

 Appellant(s) and Respondent 2

 Third Parties 3

 Appeals Against Multiple Decisions 3

 Appeal Types 4

 Appeal Levels 5

 Legal Actions 5

 Legal Petitions 6

 Legal Hearings 6

 Legal Orders 7

Appeal Users and Participants 7

 Introduction 7

 Hearing Case Users 7

 Hearing Case Owner 7

 Hearing Case Supervisor 7

 Hearing Scheduler 8

 Hearing Worker 8

 Case Owner 8

 Hearing Official and Senior Hearing Official 8

 Hearing Case Participants 8

 Representatives 8

 Interpreters 8

 Witnesses 8

 Hearing Review Users 9

 Hearing Review Owner 9

 Hearing Review Supervisor 9

 Hearing Scheduler for the Hearing Review 9

 Hearing Worker for the Hearing Review 9

 Case Owner 9

 Hearing Reviewers 9

 Hearing Review Participants 10

 Judicial Review Users and Case Participants 10

Appeal Lifecycle. 10

 Introduction 10

 Hearing Appeal Type Lifecycle 10

 Creating a Hearing Appeal Type 11

 Approving a Hearing Appeal Type 11

 Hearing Lifecycle 12

 Hearing Appeal Type Decision Lifecycle. 13

 Canceling a Hearing Appeal Type 15

 Reopening a Hearing Appeal Type 15

 Hearing Appeal Type Statuses 15

 Hearing Review Appeal Type Lifecycle 17

 Creating a Hearing Review Appeal Type 17

 Approving a Hearing Review Appeal Type. 18

 Hearing Lifecycle for a Hearing Review

 Appeal Type 18

 Hearing Review Appeal Type Decision

 Lifecycle 19

 Canceling a Hearing Review Appeal Type 21

 Hearing Review Statuses 21

 Judicial Review Appeal Type Lifecycle 23

 Creating a Judicial Review and Petitioning the

 Court 24

 Providing a Hearing Transcription. 24

 Recording the Judicial Review Decision 24

 Implementing Judicial Review Decisions. 25

 Closing the Judicial Review 26

 Canceling a Judicial Review 26

 Judicial Review Status 26

Legal Action Process Overview 26

 Introduction 26

 Legal Petition. 27

 Legal Hearing 27

 Legal Order 28

 Legal Action Associations. 28

Appeal Deadlines 28

 Introduction 28

 Deadline for Appealing Original Decision 29

 Deadline for Reaching a Decision on an Appeal 29

 Deadline for Implementing a Decision 29

 Extending the Deadline for Reaching a

 Decision 30

 Deadline for Scheduling a Hearing 30

 Deadline for Sending Correspondence 30

 Deadline for Submitting Statements 31

 Deadline Extension for Reopened Hearing Case 31

Appeal Correspondence 31

 Introduction 31

 Appeal Request Receipt Notice 31

 Appeal Request Rejection Correspondence 32

 Hearing Notice Correspondence 32

 Hearing Notice for a Hearing Appeal. 32

 Hearing Notice for a Hearing Review 34

 Hearing Adjournment Correspondence 35

 Hearing Attendance Cancellation Correspondence 35

 Hearing Continuance Correspondence 35

 Representative Fee Correspondence 36

 Hearing Appeal Statement Correspondence. 36

 Witness Notification Correspondence 37

 Witness Summons Correspondence 37

 Hearing Decision and Order Correspondence 38

 Court Petition Correspondence 39

 Hearing Transcript Correspondence 39

 Appeal Cancellation Correspondence. 40

Maintaining Appeal and Legal Action Information 40

 Introduction 40

 Search Functionality 40

 Case Search 40

 Issue Case Search 41

Appealed Issues	41	Appeal Process Administration	45
Appealed Case and Denied Program		Clause Administration.	46
Applications	41	Legal Action Types and Categories	46
Appellants.	41	Legal Statuses	47
Transcription Requests.	41	Conclusion	48
Statements.	41	Summary	48
Phone Contacts	41	Additional Information	48
Appeal Relationships	42		
Appeal Events	42	Notices	49
Appeal and Legal Action Administration	44	Privacy Policy considerations	51
Introduction	44	Trademarks	52
Time Constraints	44		
Appeal Security	44		

Figures

Tables

1.	Hearing Case Statuses	16	6.	Hearing Review Decision Statuses	23
2.	Hearing Statuses	16	7.	Judicial Review Statuses	26
3.	Hearing Case Decision Statuses	17	8.	Sample Legal Category and Legal Action Type Configuration	47
4.	Hearing Review Statuses	22			
5.	Hearing Statuses for a Hearing Review	22			

Cúram Appeals Guide

An appeal is a request to review any decision that is made on a program application, product delivery case, or issue case. One or more appellants initiate the appeal and a respondent defends the decision. There are three types of appeal: hearing, hearing review, and judicial review. Each is processed differently.

Introduction

Purpose

The purpose of this guide is to define the three appeal types and to provide a high level overview of appeals and legal action processing. After reading this guide, the reader should have a basic understanding of how appeal types are used to appeal one or more decisions on a program application, product delivery, assessment delivery, prior appeal, or issue case. The reader should also have an understanding of how legal actions are used to record actions and directives concerning participants.

In order to best understand these concepts, the guide should be read in full. The guide is not intended to be used as a training or user guide.

Audience

This guide is intended for business analysts employed by the organization. It is assumed that this audience has a strong knowledge of the organization's business requirements. Readers do not require knowledge of the application.

Prerequisites

It is assumed that the reader is familiar with the basic concepts of Social Enterprise Management (SEM). In particular, it is assumed that the reader is familiar with the organization's handling of appeals processing.

To understand the topics covered in this guide, it is suggested that the reader has read the Cúram Integrated Case Management Guide.

Chapters in this Guide

The following list describes the chapters within this guide:

Understanding Appeals and Legal Actions

This chapter provides a general definition of appeals and introduces the three appeal types. It describes the concept of appellants and respondent, third parties, appeal levels and appeals against multiple case or issue decisions. This chapter also provides a general definition of legal actions and introduces the concept of legal hearings, legal petitions, and legal orders.

Users and Case Participants

This chapter provides an overview of the users and case participants who play a role on each appeal type.

Appeal Lifecycle

This chapter provides an overview of the lifecycle for each appeal type.

Legal Action Process Overview

This chapter provides a high level overview of the legal action process and legal hearing, legal petition, and legal order management.

Appeal Deadlines

This chapter describes the deadlines that must be met during the appeals process.

Appeals Correspondence

This chapter describes the correspondences issued during the appeals process.

Maintaining Appeal and Legal Action Information

This chapter provides information on maintaining appeal information such as transcription requests, statements, and, events.

Appeal and Legal Action Administration

This chapter provides an overview on the aspects of appeals and legal actions set up as part of application administration services. For appeals, this includes time constraints, security, appeal processes, and clauses. For legal actions, this includes legal action categories, types, and legal statuses.

Understanding Appeals and Legal Actions

Appeals

An appeal is a request to review one or more denied program application, product delivery case or issue case decisions. An Appeal is created to manage appeals on product delivery cases, prior appeal cases, program applications which have been denied and issue cases.

All appeal types have one or more appellants who initiate the appeal and a respondent who defends the original decision. A person can appeal any decision made on his or her application, product delivery case and issue case. Alternatively, the organization can appeal one or more decisions.

There are many reasons why an appeal is lodged. A case participant who has applied for a benefit and has been deemed ineligible, or whose benefit payments are reduced may not agree with circumstances leading to those outcomes and therefore choose to appeal.

When an application, product delivery case or issue case is appealed, an appeal case is created to manage the appeal. This starts a chain of events which include collating statements, scheduling hearings, deciding whether or not to overturn the application, product delivery or issue decision, and implementing the appeal decision accordingly. The series of stages an appeal case passes through during its lifetime, i.e., the progression of events for the appeal, is called the appeal lifecycle.

There are three appeal types in Cúram Appeals: hearing appeal, hearing review appeal, and judicial review appeal. Each of these appeal types is processed differently.

Appellant(s) and Respondent

An appellant is a party (usually the primary applicant) who disagrees with a decision made by the organization and submits an appeal. For example, a person may submit an appeal to a decision where he or she is determined ineligible for an unemployment benefit.

All appeal cases have at least one appellant. In certain circumstances, an appeal case can have multiple appellants. For example, if multiple claimants are dissatisfied with a decision made by the organization in relation to their application, product delivery or issue case, the organization may decide to consider all of these at the one hearing. To cater for this situation, the organization can add each claimant to an appeal as an appellant. Each appellant added will have their program application denial, product delivery or issue case decision considered at the hearing held for the appeal. For more information, see “Appeals Against Multiple Decisions” below.

A respondent is a party who responds to an appeal made by an appellant. This is the party who defends the decision that gave rise to the appeal.

The organization always fills one of these roles, i.e., the organization is always the appellant or the respondent. Where the organization is the respondent, the appellant is usually the primary client or nominee on the original application or case.

Conversely, if the respondent is a case participant, the appellant must be the organization.

Cúram Appeals also allows for the addition of appellants who are not directly associated with an existing application, product delivery or issue case to an appeal case. This allows additional participants with an interest in the appeal to be included in the hearing held for the appeal case.

Third Parties

A third party is a participant, other than the appellant(s) and respondent, that is involved with a hearing appeal. For example, an employer can be recorded as a third party on a hearing appeal. The organization may decide that the primary client is ineligible based on a discrepancy between the evidence given by the primary client and the evidence provided by his or her employer. If the primary client appeals the decision, the primary client is recorded as the appellant, the organization is recorded as the respondent, and the employer is recorded as the third party. A third party can be any participant type, for example, employer, information provider or service supplier.

Third parties are not required to attend hearings scheduled for a hearing appeal. If a third party chooses not to attend the hearing, they will be notified of the outcome of the hearing. Third parties can be added to, and removed from hearing appeals. If a third party is removed from a hearing appeal that has a scheduled hearing, the third party is notified that they are no longer required to attend the hearing.

Appeals Against Multiple Decisions

One appeal case can address multiple decisions required on the program applications, product deliveries and/or issue cases under appeal. As previously described, a number of denied program applications, product delivery cases or issue cases can be associated with an appeal and each can belong to a different participant. For example, multiple participants can have the same issue with an employer. Several participants may request an appeal if they are refused benefits based on discrepancies between the evidence they provided and the evidence given by their employer. In this situation, the organization may wish to consider any issues that are similar in nature as part of the one appeal case.

Furthermore, a participant can appeal several of his or her denied program applications, product delivery case or issue case decisions at once. For example, if the organization denies a participant unemployment benefit on one case and reduces the participant's childcare allowance on another case, the participant can have both case decisions considered as part of one appeal case.

The decision to combine multiple appeals into a single hearing is made at the discretion of the organization. If multiple program applications, product delivery cases or issue cases have been considered at the hearing, a resolution is entered for each and an overall decision is deduced based on the resolutions.

When appealing multiple items within a single appeal, the system checks the appeal process configuration for each application, product or issue linked to the appeal. Multiple decisions can be considered at hearings that share the same appeals process configuration.

Appeal Types

There are three appeal types: hearing appeal, hearing review appeal, and judicial review appeal. Each appeal type has a different purpose. The following sections describe each appeal type in more detail.

Hearing Appeal Type: The purpose of a hearing appeal is to manage hearings held to appeal a decision on a program application, product delivery case, issue case, prior appeal, or a combination of these. A hearing is scheduled to resolve the decisions concerning the appellant(s) on the appeal. These hearings are conducted by the organization and are overseen by a hearing official who was not involved in the original decision which resulted in the appeal. Hearing cases provide the appellant(s) and the respondent with an opportunity to present their positions at a hearing that is conducted by a hearing official employed by the organization. This gives the appellant(s) an opportunity to provide more information and if necessary, bring other case participants to the hearing to testify on their behalf.

Hearings may be oral or desk-based. An oral hearing is a hearing that is held at an organization location, over the telephone, or at an appellant's home. Any number of case participants and users can attend an oral hearing. A telephone, location, home, or desk-based hearing can be held when there is only one appellant on the hearing case appeal. If there are multiple appellants, the hearing can be held at an organization location or be desk-based.

The hearing official is responsible for reaching a decision or decisions on any issues presented at the hearing. A desk-based hearing is a hearing that is decided by a hearing official based solely on a consideration of evidence and statements submitted by the case participants. In this situation, there is no oral hearing to be attended by the participants.

With the exception of desk-based hearings, participants are automatically invited to attend all other hearings that are scheduled for an appeal case. Correspondence is automatically generated to notify hearing case participants of the scheduled hearing.

Hearing Review Appeal Type: Like a hearing appeal, a hearing review is an appeal to overturn a decision on a denied program application, product delivery case, issue case, or prior appeal. Unlike a hearing appeal, hearing review decisions are not decided by a hearing official, and only certain case participants can attend a hearing review. A hearing review is sometimes referred to as an appeals council review. The appeals council is an impartial committee made up of hearing

reviewers who are not involved in any previous decisions on the case. The hearing reviewers are responsible for reaching a decision or decisions on the issues presented at the hearing. Once a decision is reached at the hearing, the decision information is entered by the hearing reviewers.

The main difference between a hearing appeal and a hearing review appeal is that a hearing appeal is overseen by one hearing official whereas a hearing review is conducted by one or more hearing reviewers.

Another difference between a hearing review and a hearing appeal involves the parties invited to attend the hearings. Representatives are the only case participants invited to attend a hearing review.

Judicial Review Appeal Type: A judicial review is an appeal that is conducted by a court to overturn a decision on a program application, product delivery case, issue case, or prior appeal. If a decision is appealed to a judicial review, it is within the court's jurisdiction to overturn it. The main difference between a judicial review and other appeal types is that a judicial review is conducted outside the organization and is therefore outside the control of the organization. The decision-making is not handled as part of the appeals process. The only information that is entered for a judicial review is the fact that it is taking place. When a decision is reached for the judicial review it is recorded on the system by an organization user.

