

## **PARTICIPATION IN HEARINGS - FREQUENTLY ASKED QUESTIONS**

### **Q: Do I have to sign up in advance to testify, and can I submit a letter instead of testifying?**

**A:** If you are testifying as an individual, and not as a representative of an organization, you do not have to sign up in advance to testify. The Hearing Examiner will ask at the beginning of the hearing who in the audience wishes to testify and will give those who wish to speak on matters relevant to the case an opportunity to do so. If you have a specific scheduling/time restraint, please let the Hearing Examiner know at that time. Testimony must be under oath and will be subject to cross-examination. You may submit a signed letter for the record in advance of the hearing in lieu of testifying. It will be considered by the Hearing Examiner, but not necessarily given the same weight as statements that are made under oath and subjected to cross-examination at the hearing.

Persons or associations represented by counsel or intending to appear in organized opposition to an application must also file a pre-hearing statement containing the following information, no later than twenty days before the date of hearing:

- a statement of the grounds for opposing the application;
- copies of all reports intended to be introduced at the hearing;
- the names of all experts expected to testify at the hearing, their resumes, and a summary of expert testimony which will be proffered at the hearing;
- identity of all other witnesses who will testify; and
- estimated time required for presentation.

Please note that electronic copies of all documents must be submitted on compact discs, in Microsoft WORD format for text documents, in PDF format for plans and other non-text documents, and in JPG or PDF format for photographs.

### **Q: Do I have to submit my testimony ahead of time?**

**A:** If you are testifying as an individual and not as a representative of an organization, you do not need to submit anything ahead of time. Your testimony will become part of the public record in the case. If you have documents you wish to submit, you may do so at the hearing; if admitted they will become part of the record as well. Please provide an additional copy for the applicant.

Persons or associations represented by counsel or intending to appear in organized opposition to an application must also file a pre-hearing statement containing the information outlined in response to the previous question, no later than twenty days before the date of hearing.

### **Q: Will I have an opportunity to cross-examine the applicant?**

**A:** Every party will have the right of reasonable cross-examination of witnesses who testify, and will have the right, upon request to the Hearing Examiner, to submit rebuttal evidence. Cross-examination will be subject to reasonable regulation by the Hearing Examiner, and the Hearing Examiner will not permit repetitious questions and examination on irrelevant matters. When the number of attendees at

the hearing is too great to allow orderly cross-examination by every person present, the Hearing Examiner may require the designation of specific persons to conduct cross-examination on behalf of other individuals. Please note that cross-examination is limited to asking witnesses questions about their direct testimony; it is not an opportunity to ask questions about matters outside those raised in the witnesses' direct testimony, nor for expressing your own opinions. You will have an opportunity to make your own views known during your testimony.

**Q: How long can I testify?**

**A:** There is no set time limit on testimony, but all testimony presented must be relevant to the application before the Hearing Examiner. Repetitive testimony may be excluded as well. For representatives of organizations that plan to testify, an estimated time required for presentation should be included in the pre-hearing submission.

**Q: Do I need an attorney?**

**A:** You do not need an attorney if you wish to testify on your own views and do not represent a group or association. In compliance with Maryland requirements regarding the practice of law, groups or associations must have counsel unless their witnesses are members of the group or association who will offer testimony in narrative form (*i.e.*, there is no need for an attorney to conduct a direct examination).