

FLOW CHART OF AN APPEAL OF A HEARING OFFICER'S DECISION TO THE HUMAN RIGHTS COMMISSION

Appellant must file an appeal within 14 days after the date on which the Office of Administrative Hearings issues a decision. [See ARM 24.9.123\(2\)](#)

- The appeal must be received by 5:00 p.m. at the office of the Human Rights Commission
- If Appellant wishes the Commission to review transcripts of the Office of Administrative Hearings proceedings, Appellant must include the request with the appeal

If appeal filed late

Order dismissing appeal

Briefing Schedule mailed out by the Human Rights Commission

If requested, transcript is due within 28 calendar days after filing the appeal. [See ARM 24.9.123\(6\)\(a\)](#)

If transcript is not requested, Appellant's supporting brief is due within 21 days of filing appeal [See ARM 24.9.123\(6\)\(b\)](#)

Brief filed late or over 20 pages

Brief filed

- Opposing side has an opportunity to object and file a motion to dismiss the brief
- The Commission can accept or reject the brief

Extension request or motion to file over 20 pages

Opposing side contacted to concur with the request

- Commission Chair approves or disapproves the request
- Order of the Commission's decision mailed to the parties

Response Brief is due within 14 calendar days after supporting brief is due. [See ARM 24.9.123\(6\)\(c\)](#)

- Same guidelines as above apply for late briefs, briefs over 20 pages and extension requests

Reply Brief is due within 14 calendar days after response brief is due. [See ARM 24.9.123\(6\)\(d\)](#)

- Same guidelines as above apply for late briefs, briefs over 20 pages and extension requests

Human Rights Commission Meeting

- 30 minutes of oral argument for each side.
- Parties may stipulate to waive oral argument. [See ARM 24.9.123\(8\)](#)
- Agenda located at <http://erd.dli.mt.gov/human-rights/human-rights-commission>
- [See ARM 24.9.125](#)

Order of the Commission's decision mailed out

Dissatisfied party can file a petition for judicial review in district court [See Section 49-2-505\(9\), MCA](#)

DISCLAIMER: This diagram is presented as a service and is not intended to constitute legal advice or to include every possible situation. Please refer to Title 49 Chapter 2 of the MCA and to 24.9.101 et seq for the statutes and rules that govern appeals.