



A Guide to the Initial Pre-Hearing Conference for Unrepresented Parties

What is the Initial Pre-Hearing Conference?

The initial conference is, in most cases, the first time you and the other parties meet as a group with the Hearing Examiner assigned to your case.

When is the Initial Pre-Hearing Conference Conducted?

The initial pre-hearing conference is typically conducted within 30 days after the Office of the Hearing Examiner is notified that the case has been approved for placement on the public hearing docket. A scheduling order will be issued listing the date and time of the conference, the format in which the conference will be conducted, and will provide information on the required documents to be submitted prior to the conference.

How are Initial Pre-Hearing Conferences Conducted?

Initial pre-hearing conferences are conducted on a virtual teleconference platform like Microsoft Teams. Call-in information is also provided for individuals wishing to participate via telephone.

What is the Purpose of the Initial Pre-Hearing Conference?

The initial pre-hearing conference serves many purposes, including but not limited to:

- Giving parties a better understanding of the public hearing process;
- Giving parties the chance to ask any questions they may have;
- Giving the Hearing Examiner a chance to clearly understand the claims and know about any lingering procedural questions;
- Allowing the Hearing Examiner to determine whether and to what extent more evidence needs to be gathered. For general information about the exchange of evidence that occurs in the discovery process, please refer to “A Guide to Discovery for Unrepresented Parties for Cases Placed on the Public Hearing Docket”; and
- Allowing the Hearing Examiner to discuss and set deadlines for the hearing process.



How Should You Prepare for the Initial Pre-Hearing Conference?

Before the initial pre-hearing conference:

- Carefully review any files or reports received from the Commission attorneys, and the Hearing Examiner's Order Scheduling the Initial Pre-Hearing Conference;
- Complete and submit the Pre-Hearing Conference Report form and submit it to the Office of the Hearing Examiner by the designated deadline;
- Be prepared to identify specific evidence (for example, documents, policies/procedures, depositions, witness statements, etc.) that you wish to obtain during the discovery process to help prove your case. See "A Guide to Discovery for Unrepresented Parties for Cases Placed on the Public Hearing Docket" for more information;
- Be prepared to discuss whether you have retained or are planning to retain an attorney to assist you during the hearing process;
- Be prepared to discuss your availability over the course of the next several months, for the purpose of scheduling case-related deadlines; and
- Prepare a list of any questions you may have for the Hearing Examiner about the hearing process.

What Should I Do if I Need an Accommodation to Participate in the Initial Pre-Hearing Conference?

Please contact the Office of the Hearing Examiner at ra-hradjudication@pa.gov as soon as possible if you need an accommodation for the initial pre-hearing conference. An example of an accommodation would include the presence of an ASL or language interpreter.

Is Attendance at the Initial Pre-Hearing Conference Mandatory?

Yes, you must attend the initial pre-hearing conference. Failure to participate in the initial pre-hearing conference may result in a waiver of all objections to any agreements reached and any order resulting from the initial pre-hearing conference.

What if I am Unable to Attend the Initial Pre-Hearing Conference?

First, notify the other party representatives of your unavailability and attempt to find a new date and time where all parties are available. Then contact the Office of the Hearing Examiner at ra-hradjudication@pa.gov and include a Motion for Continuance. The Motion should include the reason(s) for unavailability and propose a new date and time based on the availability of all parties. Motions for Continuance should be filed with the Office of the Hearing Examiner as soon as possible.

What Should I Expect at the Initial Pre-Hearing Conference?



Pennsylvania Human Relations Commission

During the initial pre-hearing conference, the Hearing Examiner will engage in open conversation with the parties about a wide range of topics, including the claims, discovery, and deadlines. Finally, the Hearing Examiner will answer any questions posed by the parties.

Is the Initial Pre-Hearing Conference the Same as a Hearing?

No. The initial conference is an informal discussion about the claims raised, and the law and procedures that will apply to the case. As such, there is no discussion about the ultimate question of whether discrimination occurred, which is typically reserved for hearing.

Is the Initial Pre-Hearing Conference Recorded or Transcribed by a Court Reporter?

Initial pre-hearing conferences are never audio or video recorded.

Are Initial Pre-Hearing Conferences Open to the Public?

No. Pre-hearing conferences are closed to the public. You are entitled to be accompanied by an attorney of your choice. The only other approved participants include the Hearing Examiner, representatives for other parties in the case, and any other person approved by the Hearing Examiner.