

# HEARING GUIDE

When the parties are ready for hearing, here's what you can expect:



## Scheduling the Hearing

The Hearing Officer will discuss (with both parties) availability and whether to hold the hearing in person at KPPA or virtually via Zoom. Once these details are worked out, the Hearing Officer will issue an order setting the hearing.



## During the Hearing

The hearing process is similar to a small trial, where both sides get a chance to explain their position and question witnesses in front of the Hearing Officer. Both parties, the Hearing Officer, and a KPPA hearing assistant are present for the hearing. Witnesses remain outside of the hearing event until they are called to testify.



## After the Hearing

After the hearing, both parties will submit a position statement and a reply position statement.

A **position statement** is a written document where each party describes their version of what happened. The statement explains why they think the decision should go their way based on law, evidence in the record, and hearing proceedings.

A **reply position statement** is a second document where each side can respond to what the other party said in the initial position statement.



## Recommended Order

The Hearing Officer reviews the statements, evidence in the administrative record, hearing proceedings, and applicable law. They then issue a recommended order to an appeals committee, who will make the final decision.

Both parties have an opportunity to file **exceptions**, written documents responding to the recommended order, prior to the final order being made.



## Final Order

One appeal committee, comprised of 3 board members from KRS and CERS, will meet, review the submitted hearing materials, and issue a final decision. The final order will be available in Box.com and sent to you (or your attorney) via certified mail. If you disagree with the final order, you have the right to appeal to Franklin Circuit Court, as permitted by law.

# FREQUENTLY ASKED QUESTIONS

## Where can position statements and exceptions be submitted?

There are several ways to submit additional documents:

- Email KPPAHearingFilings@kyret.ky.gov. You are strongly encouraged to use the KPPA Secure Email Portal (zixmail.net) to protect your information;
- Mail or deliver to KPPA office at 1260 Louisville Road, Frankfort, Kentucky, 40601;
- Fax to the Legal Department at (502) 696-8615. This option is only available for documents less than 50 pages.

**Do not upload additional documents to Box.com. Any documents uploaded by you or your attorney on Box.com will not be accepted.** Documents must be submitted through one of the methods listed above.

## What is the Appeals Committee?

The Appeals Committee, also referred to as “DAC/AAC”, stands for the Joint Disability Appeals Committee/Joint Administrative Appeals Committee of the Boards of Trustees for both the Kentucky Retirement Systems (KRS) and the County Employees Retirement System (CERS).

## When should exceptions be filed following my hearing?

Exceptions, should you choose to file one, must be received by KPPA within fifteen (15) calendar days from the date the Recommended Order is provided. Exceptions must be filed through one of the methods listed above.

## I have questions about my administrative appeal - who can I talk to?

For additional information, please visit our website at:  
[www.kyret.ky.gov/About/Meet\\_the\\_Administration/Pages/Administrative-Hearings](http://www.kyret.ky.gov/About/Meet_the_Administration/Pages/Administrative-Hearings)  
or scan the QR code in the bottom right-hand corner.

If you have further questions, contact the Office of Legal Services at (502) 696-8800, ext. 5501.



Kentucky Public Pensions Authority  
1260 Louisville Road, Frankfort, KY, 40601  
(502) 696-8800  
Toll Free: (800) 928-4646

## HEARING FAQ's