A judicial review can be requested by a participant or by the organization and is initiated by filing a petition with the courts. The court petition for all judicial review appeals is attached to the judicial review case.

Appeal Levels

Most organizations have an appeals procedure in place that allows for the escalation of an appeal decision to a higher level. For example, if an appellant loses an appeal, he or she can request that a higher decision-making body overturn the decision reached for the previous appeal. To allow for the escalation of an appeal to a higher decision making body, each appeal process consists of one or more levels or stages. An appeal type is specified for each stage of appeal.

The organization may choose to implement an appeal process that uses two out of the three appeal types. For example, it may designate the first level of appeal to be a hearing appeal, the second level of appeal to be hearing review and not implement the judicial review appeal type at all. Furthermore, the same appeal type may be used at a number of appeal levels for an application, product or issue case. For example, the organization may decide to hold a hearing appeal as the first and second level of appeal. Additionally, the organization may decide that any type of appeal can be created at any level of appeal. The process of escalating an appeal to another stage is configurable and can be set on each product delivery, issue case or application integrated case using the Administration application.

One of the benefits of having different levels for appeals processing is that new evidence that was unavailable for one appeal can be presented at the next level of appeal and a relationship is established between the two appeals.

Legal Actions

Legal actions provide the ability for the organization to manage directives, actions or other activities concerning participants that are conducted by a legal authority. Examples of directives and actions include hearings, petitions, orders, and requests.

For example, a court may decide to hold a hearing to sentence a participant who has committed an offense. Alternatively, the organization may prepare a petition for a court to make a decision on an offense committed by a participant. Legal actions can result from another legal action, decision or any other reason that is deemed appropriate by the organization.

Three main categories of legal action are supported:

- Legal Petition
- Legal Hearing
- Legal Order

Note that the process for managing hearings for both legal hearings and hearings held for appeals is the same.

The ability to define and categorize new legal actions is provided as part of system administration. For more information, see “Legal Action Types and Categories” on page 46.

Legal Petitions

A legal petition is a formal request to a court to take action based on a situation involving a participant. For example, the organization may request that an attorney file a petition on its behalf to remove a child from the home due to unsafe conditions. A legal petition will typically result in a formal or informal court hearing. The petitioner is the participant who requests an action by the court. The petition can be completed and filed by a representative acting on behalf of the organization. The respondent is the person who is the subject of the petition and who responds to the charges or actions requested of the court.

For example, James Smith is caught by Officer Bill vandalizing a library. A case is created by the organization and offense details captured. Based on the offenses captured against James, the organization files an offense petition in the court. The organization is considered the petitioner and James is the respondent for this petition.

A legal petition may have multiple participants which include the petitioner, the respondent, and any other participants involved with the petition.

For more information on legal petition management see “Legal Action Process Overview” on page 26.

Legal Hearings

A legal hearing is a legal proceeding held before a judge or legal authority. Examples of legal authorities include courts, administrative law judges, and tribunals. Legal hearings can result from other legal actions such as petitions and legal orders.

For example, based on a petition filed by the organization, a court may schedule a hearing, which results in the creation of a legal hearing for James Smith. The legal hearing includes a scheduled hearing. The arresting police officer, Bill, is called as a witness for the organization to provide vital information about James and details of the incidents which led to his arrest outside the city library building. Based on reports from the witness, a judge finds James Smith guilty and sentences him to 100 hours of community service.

For information on legal hearing management, see “Legal Action Process Overview” on page 26.

Legal Orders

A legal order is a directive by a legal authority regarding a participant. It can be made in response to an application by the government against an alleged criminal or perpetrator, or in response to a request made on behalf of a participant who is the responsibility of the organization. For example, a legal order may be a sentence given by a legal authority during a legal hearing to a participant. A legal order is typically intended to be for or against a participant.

A legal order may be created as a result of a legal hearing, a legal petition or independently. A legal order contains the details of the judgment provided by the legal authority or the court on a petition or a hearing. For example, it may contain the sentence details or directions to various participants involved. If a legal authority sentences a participant to 100 hours of community service during the associated legal hearing, the sentence is recorded as a detention order.

A legal order action does not distinguish between participants based on roles like petitioner or respondent.

For information on legal order management, see “Legal Action Process Overview” on page 26.

Appeal Users and Participants

Introduction

Various users are selected to manage different aspects of each appeal. Additionally, case participant roles are assigned to any of the individuals or groups who play a role on the appeal. This chapter provides information on the users and case participants for appeal hearing, hearing review and judicial review appeal types.

Hearing Case Users

A hearing appeal type is moved through its lifecycle by users with certain privileges. There are seven user roles a user can be assigned to: the hearing case owner role, the hearing case supervisor role, the hearing scheduler role, the hearing worker role, the case owner role, the hearing official role and the senior hearing official role. Each role defines the nature of the user's involvement in the hearing case.

Hearing Case Owner

The hearing appeal type owner is the user who creates the hearing case. In addition to creating the hearing appeal, the hearing case owner maintains hearing information such as statements, transcription requests, and events.

The hearing appeal owner is responsible for managing hearing details for the hearing case if no hearing worker is assigned to the hearing case.

Hearing Case Supervisor

The hearing appeal supervisor approves or rejects the creation of the hearing case. The hearing appeal supervisor manages the hearing case by approving it so that a hearing can be scheduled.

The hearing case supervisor defaults to a user who the hearing case owner reports to.

Hearing Scheduler

The hearing scheduler is the user who schedules a hearing or hearings on the hearing appeal. When a hearing case is approved, the system issues a task to all available users who are assigned to the hearing scheduler user role. The user who reserves this task is responsible for scheduling a hearing or hearings on the hearing case.

Hearing Worker

The hearing worker manages hearings on the hearing appeal. If no hearing worker is assigned to the hearing case, the hearing case owner manages the hearing. Hearing management includes scheduling the hearing (or rescheduling) and recording hearing attendance. Following the scheduling of a hearing, the system issues a task to an available user with hearing worker privileges. Once the user reserves the task, the user is assigned the hearing worker role.

Case Owner

The owner of any program application, product delivery case or issue case where a decision is being appealed is automatically included as part of the hearing case and is also assigned a user role. This user is responsible for implementing hearing case decisions. The organization can also invite the case owner to attend hearings.

Hearing Official and Senior Hearing Official

The hearing official is responsible for presiding over the hearing for the hearing appeal, making a decision on the appeal, and creating the hearing decision documentation. This user supervises the management of the hearing case.

Hearing Case Participants

A hearing appeal participant is a participant who plays a role on a hearing case. The most important of these being the appellant(s) and respondent. Hearing case participants also include representatives, third parties, hearing interpreters, and witnesses at the hearing.

Representatives

A representative is a participant who attends a hearing on behalf of one or more appellants. For example, a representative could be a legal attorney hired to represent the appellant(s) at the hearing. A user has the option of adding additional appellants to be represented as well as removing the association between a representative and appellant if required. If a hearing representative charges a fee, the organization must approve the fee before it is paid to the representative.

Interpreters

Interpreters may be required at hearings to facilitate communications between the hearing attendees. An interpreter can be a registered service supplier. Interpreters who are not already registered on the system are registered as representative participants.

Witnesses

A witness testifies under oath at a hearing. A witness may be called to give evidence at a hearing on behalf of all appellants on an appeal case. If the witness is not voluntary, a summons is sent requiring that the witness attend the hearing, otherwise a hearing schedule correspondence is sent to the witness. Examples of witnesses include doctors, public health nurses or other individuals who know about the needs of the appellant(s). A witness can be a registered person or an unregistered participant who is subsequently registered as a representative on the system for the purpose of the appeal.

Hearing Review Users

A hearing review appeal type is moved through its lifecycle by users with certain privileges. There are seven user roles a user can be assigned to: the hearing review owner role, the hearing review supervisor role, the review hearing scheduler role, the review hearing worker role, the case owner role, the hearing reviewer role and the senior hearing reviewer role. Each role defines the nature of the user's involvement in the hearing review.

Hearing Review Owner

The hearing review owner is the user who creates the hearing review. This is the caseworker who creates the initial appeal hearing request. In addition to creating the hearing review, the hearing review owner maintains hearing review information such as statements, transcription requests, and events.

The hearing review owner is responsible for managing hearing details for the hearing case if no hearing worker is assigned to the hearing review.

Hearing Review Supervisor

The hearing review supervisor approves or rejects the creation of the hearing review. The hearing review supervisor manages the hearing review by approving it so that a hearing can be scheduled.

The hearing review supervisor defaults to a user who the hearing review owner reports to.

Hearing Scheduler for the Hearing Review

The review hearing scheduler is the user who schedules a hearing or hearings on the hearing review. When a hearing review is approved, the system issues a task to all available users who are assigned to the hearing scheduler user role. The user who reserves this task is responsible for scheduling a hearing or hearings on the hearing review.

Hearing Worker for the Hearing Review

The organization can assign a hearing worker to the hearing review. The hearing worker manages hearings on the hearing review. If no hearing worker is assigned to the hearing review, the case owner maintains hearing details, as well. The organization can assign a hearing worker to the hearing review who assumes the responsibility for managing hearings. The hearing worker can maintain hearing details such as hearing attendance and hearing attachments. Following the scheduling of a hearing, the system issues a task to an available user with hearing worker privileges. Once the user reserves the task, the user is assigned the hearing worker role.

Case Owner

The case owner of any case or issue where a decision is being appealed is automatically included as part of the hearing review and is also a user role on the hearing review. This user is responsible for implementing hearing review decisions. The organization can also invite the case owner to attend hearings.

Hearing Reviewers

The hearing reviewer is responsible for presiding over the hearing, making a decision on the hearing review, and creating the hearing decision documentation.

Hearing Review Participants

A hearing review participant is a participant who plays a role on a hearing review, the most important of these being the appellant(s) and respondent. Hearing participants can also include representatives who attend a hearing on behalf of an appellant. A hearing representative could be a legal attorney hired to represent one or more appellants at the hearing. If a hearing representative charges a fee, the organization must approve it before it is paid to the representative.

Judicial Review Users and Case Participants

Since the judicial review is handled outside the organization, there is only a small number of user and case participant roles.

There are two users: the judicial review case owner and the case owner of the original item(s) under appeal.

The judicial review case owner is the user who creates the judicial review case. He or she maintains judicial review information such as statements, transcription requests, and events. Any decision(s) made at a judicial review is recorded on the system by the judicial review case owner.

The case owner of any case or issue where a decision is being appealed is automatically included as a user role on the judicial review. This user is responsible for implementing judicial review decisions.

There are three possible types of case participants: the appellant, the respondent, and any hearing representatives. A hearing representative could be a legal attorney hired to represent the appellant(s) at the hearing. If a hearing representative charges a fee, the organization must approve it before it is paid to the representative.

Appeal Lifecycle

Introduction

Each appeal type goes through a series of stages during its lifecycle. Each of these stages plays a different role in managing the items considered under the appeal. The appeal hearing, hearing review, and judicial review lifecycles are described in the following sections.

Hearing Appeal Type Lifecycle

The hearing appeal lifecycle begins with the creation of the hearing appeal. Once the hearing appeal is created, additional program applications, product delivery cases, issues cases can be added. Each of these 'items under appeal' must be approved before a hearing can be scheduled and managed as part of the appeal.

Each hearing scheduled for the hearing appeal has its own lifecycle which includes scheduling the hearing, inviting attendees to the hearing, and completing the hearing.

The hearing appeal lifecycle and scheduled hearing lifecycle merge when a decision is entered for the hearing appeal. Like the hearing appeal, each decision has its own lifecycle that is managed as part of the hearing appeal. When the hearing is completed, the decision reached at the hearing is documented and is attached to the hearing case. The decision reached at the hearing is also entered for

each item being appealed on the hearing case. Based on the decisions entered for each item under appeal, an overall decision is determined automatically. The decision is then submitted for approval where it can be either approved or rejected. Approved decisions must then be implemented by the case owner of the original case or issue that gave rise to the appeal.

Hearing appeals can be canceled at any stage of hearing appeal processing. Additionally, a canceled hearing appeal can be reopened if good reason is established.

Creating a Hearing Appeal Type

The first step in the hearing appeal lifecycle is hearing case creation. This process defines the application program denial, product delivery case or issue case that is being appealed, the appellant and respondent for the appeal, and the appeal details.

A hearing appeal is first created to appeal one or more decisions on a denied program application, product delivery case, prior appeal case, or issue case. Any number of additional denied program applications, product delivery cases or issue cases can be added to the new hearing appeal. Adding one of these items to the hearing appeal means that you wish the item to be considered at the hearing held for the hearing appeal case. Each additional denied program application, product delivery case, prior appeal case, or issue case that is added to the hearing appeal can potentially be owned by a different appellant.

Note that hearing appeals can only be created on issues cases that have an approved resolution. For information on issue resolutions, see the *Cúram Issue Management Guide*.

When creating a hearing appeal, the user specifies the appellant for the appeal, the respondent for the appeal, and the appeal details. Appeal details include the estimated level of difficulty for the appeal, the reason for the appeal, any emergency associated with the appeal, for example, threatened eviction, whether or not the appellant wishes to continue benefits for the duration of the appeal, and important dates. The date the appeal request was received by the organization is recorded. If the hearing appeal case is created for a program application, product delivery or prior appeal case, the date the decision on the original case being appealed became effective is specified. If the hearing case is created for an issue case, the date that the resolution for the issue was approved is recorded.

The user has the option of sending a receipt notice to the appellant. The receipt notice acknowledges that the appeal has been created. If there are multiple appeal requests for the appeal, i.e., if multiple items have been added to the appeal, the user can generate a single appeal notice that acknowledges receipt of all the appeal requests. This notification is sent to each appellant on the hearing case appeal.

