

HEARING REQUEST FORM, NON CAMPAIGN FINANCE VIOLATIONS

SEL 852

rev 01/2027

If you wish to contest the charges in the Proposed Penalty Notice and assert that you have a valid mitigating circumstance, you must: **Complete this form and submit an answer.**

Name		Case #	
Address	City	State	Zip Code
Phone	Email Address		

Type of Hearing (select one)

- ☐ I want a **Personal Appearance Hearing** that will be presided over by an independent Administrative Law Judge at the Office of Administrative Hearings in Salem, Oregon.
If a personal appearance hearing is requested you must deliver copies of any exhibits you intend to offer into evidence at the hearing no later than five business days before the date of the hearing.
- ☐ I want a **Telephone Hearing** that will be presided over by an independent Administrative Law Judge at the Office of Administrative Hearings in Salem, Oregon.
If a telephone hearing is requested you must deliver copies of any exhibits you intend to offer into evidence at the hearing no later than five business days before the date of the hearing.
- ☐ I want to submit **Notarized Testimony** in lieu of a telephone or personal appearance hearing.
I have attached my notarized testimony to this form.
I understand that by choosing this option I am waiving my right to a personal appearance or telephone hearing, and that the case will be decided by an independent Administrative Law Judge based solely on my written notarized testimony, the Elections Division record and written testimony, and my rebuttal notarized testimony, should I choose to submit it.
- I have completed this form and attached my answer.

Signature	Date Signed
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Answer Worksheet

You may use the answer worksheet on the next page and/or attach additional sheets containing the required information.

Signature _____

STATE OF OREGON

County of _____

Signed and sworn to (or affirmed) before me on _____ by

Notary Public of Oregon

For Office Use

Initials _____

Date Received _____

Answer Worksheet	Mitigating Circumstances Categories
<p>You must submit an answer that admits or denies the findings found in the intent to impose a penalty notice.</p> <p>You must indicate which mitigating circumstance applies to each finding you deny.</p> <p>A general denial is not sufficient, and evidence not included in your answer may not be considered.</p> <p>If a mitigating circumstance applies to the findings, complete the circumstance category and explanation summary.</p>	<p>A The violation is a direct result of a valid personal emergency of the involved person(s). A valid personal emergency is an emergency such as a serious personal illness or death in the immediate family of the involved person(s). Personal emergency does not include a common cold or flu, or a long-term illness where other arrangements could have been made. In this case, independent written verification must be provided.</p> <p>B The violation is the direct result of an error by an elections officer.</p> <p>C The violation is the direct result of fire, flood or other calamitous event, resulting in physical destruction of, or inaccessibility to, any records required to be kept to document compliance with Oregon election law. ("Calamitous event" means a phenomenon of an exceptional character, the effects of which could not have been reasonably prevented or avoided by the exercise of due care or foresight.)</p>
<p>Example</p> <p>Mitigating Circumstance Category: C</p> <p>Explanation Summary: My public agency did not have the required notice regarding restrictions on employee's political activities during work hours posted because that part of the building was flooded.</p>	
<p>Mitigating Circumstance Category:</p> <p>Explanation Summary:</p>	
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