

Public Hearing Script Guide

For quasi-judicial hearings

The presiding officer may find it helpful to have a written "script" to follow for opening and presiding over the hearing.

A typical script might include the following:

1. Call to order; open the hearing.
2. Introduce self, hearing body, and staff.
3. State the purpose of the hearing, including a brief description of the application and the action that the hearing body may legally take on the application.
4. Address appearance of fairness issues; explain briefly what the appearance of fairness doctrine requires; ask the members of the hearing body:
 - If they have any interest in the property or the application, or if they own property within a certain distance (e.g., 300 feet) of the property subject to the application
 - If they stand to gain or lose any financial benefit as a result of the outcome of the hearing
 - Whether they can hear and consider the application in a fair and objective manner
 - If they have engaged in any ex parte communications with either proponents or opponents of the application, and, if so, ask them to place on the record the substance of any such communications so that interested parties have the opportunity at the hearing to rebut the communications.
 - Ask members of the audience if they wish to challenge on appearance of fairness grounds participation in the matter by any member of the hearing body, including the reasons for the request. (Any member challenged should be given the opportunity to either disqualify or refuse to disqualify him- or herself.) Any member disqualified based on appearance of fairness grounds must leave the hearing room and must not participate further concerning the application.
5. State the ground rules for the hearing and the manner in which it will proceed.
6. Administer the oath to all those who may testify, as a group (or have clerk or other appropriate official administer the oath).
7. Ask for staff to give a report on the application; insure that all documents, charts, maps, etc. are introduced as exhibits, with a number assigned to each exhibit.
8. Ask for applicant to comment on the application, followed by the testimony of any technical experts in support of the application.
9. Ask for any public testimony on the application (first by proponents and then by opponents) and state any rules regarding public testimony, such as:
 - a. *all speakers must speak into the microphone and give their names and addresses;*
 - b. *all comments should be addressed to the hearing body, should be relevant to the application, and should not be of a personal nature;*
 - c. *identify time limits, if any, on speaking;*
 - d. *avoid repetitive comments;*
 - e. *if there are a large number of speakers, including many who are part of groups or organizations, ask for a representative to speak on behalf of the organization or group;*
 - f. *unruly behavior, such as booing or hissing or harassing remarks, is prohibited.*
10. Ask if everybody understands these rules.
11. Ask for closing or rebuttal comments from the applicant, and, if desired, from the public.
12. Ask for additional staff comments.
13. Ask for questions from members of the hearing body (these questions may also be authorized to occur as testimony is presented).
14. Close the hearing and state what steps are to occur next regarding the application.