Approving a Hearing Appeal Type

The second stage in the hearing case lifecycle is hearing appeal approval. The purpose of this stage is to verify that a hearing can be scheduled for the item under appeal. During this stage, each appealed item linked to the hearing appeal case is either approved or rejected, typically by a hearing case supervisor.

If multiple cases are part of the hearing appeal, each one of these appealed cases must be approved. Only approved appealed cases will be considered at the hearing scheduled for the hearing case.

The status of the hearing appeal is based on the status of the item under appeal. If an appealed item on a hearing appeal is approved, the status of the hearing appeal case is also approved. Note, however, if there are multiple items under appeal and one of those is rejected on a hearing appeal case is set to rejected, the hearing appeal status remains open.

Note that issues added to the hearing case appeal do not require approval.

Hearing Lifecycle

After the hearing appeal case is approved, the hearing lifecycle commences. The hearing lifecycle consists of all the steps leading up to the hearing from scheduling the hearing through to the completion of the hearing. This hearing is presided over by a hearing official who is a user within the organization and had no part in either the original decision or in any prior appeal. The hearing official is responsible for making a decision on the appeal after the hearing.

A hearing must be scheduled and completed before a decision can be entered for the hearing appeal case. Additionally, hearings managed as part of a hearing case can be rescheduled, continued, or adjourned.

Each stage in the hearing lifecycle includes a set order of functionality, as described below.

Scheduling a Hearing for a Hearing Appeal Type: The first stage in the hearing lifecycle is scheduling the hearing. If the hearing appeal has one appellant, four types of hearing can be scheduled: a telephone hearing, a home hearing scheduled at the appellant's home, a location hearing scheduled at an organization location, and a desk-based hearing where the hearing official makes a decision on the hearing appeal based solely on statements and evidence provided by the case participants. If the hearing appeal has multiple appellants, only location and desk-based hearings are available as scheduling options when scheduling the hearing.

Scheduling telephone, home, and location hearings requires that relevant information is maintained for the hearing. For example, hearings to be held in an appellant or respondent's home require the appropriate address information.

For all scheduled hearings, a notice is sent to all case participants required to attend the hearing notifying them that the hearing will be taking place. This notice includes the date by which statements must be received in order for them to be considered. Home, phone, and location hearings also require that relevant user attendees are invited to the hearing. Each user's attendance can be updated once the hearing is held. Additionally, users can be removed from the attendance list which effectively un-invites them from the hearing.

As all hearings for hearing appeals are presided over and decided by a hearing official, the main part of scheduling a hearing is to select an available hearing official. Hearing officials can be selected by entering a date and checking hearing official availability for that date or by having the system automatically search for the next date where hearing officials are available. Automatic scheduling is available for all hearing types except desk-based hearings. The desk-based hearing is held at the discretion of the hearing official. There are no other hearing attendees and hearing transcriptions cannot be requested. For location hearings, the system automatically searches for the next date where a user and a specified location is available.

Completing a Hearing for a Hearing Appeal Type: The final step in the hearing lifecycle is completing the hearing. The purpose of this stage is to verify that a decision is available for the hearing. This step occurs when the hearing official marks the hearing as completed and enters information regarding the hearing attendance for each attendee present at the hearing. If the hearing official records absent attendees, the hearing appeal case can be reopened in the future. Also, attendance information is used to determine whether payment should be made to any representatives attending the hearing.

Rescheduling a Hearing for a Hearing Appeal Type: A hearing can be rescheduled due to scheduling conflicts within the organization. This includes conflicts with the hearing date, time, or location, e.g., if the hearing location is unavailable. Hearings can only be rescheduled by the organization and not at the request of a case participant. Case participants must request a continuance.

When a hearing is rescheduled, the system copies all the participant and user information to the rescheduled hearing. Any transcription requests will also be copied over. All hearing participants that are required to attend the hearing are notified of the rescheduled hearing. The system sends hearing schedule notices to the hearing participants provided there is sufficient time to send correspondence. If the hearing is desk-based, a task is assigned to the hearing official to complete the rescheduled hearing. The hearing case participants are notified of the new statement submission date.

Continuing a Hearing for a Hearing Appeal Type: A continuation is the postponement of a hearing to a later date. For example, a scheduled hearing may be postponed if one of the case participants is unable to attend due to illness. Hearings can only be continued before the scheduled date of the hearing. Another hearing must then be scheduled before the hearing case can proceed to the next stage in its life cycle. When a hearing is continued, continuance notices are sent to all case participants informing them of the continued hearing.

Adjourning a Hearing for a Hearing Appeal Type: An adjournment is the postponement of a hearing while the hearing is in session. For example, a hearing may be adjourned to allow an appellant more time to gather evidence. The hearing official adjourns the hearing. The hearing scheduler records information regarding the adjournment. This includes recording the reason for the adjournment and the attendance for the hearing.

A task is assigned to the hearing scheduler to schedule a new hearing.

Since there is no concept of “in session” for desk-based hearings, these hearings cannot be adjourned.

When a hearing is adjourned, hearing adjournment notices are sent to all case participants informing them of the adjourned hearing.

Hearing Appeal Type Decision Lifecycle

After the hearing is completed for the hearing case, the hearing appeal case decision lifecycle commences. A hearing appeal decision marks whether the appeal has been accepted or rejected. For appeals with multiple decisions, the hearing case decision indicates whether or not a resolution has been successfully entered for each item under appeal considered at the hearing.

Once a hearing is completed, a resolution or multiple resolutions are entered based on that hearing. A decision document can be attached to the hearing case to

document the items considered at the hearing and the resolutions reached for each. The system automatically determines the overall hearing appeal decision based on a combination of the resolutions entered for each item under appeal. This starts the hearing appeal decision lifecycle.

The hearing appeal decision must be approved or rejected. The approval of a hearing appeal decision verifies that the hearing resolutions are to be implemented. The rejection of a hearing appeal decision indicates that the original case decision is upheld. The final stage in the hearing appeal decision lifecycle is the implementation of the appeal decisions.

Entering a Hearing Appeal Type Decision: When the hearing is completed for the hearing case, the hearing official must enter a resolution for each of the items under appeal. The overall decision for the hearing appeal case is determined by the system based on a combination of the resolutions for each of the items being appealed.

The four possible resolutions are accepted, remanded, not decided, and rejected. An accepted resolution indicates that the appeal on the decision has been accepted and the appropriate action must be taken on the original program application, product delivery or issue case. A remanded resolution indicates that the appeal is being reviewed by the organization. A not decided resolution indicates that no decision has been made for the appeal. A rejected resolution indicates that the appeal has been rejected and the decision on the original case is upheld.

The hearing official attaches or creates a decision document which describes the issues and resolutions. This processing is described in the next section.

An overall hearing appeal case decision is then entered which verifies that a resolution has been reached for all the items considered. This marks the end of the first stage in the hearing appeal decision lifecycle.

Attaching a Decision Document: A decision document is recorded for the hearing appeal decision detailing the program application, cases and/or issues considered and the decisions reached at the hearing. If multiple decisions have been reached at the hearing, there may be a number of decision documents recorded for the hearing case decision.

External decision documents can be recorded by specifying a document reference and document location, or by attaching a document.

Alternatively, an internal decision document based on an Microsoft Word template can be created. This template provides a blueprint in terms of layout and content.

Data that can be automatically added to the template include the following: the organization name and address, the appellant name and address, hearing and decision dates, the hearing official name, the overall decision, and a list of issues and resolutions.

Changes made to the decision document can also be made to the template itself.

Support is provided to maintain a list of the organization's appeal clauses. Appeal clauses describe the precedents for the decision and the legal articles that affect it. These clauses can be dynamically inserted into a number of decision documents, if necessary.

Approving a Hearing Appeal Type Decision: The overall hearing appeal decision is approved before the hearing resolutions are implemented.

The hearing official submits a hearing appeal decision for approval. The hearing appeal decision is then approved or rejected by the senior hearing official. If the hearing official has decision approval rights as part of his or her security profile, or if the senior hearing official submits the hearing appeal decision, the decision is automatically approved.

Hearing appeal decisions submitted for approval have a status of submitted; approved hearing case decisions have a status of approved.

If the hearing appeal decision is rejected, it's status returns to open. The hearing appeal decision must be resubmitted to progress in the lifecycle.

Once the hearing appeal decision is approved or rejected, the hearing appeal deadline task is completed and the hearing appeal is automatically closed by the system.

Implementing Accepted Decisions: The final stage in the hearing appeal decision lifecycle is the implementation of each accepted decision resolution. The system creates a task and assigns it to the case owner of each related application, case and/or issue case to implement the decision for the appeal.

Accepted decisions require the application/case/issue case owner to override the original denied program application, case or issue case decision to reflect the appeal decision. There are three ways to do this: the owner can override the evidence recorded, override the eligibility decision on the case, or override the payment details on the case.

Hearing appeal decisions with a resolution of rejected, remanded, or not decided do not require the owner to override evidence, eligibility, or payment details, as the decision reached on the appeal is to uphold these details. If the hearing appeal resolution is remanded, the system notifies the hearing appeal case owner and the case owner informing them that a new appeal case must be created to reconsider the case.

Once the decision resolution has been implemented on the case, the hearing appeal process is complete.

Canceling a Hearing Appeal Type

A hearing appeal case can be canceled at any stage of processing. For example, a hearing appeal may be canceled if the appellant withdraws the appeals hearing request. If there is a scheduled hearing for the hearing case, this is also canceled and all relevant participants of the hearing are notified.

Reopening a Hearing Appeal Type

A closed hearing appeal can be reopened if an appellant, respondent, or third party who was required to attend the last completed hearing for the hearing case did not attend the hearing. It will only be reopened for parties with good reason for their non-attendance. A hearing appeal cannot be reopened in any other circumstance.

Hearing Appeal Type Statuses

There are three separate hearing appeal case statuses, one for each of the lifecycles: hearing appeal case statuses, hearing statuses, and hearing appeal decision statuses.

Hearing Appeal Status History: A hearing appeal status history is maintained for a hearing appeal case throughout its lifecycle. This provides information on the stages a hearing appeal goes through.

The following table describes the hearing appeal case statuses in full:

Table 1. Hearing Case Statuses.

This table describes the statuses a hearing case can have .

Status	Description
Open	A hearing appeal status is "open" when the hearing appeal case is first created on the system. Rejecting and reopening a hearing appeal will cause its status to revert to "open".
Active	A hearing appeal case status is "active" when a hearing has been scheduled for the appeal.
Canceled	A hearing appeal case status is "canceled" if the hearing appeal case is canceled.
Approved	A hearing appeal case status is "approved" when the hearing appeal case is approved by an authorized user.
Delayed Process Pending	A hearing appeal case status is "delayed process pending" when the system is executing an online process. Delayed processing allows work to continue without having to wait for online processing to complete.
Closed	A hearing appeal case is "closed" when a decision on the hearing appeal case has been approved or rejected. The system automatically closes the hearing appeal case and sends a task instructing the owner of the original item under appeal to implement the decision.

Hearing Statuses: Each hearing scheduled for a hearing appeal case goes through several stages during its lifecycle. The hearing status reflects the stage of the hearing.

The following table describes the hearing statuses in full:

Table 2. Hearing Statuses.

This table describes the statuses a hearing can have.

Status	Description
Scheduled	A hearing status is "scheduled" when a hearing is scheduled for a hearing appeal case. Note that only one hearing can exist on a hearing case with a status of "scheduled" at the one time.
Completed	A hearing status is "completed" when a hearing for a hearing appeal case has been held and is complete.
Adjourned	A hearing status is "adjourned" when a hearing for a hearing appeal case has been adjourned while in session.
Continued	A hearing status is "continued" when a hearing for a hearing appeal case has been postponed to a later date. When a hearing is continued, another hearing must be scheduled for the hearing to progress to the next stage in its life cycle.
Canceled	A hearing status is "canceled" when the scheduled hearing for a hearing appeal case is canceled.

Hearing Appeal Type Decision Statuses: Each hearing appeal decision goes through several stages during its lifecycle. The hearing appeal decision status reflects the stage of the hearing appeal case decision.

The following table describes the hearing case decision statuses in full:

Table 3. Hearing Case Decision Statuses.

This table describes the statuses a hearing case can have.

Status	Description
Not Started	A hearing appeal decision status is "not started" when no decision exists on the hearing appeal case.
In Progress	A hearing appeal decision status is "in progress" when a decision exists for the hearing appeal case but it has not yet been approved.
Submitted	A hearing appeal decision status is "submitted" when it is submitted for approval.
Approved	A hearing appeal decision status is "approved" when the decision is approved by an authorized user.
Rejected	A hearing appeal decision status is "rejected" when the hearing appeal case decision is rejected by an authorized user.

Hearing Review Appeal Type Lifecycle

The hearing review lifecycle begins with the creation of the hearing review appeal. Once the hearing review is created, it must be approved before a hearing can be scheduled.

The hearing that is held for the hearing review has its own lifecycle which includes scheduling the hearing, inviting attendees to the hearing, and completing the hearing.

The hearing review lifecycle and hearing lifecycle merge when a decision is entered for the hearing. Like the hearing appeal type, each decision has its own lifecycle that is managed as part of the hearing review. When the hearing is completed, the decision reached at the hearing is entered on the hearing review and a decision document is attached to the hearing review. The decision is then approved or rejected. Approved decisions must then be implemented.

Hearing reviews can be canceled at any stage of hearing case processing.

Creating a Hearing Review Appeal Type

The first stage in the hearing review life cycle is hearing review creation. This stage defines the decision that is being appealed, the appellant and respondent for the appeal, and the appeal details.

