

11.1 LEVEL OF FORMALITY

Contested case hearings in Minnesota span a wide range of formality, complexity, and subject matters. Contested case proceedings used to set utility rates may last several months, have many parties who are individually represented by counsel, and involve dozens of witnesses and hundreds of exhibits. Contested case hearings in more typical matters, including license revocation and or citation appeals, are only one to two hours on average and the licensee is often unrepresented.

Complex, lengthy cases with several parties may be as formal as a court trial without a jury. Short contested cases, especially those involving unrepresented parties, are conducted in a more informal manner. The Office of Administrative Hearings (OAH) has several hearing rooms at its St. Paul and Duluth offices, but also conducts hearings at other locations throughout the state. Since 2000 the APA has authorized an agency to initiate an arbitration proceeding before an administrative law judge (ALJ) under Minnesota arbitration law if all parties agree to arbitration.¹

¹ MINN. STAT. § 14.57(b) (2014).