



Recommendation 68-1

Adequate Hearing Facilities

(Adopted December 10-11, 1968)

Administrative hearings of the Federal Government should be conducted in dignified, efficient hearing rooms, appropriate as to size, arrangement, and furnishings. At the present time no central body is responsible for providing or planning the needed facilities. As a particular consequence, administrative hearings often have been conducted in surroundings unsuitable to the seriousness of these governmental proceedings. The General Services Administration could advantageously arrange for the service and the space needed by departments and agencies in which administrative hearings occur.

Recommendation

1. The General Services Administration should develop a set of four hearing room classifications explicitly identifying the features required with standards meeting at least the following minimum requirements. Such classifications should be developed in conjunction with representatives of the agencies, the bar, and examiners. The minimum requirements should be:

Type A—A formal conference room with table space for as many as 16 principals and additional seating for up to 20 other persons.

Type B—A small hearing room with a raised dais, a witness box, a reporter's table, table space for as many as six counsel, and additional seating for up to 30 others. The design and furnishings should be appropriate to a hearing which is judicial in nature and should include wherever possible an auxiliary room in which counsel may confer with their clients, witnesses may be sequestered, etc.

Type C—A large hearing room accommodating as many as 30 counsel at tables and up to 70 witnesses and spectators. This room should have the design and furnishings which are appropriate to formal hearings of a judicial nature.

Type D—An auditorium suitable for hearings of general public interest which might attract over 100 principals and spectators.



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An essential requirement of each of the four types of hearing rooms should be a small, nearby room available to the examiner as his office and for such other uses as he designates.

2. The General Services Administration should prepare and maintain on a current basis an inventory which (a) identifies available hearing facilities throughout the country, classified under the system recommended in 1 above, including hearing rooms permanently assigned to particular agencies as well as courtrooms (local, State, and Federal), (b) identifies the GSA regional offices, local building managers, and others through whom such space can be obtained, and (c) provides information concerning the procedures to be followed to obtain space through the GSA for the conduct of hearings.

3. The General Services Administration should establish procedures for determining the frequency and location of administrative hearings which require facilities of each type within the system of classification recommended above in order to determine, by city, whether a permanent hearing room for multiagency use can be justified. A permanent hearing room should be considered justified wherever there is a continuing need of approximately one-fourth of the available working days.

4. The General Services Administration should provide for the administration and scheduling of permanent multiagency hearing facilities under the direction of GSA's Washington headquarters, but subject to such decentralization as the functions of inventorying, procuring, and planning may require.

5. The General Services Administration should establish a procedure for the systematic reporting, to the respective agency and to GSA, of deficiencies in assigned facilities discovered by presiding officers, and for the investigation and correction of such deficiencies.

6. The General Services Administration should establish an advisory committee of members of the bar and other interested professional associations, agency representatives, and members of the public to facilitate the evaluation of present and future needs and to report annually to the Administrative Conference on its activities.

7. Permanent multiagency hearing rooms and hearing rooms permanently assigned to individual Federal agencies should be identified as "Federal Administrative Hearing Rooms."

8. The Chairman of the Administrative Conference should encourage the cooperation of State and local judges in the procurement of courtroom space for Federal administrative hearings.



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9. The Judicial Conference of the United States should encourage the cooperation of Federal judges in the procurement of courtroom space for Federal administrative hearings.

10. Federal agencies should budget funds to provide for the payment of charges for the use of appropriate space when such space is not available on a free basis.

11. Federal agencies which conduct administrative hearings should designate an official to work with the General Services Administration in the procurement and planning of hearing facilities.

Citations:

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Note: This recommendation was not published previously in the Federal Register.