Like hearing appeal cases, a hearing review appeal can be created to appeal decisions on denied program applications, cases, issue cases, prior appeals, or a combination of these. Additional denied program applications, product delivery cases or issue cases can be added to the new hearing review. Adding one of these items to the hearing review means that you require this to be considered at the hearing held for the hearing review.

Each additional item that is added to the hearing review can potentially be owned by a different appellant.

Note that hearing review appeals can only be created on issue cases that have an approved resolution. For information on issue resolutions, see the *Cúram Issue Management Guide*.

The user then specifies the appellant for the appeal, the respondent for the appeal, and the appeal details such as the estimated level of difficulty for the appeal, the reason for the appeal, any emergency associated with the appeal, for example, threatened eviction, whether or not the appellant wishes to continue benefits for the duration of the appeal, and important dates.

The date the appeal request was received by the organization is recorded. If the hearing review is created for a program application, product delivery or prior appeal case, the date that the decision on the original application/case being appealed became effective is specified. If the hearing review is created for an issue case, the date that the resolution for the issue case was approved is recorded.

The user has the option of sending a receipt notice to the appellant. The receipt notice acknowledges that the appeal has been created. If there are multiple appeal requests for the appeal, i.e., if multiple cases have been added to the appeal, the user can generate a single appeal notice that acknowledges receipt of all the appeal requests. This notification is sent to each appellant on the hearing review.

Approving a Hearing Review Appeal Type

The second stage in the hearing review lifecycle is hearing approval. The purpose of this stage is to verify that a hearing can be scheduled for the hearing review. During this stage, each appealed item linked to the hearing review is either approved or rejected, typically by a hearing review supervisor. If multiple items are under appeal in the hearing review appeal, each one of these appealed items must be approved. Only the approved items under appeal will be considered at the hearing scheduled for the hearing review. The status of the hearing review is based on the status of the item under appeal. If an appealed item on a hearing review is approved, the status of the hearing review is also approved. Note, however, if there are multiple items under appeal and one of those is set to rejected, the hearing review appeal status remains open.

Note that issues added to the hearing review appeal do not require approval.

Hearing Lifecycle for a Hearing Review Appeal Type

After the hearing review is approved, the hearing lifecycle commences. The hearing lifecycle for a hearing review consists of all the stages leading up to the hearing from scheduling the hearing through to completion of the hearing.

A hearing for a hearing review is presided over by hearing reviewers who are users within the organization and had no part in either the original decision or prior appeal. Hearing reviewers are responsible for making a decision on the appeal after the hearing.

A hearing must be scheduled and completed before a decision can be entered for the hearing review. Additionally, hearings managed as part of a hearing review can be rescheduled, continued, or adjourned.

Each stage in the review hearing lifecycle includes a set order of functionality, as described below.

Scheduling a Hearing for a Hearing Review: The first stage in the hearing lifecycle is to schedule the hearing.

A hearing must be scheduled and completed before a decision can be entered for the hearing case. Additionally, hearings managed as part of a hearing case can be rescheduled, continued, or adjourned.

As hearings for hearing reviews are presided over by hearing reviewers, the main part of scheduling a hearing is to select the available hearing reviewers. Hearings held for a hearing review require a minimum number of hearing reviewers to officiate at the hearing. The number of reviewers is configured by the organization. Hearing reviewers can be selected by entering a date and checking hearing reviewer availability for that date or by having the system automatically search for the next date where a sufficient number of hearing reviewers are available.

Completing a Hearing for a Hearing Review: The final stage in the hearing lifecycle is the completion of the hearing. The purpose of this stage is to verify that a decision is available for the hearing. This stage occurs when a hearing reviewer marks the hearing as completed and enters information regarding hearing attendance for each appellant. Attendance information can be used to determine whether payment should be made to any representatives attending the hearing.

Rescheduling a Hearing for a Hearing Review: A hearing for a hearing review can be rescheduled due to scheduling conflicts within the organization. This includes conflicts with the hearing date, time, or location, e.g, if the hearing location is unavailable. Hearings can only be rescheduled by the organization and not at the request of a case participant. Case participants must request a continuance.

When a hearing is rescheduled, the system copies all the participant and user information to the rescheduled hearing. Any transcription request will also be copied over. All hearing participants are notified of the rescheduled hearing.

Continuing a Hearing for a Hearing Review: A continuation is the postponement of a hearing to a later date. For example, a scheduled hearing may be postponed if one of the case participants is unable to attend due to illness. Hearings can only be continued before the scheduled date of the hearing. Another hearing must then be scheduled before the hearing can proceed to the next stage in its life cycle. When a hearing is continued, continuance notices are sent to all case participants informing them of the continued hearing.

Adjourning a Hearing for a Hearing Review: An adjournment is the postponement of a hearing while the hearing is in session. For example, a hearing may be adjourned to allow the hearing reviewers more time to gather evidence. The hearing reviewer(s) adjourns the hearing. The hearing scheduler records information regarding the adjournment. This includes the attendance for the adjourned hearing.

When a hearing is adjourned, hearing adjournment notices are sent to all case participants informing them of the adjourned hearing.

Hearing Review Appeal Type Decision Lifecycle

After the hearing for a hearing review is completed, the hearing review decision lifecycle commences. A hearing review decision marks whether the appeal has been accepted or rejected.

For appeals with multiple decisions, the hearing review decision indicates whether or not a resolution has been successfully entered for each case or issue decision considered at the hearing.

Once a hearing is completed, a resolution or multiple resolutions are entered based on that hearing. A decision document can be attached to the hearing review to document the denied program applications, product delivery cases and/or issue cases considered at the hearing and the resolutions reached for each. The system automatically determines the overall hearing review decision based on the resolutions entered for each item under appeal. This starts the hearing review decision lifecycle.

The hearing review decision must be approved or rejected. The approval of a hearing review decision verifies that the hearing resolutions are to be implemented. A rejected resolution indicates that the appeal has been rejected and the decision on the original item application, product delivery or issue case is upheld. The final stage in the hearing review decision lifecycle is the implementation of the appeal decisions.

Entering a Hearing Review Decision: When the hearing is completed for the hearing review, the hearing official must enter the hearing review decision. The decision is based on the resolutions for each of the items under appeal.

The four possible resolutions are accepted, remanded, not decided, and rejected. An accepted resolution indicates that the appeal on the item under appeal has been accepted and the appropriate action must be taken on the original application, product delivery or issue case. A remanded resolution indicates that the appeal is being reviewed by the organization. A not decided resolution indicates that no decision has been made for the appeal. A rejected resolution indicates that the appeal has been rejected and the decision on the original application, product delivery or issue case is upheld.

The hearing reviewer attaches or creates a decision document which describes the items being appealed and their resolutions. This processing is described in the next section.

An overall hearing review decision must be entered which verifies that a resolution has been reached for all the items considered on the appeal. This marks the end of the first stage in the hearing review decision lifecycle.

Attaching a Decision Document: A decision document is recorded for the hearing review decision detailing the appealed items considered and the decisions reached at the hearing. If multiple decisions have been reached at the hearing, there may be a number of decision documents recorded for the hearing review decision.

External decision documents can be recorded by specifying a document reference and document location, or by attaching a document.

Alternatively, an internal decision document based on an Microsoft Word template can be created. This template provides a blueprint in terms of layout and content.

Data that can be automatically added to the template include the following: the organization name and address, the appellant name and address, hearing and decision dates, the hearing reviewer name, the overall decision, and a list of issues and resolutions.

Users can also save changes made to the decision document to the template itself.

Support is provided to maintain a list of the organization's appeal clauses. Appeal clauses describe the precedents for the decision and the legal articles that affect it. These clauses can be dynamically inserted into a number of decision documents, if necessary.

Approving a Hearing Review Decision: The overall hearing review decision is approved before the hearing resolutions are implemented.

The hearing reviewer submits a hearing review decision for approval. The hearing review decision is then approved or rejected by the senior hearing reviewer. If the hearing reviewer has decision approval rights as part of his or her security profile, or if the senior hearing reviewer submits the hearing review decision, the decision is automatically approved.

Hearing review decisions submitted for approval have a status of submitted; approved hearing review decisions have a status of approved.

If the hearing review decision is rejected, its status returns to open. The hearing review decision must be resubmitted to progress in the lifecycle.

Once the hearing review decision is approved or rejected, the hearing review appeal deadline task is completed and the hearing review is automatically closed by the system.

Implementing Accepted Decisions: The final stage in the hearing review lifecycle is the implementation of each accepted decision resolution. The system creates a task and assigns it to the case owner of each related case or issue to implement the decision for the appeal.

Accepted decisions require the case owner to override the original case or issue decision to reflect the appeal decision. There are three ways to do this: the case owner can override the evidence recorded on the case or issue, override the eligibility decision on the case, or override the payment details on the case.

Hearing review decisions with a resolution of rejected, remanded, or not decided do not require the owner of the originating item under appeal to override evidence, eligibility, or payment details, as the decision reached on the appeal is to uphold these details. If the hearing review resolution is remanded, the system notifies the hearing review owner and the owner of the item under appeal informing them that a new appeal must be created to reconsider the denied program application, product delivery case or issue case.

Once the decision resolution has been implemented on item(s) under appeal, the hearing review appeals process is complete.

Canceling a Hearing Review Appeal Type

A hearing review can be canceled at any stage of hearing review processing. For example, a hearing review may be canceled if the appellant withdraws the appeal request. If there is a scheduled hearing for the hearing review, this is also canceled and all relevant participants of the hearing are notified.

Hearing Review Statuses

There are three separate hearing review statuses, one for each of the lifecycles: hearing review statuses, hearing statuses, and hearing review decision statuses.

Hearing Review Status History: A hearing review status history is maintained for a hearing review throughout its lifecycle. This provides information on the stages a hearing review goes through.

The following table describes the hearing review statuses in full:

Table 4. Hearing Review Statuses.

This table describes the statuses a hearing review can have.

Status	Description
Open	A hearing review status is “open” when the hearing review is first created on the system. Rejecting a hearing review will cause its status to revert to “open”.
Active	A hearing review status is “active” when a hearing has been scheduled for the hearing review.
Canceled	A hearing review status is “canceled” if the hearing review is canceled.
Approved	A hearing review status is “approved” when the hearing review is approved by an authorized user.
Delayed Process Pending	A hearing review status is “delayed process pending” when the system is executing an online process. Delayed processing allows work to continue without having to wait for online processing to complete.
Closed	A hearing review is “closed” when a decision on the hearing review has been approved or rejected. The system automatically closes the hearing review and sends a task instructing the owner of the original application, product delivery or issue case to implement the decision.

Hearing Statuses for a Hearing Review: Each hearing scheduled for a hearing review goes through several stages during its lifecycle. The hearing status reflects the stage of the hearing.

The following table describes the hearing statuses for a hearing review in full:

Table 5. Hearing Statuses for a Hearing Review.

This table describes the statuses a hearing for a hearing review can have.

Status	Description
Scheduled	A hearing status is “scheduled” when a hearing is scheduled for a hearing review. Note that only one hearing can exist on a hearing review with a status of “scheduled” at the one time.
Completed	A hearing status is “completed” when a hearing for a hearing review has been held and is complete.
Adjourned	A hearing status is “adjourned” when a hearing for a hearing review has been adjourned while in session.

Table 5. Hearing Statuses for a Hearing Review (continued).

This table describes the statuses a hearing for a hearing review can have.

Status	Description
Continued	A hearing status is “continued” when a hearing for a hearing review has been postponed to a later date. When a hearing is continued, another hearing must be scheduled for the hearing to progress to the next stage in its lifecycle.
Canceled	A hearing status is “canceled” when the scheduled hearing for a hearing review is canceled.

Hearing Review Decision Statuses: Each hearing review decision goes through several stages during its lifecycle. The hearing review decision status reflects the stage of the hearing review decision.

The following table describes the hearing review decision statuses in full:

Table 6. Hearing Review Decision Statuses.

This table describes the statuses a hearing can have .

Status	Description
Not Started	A hearing review decision status is “not started” when no decision exists on the hearing review.
In Progress	A hearing review decision status is “in progress” when a decision exists for the hearing review but it has not been submitted for approval.
Submitted	A hearing review decision status is “submitted” when it is submitted for approval.
Approved	A hearing review decision status is “approved” when the decision is approved by an authorized user.
Rejected	A hearing review decision status is “rejected” when the hearing review decision is rejected by an authorized user.

Judicial Review Appeal Type Lifecycle

Judicial review processing occurs outside the system. There are no hearings held and the decision is reached outside the organization and therefore does not get approved on the system.

The lifecycle for judicial reviews involves the steps taken to record judicial review details. The first stage is the creation of the judicial review. As part of judicial review creation, the court is petitioned. Also, if the appellant is not the organization, the transcript of the original hearing is forwarded to the appellant(s) either automatically or at their request.

Any decision reached on the judicial review is recorded on the system. The original owner of the item under appeal is instructed to implement this decision. The judicial review case is then closed.

A judicial review can be canceled at any stage of the judicial review processing.

Creating a Judicial Review and Petitioning the Court

A judicial review is first created to appeal decisions on a denied program application, product delivery case, prior appeal case, or issue case. Additional denied program applications, product delivery cases or issue cases can be added to the new judicial review. Adding another item to a judicial review means that you require this to be considered at the hearing held for the judicial review. Each additional item that is added to the hearing case can potentially be lodged by a different appellant.

Note that judicial review appeals can only be created on issues cases that have an approved resolution. For information on issue case resolutions, see the *Cúram Issue Management Guide*.

When creating a judicial review, the user specifies the appellant for the appeal, the respondent for the appeal, and the appeal details. Appeal details include the estimated level of difficulty for the appeal, the reason for the appeal, any emergency associated with the appeal, for example, threatened eviction, whether or not the appellant wishes to continue benefits for the duration of the appeal, and important dates. The date the appeal request was received by the organization is recorded. If the judicial review is created for a denied program application, product delivery or prior appeal case, the date the decision on the original item being appealed became effective is specified. If the judicial review is created for an issue case, the date that the resolution for the issue was approved is recorded.

If the organization is the appellant, the judicial review case owner can request that the system prints off a court petition as part of the appeal creation process. The court petition can be attached to the judicial review appeal. The petition can then be completed and sent to the court.

If the organization is not the appellant, the judicial review case is created after the court notifies the organization that the appellant has petitioned for an appeal. Notification that the judicial review appeal case has been created is sent to the case participant.

Providing a Hearing Transcription

One requirement for judicial review appeals is the provision of a hearing transcription. This is the transcription from the hearing for a prior appeal case. Hearing transcriptions only pertain to judicial reviews that are higher than the first level in the appeals process because there must have been a hearing held in order for the transcription to exist. Additionally, the previous hearing must have been held for either a hearing appeal or hearing review appeal.

Recording the Judicial Review Decision

When the judicial review has been held, a judicial review decision is entered by the judicial review case owner and a decision document or documents attached to the judicial review. Unlike the decisions for other types of appeals the decision for the judicial review is automatically approved. Before the judicial review case decision is entered, the judicial review case owner must enter a decision or resolution for each related appealed item considered at the judicial review. The system automatically determines the overall judicial review decision based on a combination of the resolutions entered for each item under appeal. This starts the judicial review decision lifecycle.

There are four possible resolutions for each item being appealed; accepted, remanded, not decided, and rejected.

An accepted resolution indicates that the appeal has been accepted and the appropriate action must be taken on the original item under appeal. It is up to the original owner to implement the decision resolution. A remanded resolution indicates that the appeal is being reviewed by the organization for reconsideration. A not decided resolution indicates that no decision has been made for the appeal. A rejected resolution indicates that the appeal has been rejected and the decision on the original application, product delivery case or issue case is upheld.

When a resolution has been entered for each item appealed at the judicial review, an overall decision is entered based on an evaluation of the individual resolution. A decision document detailing the decisions is recorded for the judicial review.

Once the judicial review is recorded, the decision document can be attached for the case or issue by attaching a file or specifying a file location and reference.

Attaching a Decision Document: A decision document is recorded for the judicial review detailing the appealed items considered and the decisions reached at the judicial review. If multiple decisions have been reached, there may be a number of decision documents recorded for the judicial review.

External decision documents can be recorded by specifying a document reference and document location, or by attaching the file.

Alternatively, an internal decision document based on an Microsoft Word template can be created. This template provides a blueprint in terms of layout and content.

Data that can be automatically added to the template include the following: the organization name and address, the appellant name and address, hearing and decision dates, the overall decision, and a list of issues and resolutions.

Changes made to the decision document can also be made to the template itself.

Support is provided to maintain a list of the organization's appeal clauses. Appeal clauses describe the precedents for the decision and the legal articles that affect it. These clauses can be dynamically inserted into a number of decision documents, if necessary.

Implementing Judicial Review Decisions

Once the judicial review decision has been recorded, it must be implemented. The system sends a notification to the judicial review case owner that a decision has been made and approved for the appeal.

It is the responsibility of the owner of each application/product delivery case or issue case where a judicial review decision has been made to implement the decision. The system creates a task and assigns it to the owner of each related appealed item to implement the decision for the appeal.

For decisions with a resolution of accepted, the owner must override the denied program application, product delivery or issue case decision to reflect the appeal decision.

There are three ways to override the original decision: override the evidence recorded on the application, case or issue case, override the eligibility decision, or override the payment details if applicable. The owner may override the existing rate of payment on the case with the rate of payment determined by the evidence presented at the completed hearing on the judicial review.

Judicial review decisions with a resolution of rejected, remanded, or not decided do not require the owner to override evidence, eligibility, or payment details as the decision on the original item being appealed is upheld. However, if a judicial review resolution is remanded the system notifies the judicial review owner and the original appealed item owner informing them that a new appeal must be created to reconsider the case.

Once the decision resolution has been implemented on the appealed item, the judicial review appeals process is complete.

Closing the Judicial Review

The final stage in the judicial review lifecycle is judicial review closure. When the judicial review decision is recorded on the system, the judicial review case must be manually closed.

Canceling a Judicial Review

A judicial review can be canceled at any stage of the judicial review processing. For example, a judicial review may be canceled if an appellant withdraws the appeal request. When a judicial review is canceled, the system issues a notification task to the judicial review owner informing them of the judicial review cancellation.

Judicial Review Status

A judicial review status is maintained for a judicial review throughout its lifecycle. This provides information on the stages a judicial review goes through.

The following table describes the judicial review statuses in full:

Table 7. Judicial Review Statuses.

This table describes the statuses a judicial review can have .

Status	Description
Open	A judicial review status is "open" when the judicial review is first created on the system.
Canceled	A judicial review status is "canceled" if the judicial review is canceled.
Delayed Process Pending	A judicial review status is "delayed process pending" when the system is executing an online process. Delayed processing allows work to continue without having to wait for online processing to complete.
Closed	A judicial review status is "closed" when the judicial review case has been closed by an authorized user. A user manually closes the judicial review case and sends a task instructing the owner of the original case to implement the decision.

Legal Action Process Overview

Introduction

Legal actions are managed at the case level. Legal action management typically includes requesting a hearing via a legal petition, conducting the hearing, and making a determination from the hearing. A hearing determination may result in a legal order.

For example, the organization receives a report about an abandoned child who is found wandering the streets crying. A case worker brings the child to the organization office and finds out that his name is Harry and he does not know his father's name. Harry tells the case worker that he was staying with his mother Kate who left him alone and went out with his uncle. The organization is unable to locate the child's mother. In the process, it locates Harry's aunt who lives in the neighboring state. The aunt is willing to take Harry and the organization deems this to be the most appropriate course of action. The organization submits a temporary custody petition for Aunt Alice with the court. The court schedules a temporary custody hearing for next day as a result of the petition. Both legal actions are recorded by the organization and associated with one another.

Note that the process for managing legal actions is fully flexible and can be customized according to the organization's requirements. For example, a legal order can be created directly from a legal petition without the organization having to create a legal hearing in between. This chapter provides an overview of legal petition, legal hearing, and legal order management.

Legal Petition

A legal petition is a formal request to the court asking for an order or a ruling on a particular matter involving a participant or the organization.

Legal actions support the creation and tracking of legal petitions. The user selects the category of legal action, i.e., "Petition", and the type of legal petition, for example, "Petition to Transfer" or "Petition to Waive to Adult Court".

Additional information recorded includes the petition number, court location, judge name, petitioner, respondent, creation date, date filed, narrative, and outcome.

The petitioner is the participant who requests action by the court. For example, the petitioner may be a person in custody or a person acting on behalf of the organization. The respondent is the subject of the petition who can respond to the charges or actions requested of the court. Note that the organization can play the role of petitioner or respondent depending on the circumstances of the legal petition. There may also be other participants involved or mentioned as part of the petition. These other participants can be added to the petition as appropriate.

Legal action petitions can be created, modified, or closed. Additionally, other legal actions can be associated with a legal petition. For more information, see "Legal Action Associations" on page 28.

Legal Hearing

A legal hearing is a legal proceeding held before a judge or other legal authority.

Legal actions support the creation and tracking of legal hearings. The user selects the category of legal action, i.e., "Hearing", and the type of legal action, for example, "Pre-Detention" or "Detention".

Additional information recorded during the hearing creation includes the docket number, court location, judge name, participant, start date, and outcome.

Once a legal hearing has been created, case workers and court officers can track and manage the progress of the hearing. This includes scheduling the hearing and gathering information. On scheduling a hearing, notices are generated and sent to

each participant added to the legal hearing. A number of other activities can be performed during the course of a scheduled hearing. These include the ability to add representatives and witnesses to the hearing, manage rescheduled, canceled or adjourned hearings, as well as finalize the legal hearing based on the decision reached at the scheduled hearing. Once a decision has been captured for the hearing, an overall decision is reached and the hearing legal action may be closed. The overall decision may result in the creation of a legal order or a request to create another legal petition and file in the court.

Note that the process for managing legal hearings and hearings held for appeals is the same. For more information on managing hearings and decisions for appeals, see "Hearing Appeal Type Lifecycle" on page 10.

Legal Order

A legal order is a directive by a court of law regarding a participant. It is generally made in response to an application by the government against an alleged criminal or perpetrator, or in response to a request made on behalf of a participant who is the responsibility of the organization.

Legal actions support the creation and tracking of legal orders. A legal order may be created as a result of a legal hearing, a legal petition or independently. The user selects the category of legal order, i.e., "Order", and the type of legal action, for example, "Detention Order".

There are many types of legal orders. These include detention/sentence orders, temporary custody orders, and adoption orders. A legal order is intended to be for or against a participant.

A legal order contains the details of the decision provided by the judicial officer or the court on a petition or a hearing. For example, it may contain the sentence details or directions to various participants involved.

Additional information recorded during the legal order creation includes the court location, judge name, participant, issue date, effective date, expected end date, and outcome.

Legal orders can be created, modified, or closed. Additionally, other legal actions can be associated with a legal order. For more information, see the section on Legal Action Associations below.

Legal Action Associations

A legal action can be associated with multiple legal actions. If a legal action is created within another legal action, the system automatically creates an association between the two legal actions. A legal action can be associated with another legal action as a result of a legal action, or for another reason. If two legal actions are associated with one another in error, the relationship between the two legal actions can be removed.

Appeal Deadlines

Introduction

Appeal deadlines regulate appeals processing according to the organization's implementation of appeals.

Appeals comes equipped with pre-defined appeals deadlines. These include deadlines for filing appeals, reaching a decision on an appeal, and implementing appeal decisions. Additional interim deadlines can be set for sending correspondence and scheduling hearings.

The appeal deadlines are maintained by a task which escalates if the deadline passes without completion of the defined action.

Also, time constraints can be used to manage the values for these appeal deadlines. As such, the values for these deadlines can be changed by an administrator. For more information on time constraints, see Appeal Administration.

Deadline for Appealing Original Decision

Once a decision is recorded on an original case or issue, there is a defined time period for appealing that decision. This defined time period is based on the date the appellant's request for an appeal is received by the organization and the effective date of the decision. The organization defines the maximum length of time between the appeal receipt date and the effective date, i.e., the original case or issue decision date. The system compares the appeal request receipt date to the original decision date to determine whether or not the appeal exceeds the maximum time limit. If the time limit does not exceed the maximum period of time, the appeal is timely. If the time limit exceeds the maximum period of time, the appeal is untimely. Note that the organization determines how to handle untimely appeals.

Deadline for Reaching a Decision on an Appeal

Hearing appeal and hearing review appeals have a deadline for reaching a decision on that appeal.

To implement this deadline, the system issues a task that details the deadline for the overall appeal case. This start date depends on whether there is more than one case related to the appeal.

When there is more than one appealed item related to an appeal, the system looks at the implementation deadline date for each item and determines the earliest of these to be the overall decision deadline date. Even though on their own, the appealed items would have a longer period of time to reach a deadline, as they are part of an overall decision, they fall within the time constraints of the earliest date.

Each related appealed item added to the appeal may potentially result in an earlier deadline date for the appeal case. However, the overall decision deadline for the appeal case is not affected by a new appealed item until it has been approved. At this time if the calculated deadline for the related appealed item results in an earlier decision deadline for the appeal case, the latter is updated and all case participants are notified of the new decision deadline for the appeal.

If no decision is made within the designated deadline, the task is escalated for further action. This includes raising the task priority and reassigning the task to the hearing case or hearing review supervisor.

Deadline for Implementing a Decision

The deadline for implementing a decision determines the period within which appeal decisions must be implemented. This time period starts when an appeal

request is received by the organization. Once an appeal decision has been approved, the decision for the appeal case must then be implemented.

When a request for an appeal is added to an appeal case, the system automatically calculates an implementation deadline date for each related case. This implementation date is calculated by adding the appeal receipt date to the time required to reach and implement a decision.

On approval of the decisions, an implementation deadline task is created for each appealed item and assigned to its owner.

If a decision is not implemented by the deadline, the task is escalated for further action. This includes raising the task priority and reassigning the task to the case supervisor or the owner's manager.

The time required to make and implement a decision for the appealed item is determined using the following time constraints which are set up on the underlying application, product or issue appeal process for the case being appealed:

- Decide and implement hearing case
- Decide and implement hearing review case

Extending the Deadline for Reaching a Decision

The deadline for reaching a decision in a hearing appeal or hearing review appeal is automatically extended if a hearing for the appeal is continued, adjourned, or rescheduled. For example, when a hearing is adjourned and then rescheduled for a different date, the decision deadline date for the appeal case is extended to reflect the delay. To determine the updated decision deadline, the system calculates the period of time between the date the hearing is continued or adjourned and the new scheduled hearing date. The system then extends the appeal case decision deadline by the value of the calculated period of time.

Deadline for Scheduling a Hearing

The deadline for scheduling a hearing determines the latest date on which a hearing can be held. This date must allow for sufficient time to reach a decision before the appeal decision deadline. Appeal stage time constraints define the number of days required to schedule the hearing, hold the hearing, and reach a decision. The schedule hearing deadline is the difference between the appeal decision deadline date and the value of this time constraint.

To ensure that a decision is made within the legislated time-line, an interim deadline task for the scheduling of a hearing is assigned to users with hearing scheduler privileges. This task will have a deadline associated with it. If the overall appeal decision deadline changes due to the approval of an additional request for appeal, the schedule hearing deadline task must reflect this change. This is only necessary in the situation where the appeal decision date has been brought forward. If no hearing is scheduled within the designated deadline, the task is escalated for further action. This includes raising the task priority and reassigning the task to the case supervisor or the hearing scheduler's manager.

Deadline for Sending Correspondence

The appeal case correspondence deadline determines whether or not there is a sufficient amount of time before a scheduled hearing to send correspondence. This deadline is defined by a time constraint that indicates the minimum length of time before the scheduled hearing date required to send out correspondence. To

determine the correspondence deadline, the system calculates the period of time between the current date on the system and the scheduled hearing date. The system then subtracts the value of the time constraint from the time period. If this calculation is greater than or equal to zero, the correspondence is sent.

Deadline for Submitting Statements

Appeal statements are only considered at a hearing if copies of the statements have been sent to the relevant case participants. The hearing statement deadline determines whether or not a submitted statement is considered during the scheduled hearing. The reason for this deadline is to ensure that there is enough time for the case participants to receive and review a copy of the statement.

This deadline is defined by a time constraint that indicates the minimum length of time before the scheduled hearing date, that a hearing statement must be received, in order for it to be considered during a hearing. To determine the hearing statement deadline, the system calculates the period of time between the receipt date for a statement and the scheduled hearing date. The system then subtracts the value of the time constraint from this calculation. If the value is greater than or equal to zero, a copy of the hearing statement is sent to the case participants and the statement will be considered at the hearing. For example, if the hearing statement time constraint is set to 7 days, then the receipt date on the hearing statement must be at least 7 days prior to the scheduled hearing date.

To ensure that all case participants receive statements in a timely manner, a task for submitting these statements is assigned to the appeal case owner.

Deadline Extension for Reopened Hearing Case

When a hearing appeal is reopened, the old appeal decision deadline is extended rather than a new appeal decision deadline being issued. This is the appeal decision deadline for the closed hearing case. When the hearing case is reopened, the system determines the length of time that has lapsed between closure and reopening. The old decision deadline is extended by this amount. A new task is created for the new appeal decision deadline.

Appeal Correspondence

Introduction

This chapter describes the correspondence that may be issued during appeals processing.

Appeal Request Receipt Notice

An "Appeal Request Receipt Notice" is generated for all appeal types informing the appellant(s) that the organization has received the appellant's appeal request and an appeal case has been created. The user has the option of generating a receipt notice which acknowledges that the request for appeal has been received by the organization. The user can generate a single receipt notice or a multiple receipt notice. A single receipt correspondence acknowledges one appeal request. If additional cases have been added to the appeal, a multiple receipt notice can be generated which acknowledges all of the additional appeal requests. This notification is sent to all appellants on the appeal case. Note that this notice is only sent to appellants that are case participants.

The following information is included in each appeal request receipt notice:

Appellant Details

The appellant's name and address is displayed.

Appeal Case Details

The appeal case reference number is displayed.

Issue(s) to be Addressed

A description of each appealed item to be addressed at the hearing is displayed. This includes the reason for the appeal request, the date the appeal request was received, and date the decision being appealed became effective. The notice also displays whether or not the appellant is to receive benefits according to the amount entered by the appellant in the appeal request. This information is only displayed for appellants that are appealing a decision on a product delivery or issue case.

Contact Information

Contact information including the organization name and contact address is displayed.

Appeal Request Rejection Correspondence

An "Appeal Request Rejection Correspondence" is automatically generated each time a hearing appeal or hearing review appeal request is rejected. It informs the appellant that the organization has rejected the appellant's appeal request. Note that this correspondence is only generated if the appellant is a case participant.

The following information is included on the appeal request rejected correspondence:

Appellant Details

The appellant's name and address is displayed.

Rejection Details

The following rejection details are displayed: the appeal case reference number, rejected appeal issue(s), the rejection notice, and the issue date of the rejection.

Final Date for Written Response

The final date the appellant(s) can submit a written request for a new appeal is displayed. The final date is a set number of days after the rejection issue date.

Contact Information

The following contact information is displayed: the organization name, contact address, and name of the current user sending the rejection correspondence.

Hearing Notice Correspondence

A "Hearing Notice Correspondence" is automatically generated each time a hearing has been scheduled for a hearing appeal or hearing review case. It informs all case participants that a hearing has been scheduled. Hearing details displayed on the appeal notice differ depending on the appeal type.

Hearing Notice for a Hearing Appeal

A hearing notice is automatically generated each time a hearing for a hearing appeal is scheduled. Details displayed on the hearing notice reflect the type of hearing that has been scheduled for the hearing appeal.

Hearing Notice for Home, Telephone, and Location Hearings: A hearing notice is automatically generated each time a home, telephone, or location hearing for a hearing case is scheduled or rescheduled.

The following information is included on the hearing notice for hearing cases for home, telephone, and location hearings:

Correspondence Recipient Details

The correspondence recipient's name and address are displayed.

Hearing Appeal Details

The following hearing appeal details are displayed: the hearing reference number, the requested hearing date, the scheduled hearing date, the scheduled hearing time, the hearing address (home or organization location address), the hearing case number, and appeal issue(s) to be addressed at the hearing. Note that appeal issues refer to program applications, product delivery cases and issue cases under appeal. Note also that no address is displayed for telephone hearings. The correspondence displays aid status regarding the appellant's continued benefits provided this is the only appealed item on the hearing appeal. However, If there is more than one appealed item associated with the appeal, the hearing notice will not contain aid status information regarding the appellant's continued benefits.

Instructions

The following hearing instructions are displayed. For home and location hearings, all parties are instructed to be present at the hearing address. For telephone hearings, the correspondent is instructed to contact the organization to provide the telephone number. If a party cannot attend, the party must request an adjournment.

Contact Information for Continuance

Contact information for continuing the hearing is displayed including the organization name and organization.

Correspondence Deadline for Hearing Absence

If the appellant and/or representative are late or absent from the hearing, there is a set deadline for requesting a hearing restoration. This deadline is displayed. This deadline only applies to home, phone, and location hearings.

Hearing Statement Deadline

The final date for submitting a hearing statement is displayed.

Information for Canceling Appeal Request

For the appellant, information for canceling the appeal request is displayed. The appellant signs and dates the correspondence and mails the cancellation request to the organization name and address displayed.

Hearing Notice for a Desk Based Hearing: A hearing notice is automatically generated each time a desk-based hearing for a hearing appeal is scheduled or rescheduled. There are no hearing instructions displayed on a desk-based hearing notice because there is no hearing to be attended by the case participants. Desk-based hearings cannot be continued so no contact information for continuing the hearing is displayed on a desk-based hearing notice.

The following information is included on the hearing notice correspondence for a desk-based hearing:

Correspondence Recipient Details

The correspondence recipient's name and address are displayed.

Hearing Case Details

The following hearing appeal details are displayed: the hearing reference number, the hearing case number, and appeal issue(s) to be addressed at the hearing. Note that appeal issues refer to both denied program applications, product delivery cases and issue cases under appeal. The correspondence displays aid status regarding the appellant's continued benefits provided this is the only appealed product delivery case or issue case on the hearing appeal. However, If there is more than one appealed item associated with the appeal, the hearing notice will not contain aid status information regarding the appellant's continued benefits.

Hearing Statement Deadline

The final date for submitting a hearing statement is displayed.

Information for Canceling Appeal Request

For the appellant, information for canceling the appeal request is displayed. The appellant signs and dates the correspondence and mails the cancellation request to the organization name and address displayed.

Hearing Notice for a Hearing Review

A hearing notice is automatically generated each time a hearing for a hearing review is scheduled or rescheduled.

The following information is included on the hearing notice correspondence for a hearing review:

Correspondence Recipient Details

The correspondence recipient's name and address are displayed.

Hearing Review Details

The following hearing review details are displayed: the review hearing reference number, the requested review hearing date, the scheduled review hearing date, the hearing review case number, and the appeal issue(s) to be addressed at the review hearing. Note that appeal issues refer to both denied program applications, product delivery cases and issue cases under appeal. The correspondence displays aid status regarding the appellant's continued benefits provided this is the only appealed item on the hearing review appeal. However, If there is more than one appealed item associated with the appeal, the hearing notice will not contain aid status information regarding the appellant's continued benefits.

Instructions

Review hearing instructions are displayed. If a party cannot attend, the party must request an adjournment.

Contact Information for Continuance

Contact information for continuing the hearing is displayed including the organization name and organization address.

Hearing Statement Deadline

The final date for submitting a hearing statement is displayed.

Information for Canceling Appeal Request

For hearing review hearings where the organization is not the appellant, this correspondence displays information for the appellant to cancel the appeal request. The appellant signs and dates the correspondence and mails the cancellation request to the organization name and address displayed.

Hearing Adjournment Correspondence

A hearing adjournment correspondence is automatically generated when a hearing is adjourned. This correspondence informs all hearing case participants that an adjournment has been granted for a scheduled hearing.

The following information is included on the hearing adjournment correspondence:

Correspondence Recipient Details

The correspondence recipient's name and address are displayed.

Adjournment Details

The following adjournment details are displayed: the date the hearing is adjourned and the reason for the adjournment.

Hearing Official/Hearing Reviewer Name

The name of the hearing official or hearing reviewer who adjourned the hearing is displayed.

Hearing Attendance Cancellation Correspondence

A hearing attendance correspondence is automatically generated if an appellant is removed from a hearing case that has a scheduled hearing. This correspondence informs the appellant that they are not required to attend the scheduled hearing.

The following information is included on the hearing attendance cancellation correspondence:

Appellant Details

The appellant's name and address are displayed.

Issue Date

The issue date of the correspondence is displayed.

Hearing Case Details

The following details are displayed for the scheduled hearing: the hearing reference number, the requested hearing date, the scheduled hearing date, the scheduled hearing time, the hearing address (home or organization location address), the hearing case number, and appealed items to be addressed at the hearing. Note that no address is displayed for telephone hearings.

Instructions

The appellant is requested not to attend the hearing.

Hearing Continuance Correspondence

A hearing continuance correspondence is automatically generated each time scheduled hearing for a hearing appeal or hearing review is continued. This correspondence informs all hearing case participants that a continuance has been granted for a scheduled hearing.

The following information is included on the hearing continuance notification correspondence:

Correspondence Recipient Details

The correspondence recipient's name and address are displayed.

Continuance Details

The following continuance details are displayed: notification that the scheduled hearing date is continued, the date the continuance is granted, and the reason for the continuance.

Hearing Statement Deadline

The final date for submitting a hearing statement is displayed.

Information for Canceling Appeal Request

For the appellant, information for canceling the appeal request is displayed. The appellant signs and dates the correspondence and mails the cancellation request to the organization name and address displayed.

Hearing Official/Hearing Reviewer Name

The name of the hearing official or hearing reviewer who continued the hearing is displayed.

Representative Fee Correspondence

A representative fee correspondence is automatically generated to inform a representative that the representative fee has been approved or rejected. This correspondence is generated for all appeal types.

The following information is included on the representative fee correspondence:

Representative Details

The name and address of the representative is displayed.

Issue Date

The issue date for the correspondence is displayed.

Appeal Case Details

The following appeal case details are displayed: the hearing reference number, the appeal case reference number, the appellant's name, the name of the party being represented, the scheduled hearing date, and the representative fee.

Fee Details

The fee amount, the name of the fee recipient, and whether or not the fee has been approved is displayed.

Contact information

Contact information including the organization name, contact address, and contact user is displayed.

Hearing Appeal Statement Correspondence

Each time a hearing statement is recorded on the system, the system determines whether or not there is sufficient time to send it to the case participants. If there is sufficient time, the system generates a hearing statement correspondence. This correspondence is generated for hearing appeal and hearing review appeal types only.

A hearing appeal statement correspondence is a cover letter based on a template for hearing statements sent to all case participants. A copy is not sent to the participant who submitted the statement. A copy of the statement is sent to all other participants on the appeal case. If the statement is submitted by a hearing witness then a copy of the statement is not sent to the participant on whose behalf the witness has been called but a copy will be sent to all other participants on the case.

The following information is included on the hearing case statement correspondence:

Correspondence Recipient Details

The name and address of the correspondence recipient is displayed.

Issue Date

The issue date for the correspondence is displayed.

Appeal Case Details

The following appeal details are displayed: the hearing reference number, the appeal case reference number, the appellant's name, the scheduled hearing date, and the name of the party submitting the statement.

Contact information

Contact information including the organization name, contact address, and contact user is displayed.

Witness Notification Correspondence

A witness notification correspondence informs a witness that his or her appearance is required at a hearing scheduled on the hearing appeal. The system generates a communication for voluntary witnesses based on the witness notification template each time a hearing is scheduled or rescheduled. Note that witnesses are not required to attend desk-based hearings.

The following information is included on the witness notification correspondence:

Witness Details

The name and address of the witness is displayed.

Appellant Details

The appellant's name and address is displayed. Note that if there are multiple appellants associated with the appeal, only the name of each appellant is displayed. Name and address information is only displayed when there is one appellant associated with the appeal case.

Hearing Case Details

The following hearing case details are displayed: the hearing reference number, the requested hearing date, the scheduled hearing date, the scheduled hearing time, the hearing address (home or organization location address), the hearing case number, and the appealed items to be addressed at the hearing. Note that no address is displayed for telephone hearings.

Instructions

The witness is instructed to attend the hearing or contact the organization to provide a telephone number.

Witness Summons Correspondence

A witness summons correspondence summons a witness to appear at a hearing on a hearing appeal. The system generates a communication for involuntary witnesses based on the witness summons template each time a hearing is scheduled or rescheduled.

The following information is included on the witness summons correspondence:

Witness Details

The name and address of the witness who has been issued the summons is displayed.

Appellant Details

The appellant's name and address is displayed. Note that if there are multiple appellants associated with the appeal, only the name of each appellant is displayed. Name and address information is only displayed when there is one appellant associated with the appeal case.

Hearing Appeal Details

The following hearing appeal details are displayed: the hearing reference number, the requested hearing date, the scheduled hearing date, the scheduled hearing time, the hearing address (home or organization location address), the hearing case number, and the appealed item(s) to be addressed at the hearing. Note that no address is displayed for telephone hearings.

Instructions

The witness is instructed to appear at the hearing or provide a phone number to the organization. The witness is also instructed to bring any relevant documents. For telephone hearings, the witness is instructed to contact the organization and provide a telephone number for the hearing. The witness is warned that failure to appear, provide a phone number, or to bring the requested documents may result in a penalty.

Hearing Decision and Order Correspondence

A decision and order correspondence informs all case participants that a decision has been made and provides them with a copy of the appeal decision. When a decision for a hearing appeal or hearing review appeal is approved, a copy of the decision document is sent together with a generated cover letter. Included in this generated letter is the overall decision for the appeal case. If multiple items have been considered at the appeal, the cover letter includes the decision for each related appealed item under the appeal. Note that this correspondence only relates to hearing appeal and hearing review appeals.

The following information is included on the hearing decision and order correspondence:

Correspondence Recipient Details

The name and address of the correspondence recipient are displayed.

Issue Date

The issue date for the correspondence is displayed.

Appeal Case Details

For hearing appeals, the following hearing appeal details are displayed: the hearing reference number, the requested hearing date, the scheduled hearing date, the scheduled hearing time, the hearing address (home or organization location address), the hearing case number, the name of each appellant associated with the hearing appeal, and the appeal issue(s) to be addressed at the hearing. Note that appeal issues refer to both denied program applications, product delivery cases and issue cases under appeal.

For hearing review appeals, the following hearing review details are displayed: the hearing review hearing reference number, the hearing review case reference number, the name of each appellant associated with the hearing review, and the appeal issue(s) addressed at the hearing. Note that appeal issues refer to both denied program applications, product delivery cases and issue cases under appeal.

For judicial review appeals, the following judicial review details are displayed: the judicial review hearing reference number, the judicial review case reference number, the name of each appellant associated with the judicial review, and the appeal issue(s) addressed at the hearing. Note that appeal issues refer to both denied program applications, product delivery cases and issue cases under appeal.

Decision Resolution(s)

The decision resolution for each appealed item addressed at the hearing is displayed; this resolution is accepted, rejected, or remanded.

Overall Decision

The system prints out a copy of the overall decision document for each case participant. The user responsible for posting the hearing decision and order correspondence must ensure that the decision is attached to the cover letter.

Final Date for Further Appeal

The final date the appellant can request a further appeal is displayed. The final date is a set number of days after the issue date of the decision. The organization name and address where the appellant submits the further appeal request are provided.

Hearing Official/Hearing Reviewer Name

For hearing appeal decision and order correspondence, the hearing official's name is displayed. For hearing review decision and order correspondence, one of the hearing reviewer's names is displayed.

Court Petition Correspondence

A court petition correspondence is automatically generated each time a judicial review appeal is created where the organization is the appellant. This court petition is based on a court petition template. For judicial reviews where the organization is petitioning the court, the system automatically generates the court petition and sends it to the court

The following information is included on the court petition correspondence:

Court Petition Details

The following court petition details are displayed: the name of the petitioner, i.e., the organization name, the name of the respondent, the reference number for the appealed item whose decision is being appealed, and the effective date of this decision.

Court Petition Request

The correspondence displays a list of reasons why the decision should be reversed. These are legal reasons as part of the court processing and do not contain any information specific to the appeal.

User Details

The name of the user acting on behalf of the petitioner, i.e., the organization, is displayed.

Hearing Transcript Correspondence

Hearing transcript correspondence provides the appellant with a copy of the transcription for a previous hearing held on an appeal case. As part of judicial review appeals processing, the organization is required to provide the appellant(s) or respondent with a copy of the hearing transcription recorded for the previous appeal. Hearing transcriptions only pertain to judicial reviews that are higher than the first level in the appeals process because there must have been a hearing held in order for the transcription to exist.

The following information is included on the hearing transcript correspondence:

Transcript Requester Details

The name and address of the transcript requester is displayed.

Issue Date

The issue date for the correspondence is displayed.

Hearing Details for Hearing Transcribed

The following hearing details for the hearing transcribed are displayed: the hearing reference number, the appeal case reference number, the name of each appellant associated with the appeal case, and the hearing date for the transcribed hearing.

Transcription

The system prints out a copy of the transcription. The user responsible for posting the hearing transcript correspondence to the judicial review appellant(s) or respondent must ensure that the transcription is attached to the cover letter.

Appeal Cancellation Correspondence

An appeal cancellation correspondence is automatically generated each time an appeal case is canceled. This correspondence is sent to all case participants informing them of the canceled appeal.

The following information is included on the appeal case cancellation correspondence:

Correspondence Recipient Details

The name and address of the correspondence recipient are displayed.

Issue Date

The issue date for the correspondence is displayed.

Appeal Case Details

The following appeal case details are displayed: the hearing reference number, the appeal case reference number, the name of each appellant associated with the appeal case, and the appealed item(s).

User Details

The name of the user issuing the cancellation correspondence is displayed.

Maintaining Appeal and Legal Action Information

Introduction

This chapter describes the information that can be maintained as part of appeals and legal actions. This includes search functionality, appealed issues, appealed cases, appellants, transcription requests, statements, relationships and events.

Note that the only statements and transcription requests can be maintained for legal actions.

Search Functionality

Search functionality is provided for accessing appeal, case, and issue information based on specific criteria.

Case Search

Search functionality is provided for accessing case information based on specific criteria. When adding a case to an appeal, users can search for the case to add by case reference number.

Issue Case Search

Search functionality is provided for accessing issue information based on specific criteria. When adding an issue to an appeal case, users can search for the issue to add by the case reference number associated with the issue, the issue reference number, or the client whose evidence gave rise to the issue.

Appealed Issues

An appealed issue is an issue that is associated with a hearing appeal, hearing review, or judicial review appeal. A list of appealed issues is automatically maintained by the system. The items under appeal list page allows users to view a list of all issues on an appeal case.

Appealed Case and Denied Program Applications

An appealed case is a product delivery case that is associated with a hearing appeal, hearing review, or judicial review appeal. An appealed program application is a program that has been denied within an intake application. A list of appealed cases and denied program applications is automatically maintained by the system. The items under appeal list page allows users to view a list of all product deliveries and program applications on an appeal.

Appellants

A list of appellants on an appeal case is automatically maintained. The appellants list page allows a user to view a list of appellants that have been added to a hearing case, hearing review, or judicial review appeal. A row is displayed on the appellants list page for each appellant. Appellants can be added to, and removed from, an appeal case. An appellant cannot be removed if the appeal case is decided or appealed item belonging to the appellant is the only item on the appeal case.

Transcription Requests

A transcription request is an enquiry for a recorded copy of a hearing. If the appeals process set up by the organization has more than one level of appeal, any case participant may request a transcription of the hearing for the prior appeal held on the case. Transcriptions can only be requested for hearing appeal, hearing review, or legal hearings.

Statements

A statement is a report that is used as evidence during a hearing. For example, a witness may submit a statement in support of the appellant(s) on an appeal case. A statement that is submitted by an appellant, respondent, third party, or witness must be submitted before the statement submission deadline date or it cannot be considered at the hearing. The statement submission deadline date is enforced to give the organization time to send copies of the statement to all the relevant participants to review before the hearing is held.

Phone Contacts

A list of contact phone numbers can be maintained for each hearing. Phone number information is recorded for each participant invited to the hearing. A new phone number can be entered or an existing phone number selected from a list of phone numbers that have previously been recorded for a participant.

Appeal Relationships

An appeal relationship is a link between an application program denial, product delivery case or issue case whose decision is being appealed and an appeal case. The system automatically creates appeal case relationships. Where multiple denied program applications are selected for an appeal, an appeal relationship is created for each.

For example, if a hearing case appeal is created to appeal a product delivery or issue case, the system creates a case relationship between the hearing appeal case and the product delivery case or issue. If an appeal is created to appeal Unemployment and Child Care benefit programs which have been denied within an intake application, the system creates a case relationship between each denied program and also links the new appeal case.

Appeal Events

An events calendar is provided for all events. Each calendar displays the name of the event and the date on which the event occurs in the appropriate date entry. A number of events are automatically created for each appealed item associated with an appeal during appeals processing. These events appear on both the original product delivery case or issue case events calendar and on the calendar for the appeal case itself.

The following events are automatically created by the system during specific appeals processing:

Hearing Scheduled for a Hearing Case Event

A hearing scheduled event is automatically created on the date a hearing is scheduled for a hearing case.

Hearing Scheduled for a Hearing Review Event

A hearing scheduled for a hearing review scheduled event is automatically created on the date a hearing is scheduled for a hearing review.

Hearing Case Created Event

A hearing case created event is automatically created on the date a hearing case is created.

Hearing Review Case Created Event

A hearing review case created event is automatically created on the date a hearing review case is created.

Appeal Canceled Event

An appeal canceled event is automatically created on the date an appeal case is canceled.

Hearing Adjourned Event

A hearing adjourned event is automatically created on the date a hearing is adjourned for a hearing case.

Hearing Review Adjourned Event

A hearing adjourned event is automatically created on the date a hearing is adjourned for a hearing review.

Hearing Completed

A hearing completed event is automatically created on the date a hearing for a hearing case is completed.

Hearing Review Continued

A hearing review continued event is automatically created on the date a hearing for a hearing review is continued.

Appeal Case Approved

An appeal case approved event is automatically created on the date an appeal case is approved.

Appeal Case Rejected

An appeal case rejected event is automatically created on the date an appeal case is rejected.

Appeal Reopened

An appeal case reopened event is automatically created on the date an appeal case is reopened.

Decision Submitted

A decision submitted event is automatically created on the date an appeal case decision is submitted for approval.

Decision Approved

A decision approved event is automatically created on the date an appeal case decision is approved.

Decision Rejected

A decision rejected event is automatically created on the date an appeal case decision is rejected.

Appeal Case Decided

An appeal case decided event is automatically created on the date an appeal case is decided.

Judicial Review Case Created

A judicial review case created event is automatically created on the date a judicial review is created.

Appealed to Hearing Review

An appealed to hearing review event is automatically created on the date a case or issue is appealed to a hearing review.

Appealed to Judicial Review

An appealed to judicial review event is automatically created on the date a case or issue is appealed to a judicial review.

Removed from Hearing Case

A removed from hearing case event is automatically created on the date a case or issue under appeal is removed from a hearing case.

Removed from Hearing Review

A removed from hearing review event is automatically created on the date a case or issue under appeal is removed from a hearing review.

Removed from Judicial Review

A removed from judicial review event is automatically created on the date a case or issue under appeal is removed from a judicial review.

Appealed Case Rejected

An appealed case rejected event is automatically created on the date an appealed case or issue is rejected.

Appealed Case Approved

An appealed case approved event is automatically created on the date an appealed case or issue is approved.

Appeal and Legal Action Administration

Introduction

This chapter describes additional appeal and legal action information that is maintained as part of application administration.

Appeal administration includes configuring time constraints, appeal security, appeal processes, and clauses. Appeal process administration allows the organization to set up appeal processes for the products it provides. Appeal security determines a user's access to appeal information. Clause administration allows the organization to store clauses that can be used in decision documentation.

Legal action administration allows the organization to define and categorize the legal action types that can be set up on individual cases and legal statuses.

Time Constraints

Time constraints are time limits applied to applications, products and issues. They are used to govern the number of days within which an action must be performed. For example, a time constraint can be configured indicating the maximum number of days by which an appeal request must be received for an issue related to earned income. A number of time constraints are used to govern the values for the appeal deadlines. A system administrator can access these time constraints and change the values, as required. Any case created for an application, product or an issue that has time constraints configured will have access to these values.

Time constraints can be maintained for each stage of an appeal process defined for a specific appeal process configuration.

Appeal Security

When a user attempts to access appeal information or perform operations on an appeal case, the system checks the user's security to ensure he or she has the appropriate rights.

Security for cases, products, and participants governs a user's ability to maintain appeals. Therefore, a user's security role must include the necessary functions for performing case operations; it must also include the necessary security identifiers associated with related products. The user's location must be compliant with location based security requirements. Additionally, the user's sensitivity must be high enough to access relevant participant and case note information. Security administration is covered in the Cúram System Configuration Guide.

Because appeals can have multiple products and/or issues associated with them, an additional level of program security is provided which governs all appeal cases. Like product security, appeal security is rights based. It is used to govern a user's rights to create, approve, maintain, and read appeals information. An additional right for appeals is the ability to approve decisions. The security rights set up at the administration level apply to all appeals.

Appeal security is maintained in two parts: at the security hierarchy level and at the appeal security administration level. A system administrator creates one or more appeal SIDs. A SID is a security identifier that represents a protected resource and is unique across the application. SIDs can be assigned to business processes, to specific fields in the application, and to the programs offered by the organization.

These SIDs are applied to one or more rights. They are also added to the appropriate user roles. This establishes a link between the appeal rights and the users who have these rights. A user has the right to perform certain appeal operations only if his or her user profile contains the SID associated with the particular appeal rights. For example, in order for a user to be able to approve an appeal, that user's profile must contain the SID assigned to the appeal approve rights.

The following list describes the rights that can be secured for appeals:

Create Any user whose security role contains a create SID has the security privileges to create and maintain appeal information.

Approve

Any user whose security role contains an approve SID has the security privileges to approve, reject, read, and maintain appeal information.

Approve Decision

Any user whose security role contains an approve decision SID has the security privileges to approve appeal decisions and read appeal information.

Maintain

Any user whose security role contains a maintain SID has the security privileges to maintain and read appeal information.

Read Any user whose security role contains a read SID has the security privileges to read appeal information.

Appeal Process Administration

The organization can set up a custom appeals process for the applications, products and issues that it provides. Both the number of appeal levels and the type of appeal that can be created at each level are configurable on an application by application, product by product and issue case by issue case basis.

Appeal processes can be defined for products, issue cases and application integrated cases. Organizations can administratively specify for each of these case types if it is 'appealable' or not. An appeal process cannot be configured for any application/product/issue case if it has been set as 'not appealable'. For example, an overpayment is maintained administratively as a product but it may not be appropriate to allow customers to appeal an overpayment. Rather, the benefit/program from which the overpayment was created would be appealed. This is because the client is appealing the decision made on the benefit/program which resulted in the overpayment.

To allow for the escalation of an appeal to a higher decision making body, each appeal process consists of one or more levels or stages. An appeal type is specified for each stage of appeal. There are three types of appeal that can be assigned to an appeal stage: hearing case, hearing review, or judicial review. When an appeal stage has a specific type of appeal case assigned to it, only appeal cases of that type can be created for that stage of appeal. For example, if the organization assigns a hearing review to be the first stage of appeal, a user will only be able to create a hearing review appeal when creating an appeal for the product for the first time.

Alternatively, the organization has the option of allowing any type of appeal to be held at an appeal stage. This means that a hearing case, hearing review, or judicial review can be created at that stage of appeal.

The status of an appeals process is either active or canceled. An active status indicates that the appeals process is effective. An appeals process becomes effective on the start date that is specified when the appeal process is created. A canceled status indicates that the appeals process has been deleted from the system.

An appeals process can be set to become effective on a date in the future. When this date is reached, the old appeals process is treated as expired and the future appeals process becomes active on the system.

Clause Administration

Decision documents often contain lengthy clauses describing the precedents for the decision and the legal articles that affect it. These are often standard clauses, that contain the same wording on each occasion, manually added at the appropriate section of the document by the user. The clauses used to create appeal decision documents are set up as part of application administration. While creating decision documents, users can search for these clauses and dynamically insert relevant ones into the decision document.

Legal Action Types and Categories

Legal action types can be defined and categorized at the administration level. The legal actions created on cases are based on these legal action types. Generic information is set up for each legal action type. This information is then inherited by the legal actions that are set up for participants on individual cases.

A unique legal action type is specified for each legal action. For example, the name of the legal action type may describe the legal action to which it relates. For example, "Detention", "Sentence", "Curfew Order". The administrator then indicates whether or not multiple participants can be associated with the legal action type. If indicated, multiple participants can be added, otherwise only one participant can be associated with the legal action type. A legal action home page can be specified for the legal action type.

The legal action home page setting defines the name of the page that is used when viewing, creating, and modifying legal action details for cases that are related to this legal action type.

An administrator can associate each legal action type with an integrated case type, product case type and investigation. Administrators can also remove an association between a legal action and a case type or an investigation if required. For example, an administrator can associate a legal action of type 'Arraignment' with an integrated case of type 'Ongoing Case'. This allows case workers to create arraignment legal actions against the participants of any cases that are based on the ongoing case type.

Workflow events can also be associated with each legal action type that is configured. The workflow event class and type to be raised when a legal action of this type is created and when a legal action of this type is completed is specified. For example, when a paternity hearing is scheduled, a task to schedule a paternity test for the participant and present the results to the court by the hearing date may be automatically generated and sent to the case worker.

The legal action types defined and categorized based on similarity into the following three main categories:

- Hearing

- Petition
- Order

Table 8. Sample Legal Category and Legal Action Type Configuration.

This table provides a sample legal category and legal action type configuration.

Legal Category	Associated Legal Action Type
Hearing	Pre-Detention, Detention, Arraignment, Adjudication, Sentencing, Parole, Probation, Informal, Court (other).
Petition	Petition to Transfer, Petition to Waive to Adult Court
Order	Immediate Detention Decision, Detention Order, Disposition Order, Commitment Order, Bond Order, Referral Order, Reparation Order, Action Plan Order, Supervision Order, Community Punishment and Rehabilitation Order, Attendance Center Order, Drug Treatment Order, Parenting Order, Curfew Order, Training Order.

Multiple legal action types can be associated with each legal category defined. This simplifies legal action identification and also provides a flexible business flow that can be tailored per organization, for example, petition, hearing, order.

Legal Statuses

The ability to configure and define legal statuses for legal actions is supported. When a court makes a decision about what will happen to a participant, it determines a legal status. Examples of legal statuses include adjudicated, crown ward, parental rights terminated, parental custody, and temporary custody. During the course of a case or legal action, a participant's legal status may change. The changes in a participant's legal status can be accessed and tracked by a case worker. A history of a participant's legal status is maintained to allow the case worker to see how a participant's legal status has changed over time, e.g. a participant's legal status may have initially been determined to be 'temporary custody' but then changed to 'parental rights terminated' when there was no longer the possibility that the participant would return home. Legal statuses are not tied to legal actions but may vary depending on or be impacted by the legal action outcome.

An administrator can associate each legal status with an integrated case type, product case type, screening, and investigation and also remove the associations if required. For example, an administrator can associate a legal status of type 'temporary custody' with an integrated case of type 'ongoing case'. This allows case workers to create this legal status against participants of any cases that are based on the ongoing case type. For example, the temporary custody legal status can be applied to children placed in temporary custody.

The administrator may also indicate whether or not only one or multiple legal statuses can be active at a time within a particular type of case.

Legal actions provides the flexibility to define multiple legal statuses for a single individual at the solution or case level. For example, an organization can indicate that for all cases, a participant can only have one legal status active at one time, while other cases may have multiple legal statuses active for a participant at one time.

Conclusion

Summary

The following is a summary of the main concepts covered in this guide:

- An appeal is a request to review one or more denied program applications, product delivery, assessment delivery, issue, or prior appeal decisions.
- There are three appeal types: hearing appeal, hearing review appeal, and judicial review appeal. Hearing type appeals are decided by a hearing official. Hearing review appeals are decided by a panel of hearing reviewers. Judicial review appeals are decided by the courts.
- A legal action is a directive, action or other activity concerning a participant that is conducted by a legal authority. There are three main categories of legal action: legal hearing, legal petition, and legal order. Legal hearings are managed in the same way as hearings held for Appeals.
- All appeals have one or more appellants who initiate the appeals process and a respondent who defends the decision that gave rise to the appeal.
- Different users and case participants play a role on each appeal type.
- Each appeal type has a lifecycle which tracks the progress of the appeal case from creation, through reaching a decision, implementing the decision, and closing the appeal.
- Each legal action created, i.e., legal petition, legal hearing, legal order can be tracked and managed from creation to closure.
- Tasks such as filing an appeal, reaching a decision on an appeal, and implementing appeal decisions are regulated by deadlines.
- Appeal process, appeal security, and legal action configuration is managed as part of system administration.

Additional Information

Additional information on the topics covered in this guide are covered in several related documents:

Cúram Participant Guide

This guide covers the basic concepts of participant functionality.

Cúram Integrated Case Management Guide

This guide covers the basic concepts of case functionality.

Cúram Issue Management Guide

This guide covers the basic concepts of issue management functionality.

Cúram Financials Guide

This guide covers the basic concepts of financial processing.

Cúram Communications Guide

This guide provides an overview of communication functionality.

Cúram Workflow Overview Guide

This guide provides an overview of workflow functionality.

Cúram Service Planning Guide

This guide provides an overview of service planning.

Notices

This information was developed for products and services offered in the U.S.A. IBM may not offer the products, services, or features discussed in this document in other countries. Consult your local IBM representative for information on the products and services currently available in your area. Any reference to an IBM product, program, or service is not intended to state or imply that only that IBM product, program, or service may be used. Any functionally equivalent product, program, or service that does not infringe any IBM intellectual property right may be used instead. However, it is the user's responsibility to evaluate and verify the operation of any non-IBM product, program, or service. IBM may have patents or pending patent applications covering subject matter described in this document. The furnishing of this document does not grant you any license to these patents. You can send license inquiries, in writing, to:

IBM Director of Licensing

IBM Corporation

North Castle Drive

Armonk, NY 10504-1785

U.S.A.

For license inquiries regarding double-byte (DBCS) information, contact the IBM Intellectual Property Department in your country or send inquiries, in writing, to:

Intellectual Property Licensing

Legal and Intellectual Property Law.

IBM Japan Ltd.

19-21, Nihonbashi-Hakozakicho, Chuo-ku

Tokyo 103-8510, Japan

The following paragraph does not apply to the United Kingdom or any other country where such provisions are inconsistent with local law: INTERNATIONAL BUSINESS MACHINES CORPORATION PROVIDES THIS PUBLICATION "AS IS" WITHOUT WARRANTY OF ANY KIND, EITHER EXPRESS OR IMPLIED, INCLUDING, BUT NOT LIMITED TO, THE IMPLIED WARRANTIES OF NON-INFRINGEMENT, MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE. Some states do not allow disclaimer of express or implied warranties in certain transactions, therefore, this statement may not apply to you.

This information could include technical inaccuracies or typographical errors. Changes are periodically made to the information herein; these changes will be incorporated in new editions of the publication. IBM may make improvements and/or changes in the product(s) and/or the program(s) described in this publication at any time without notice.

Any references in this information to non-IBM Web sites are provided for convenience only and do not in any manner serve as an endorsement of those Web sites. The materials at those Web sites are not part of the materials for this IBM product and use of those Web sites is at your own risk.

IBM may use or distribute any of the information you supply in any way it believes appropriate without incurring any obligation to you. Licensees of this program who wish to have information about it for the purpose of enabling: (i) the exchange of information between independently created programs and other programs (including this one) and (ii) the mutual use of the information which has been exchanged, should contact:

IBM Corporation

Dept F6, Bldg 1

294 Route 100

Somers NY 10589-3216

U.S.A.

Such information may be available, subject to appropriate terms and conditions, including in some cases, payment of a fee.

The licensed program described in this document and all licensed material available for it are provided by IBM under terms of the IBM Customer Agreement, IBM International Program License Agreement or any equivalent agreement between us.

Any performance data contained herein was determined in a controlled environment. Therefore, the results obtained in other operating environments may vary significantly. Some measurements may have been made on development-level systems and there is no guarantee that these measurements will be the same on generally available systems. Furthermore, some measurements may have been estimated through extrapolation. Actual results may vary. Users of this document should verify the applicable data for their specific environment.

Information concerning non-IBM products was obtained from the suppliers of those products, their published announcements or other publicly available sources.

IBM has not tested those products and cannot confirm the accuracy of performance, compatibility or any other claims related to non-IBM products. Questions on the capabilities of non-IBM products should be addressed to the suppliers of those products.

All statements regarding IBM's future direction or intent are subject to change or withdrawal without notice, and represent goals and objectives only

All IBM prices shown are IBM's suggested retail prices, are current and are subject to change without notice. Dealer prices may vary.

This information is for planning purposes only. The information herein is subject to change before the products described become available.

This information contains examples of data and reports used in daily business operations. To illustrate them as completely as possible, the examples include the names of individuals, companies, brands, and products. All of these names are fictitious and any similarity to the names and addresses used by an actual business enterprise is entirely coincidental.

COPYRIGHT LICENSE:

This information contains sample application programs in source language, which illustrate programming techniques on various operating platforms. You may copy, modify, and distribute these sample programs in any form without payment to IBM, for the purposes of developing, using, marketing or distributing application programs conforming to the application programming interface for the operating platform for which the sample programs are written. These examples have not been thoroughly tested under all conditions. IBM, therefore, cannot guarantee or imply reliability, serviceability, or function of these programs. The sample programs are provided "AS IS", without warranty of any kind. IBM shall not be liable for any damages arising out of your use of the sample programs.

Each copy or any portion of these sample programs or any derivative work, must include a copyright notice as follows:

© (your company name) (year). Portions of this code are derived from IBM Corp. Sample Programs.

© Copyright IBM Corp. _enter the year or years_. All rights reserved.

If you are viewing this information softcopy, the photographs and color illustrations may not appear.

Privacy Policy considerations

IBM Software products, including software as a service solutions, ("Software Offerings") may use cookies or other technologies to collect product usage information, to help improve the end user experience, to tailor interactions with the end user or for other purposes. In many cases no personally identifiable information is collected by the Software Offerings. Some of our Software Offerings can help enable you to collect personally identifiable information. If this Software Offering uses cookies to collect personally identifiable information, specific information about this offering's use of cookies is set forth below.

Depending upon the configurations deployed, this Software Offering may use session cookies or other similar technologies that collect each user's name, user name, password, and/or other personally identifiable information for purposes of session management, authentication, enhanced user usability, single sign-on configuration and/or other usage tracking and/or functional purposes. These cookies or other similar technologies cannot be disabled.

If the configurations deployed for this Software Offering provide you as customer the ability to collect personally identifiable information from end users via cookies and other technologies, you should seek your own legal advice about any laws applicable to such data collection, including any requirements for notice and consent.

For more information about the use of various technologies, including cookies, for these purposes, see IBM's Privacy Policy at <http://www.ibm.com/privacy> and

IBM's Online Privacy Statement at <http://www.ibm.com/privacy/details> the section entitled "Cookies, Web Beacons and Other Technologies" and the "IBM Software Products and Software-as-a-Service Privacy Statement" at <http://www.ibm.com/software/info/product-privacy>.

Trademarks

IBM, the IBM logo, and [ibm.com](http://www.ibm.com) are trademarks or registered trademarks of International Business Machines Corp., registered in many jurisdictions worldwide. Other product and service names might be trademarks of IBM or other companies. A current list of IBM trademarks is available on the Web at "Copyright and trademark information" at <http://www.ibm.com/legal/us/en/copytrade.shtml>.

Microsoft and Word are trademarks of Microsoft Corporation in the United States, other countries, or both.

Other names may be trademarks of their respective owners. Other company, product, and service names may be trademarks or service marks of others.



Printed in USA