

Instructions for use of Sample Petition in §§ 36.390.5 and 621.075 Cases

Sections 36.390.5 and 621.075, RSMo, provide certain categories of employees the right to appeal some types of employment decisions as specified in that statute. You, as the employee, should review the law and regulations pertaining to this action, your rights, the State's responsibility and attainable remedies. You may hire an attorney. The Administrative Hearing Commission is a quasi-judicial body that uses many of the same rules that courts do in the adjudication of cases. The State will be represented by an attorney trained to use these rules, and neither the State's attorney nor this Commission can offer you legal advice. There are many ways to locate an attorney, and some attorney referral services may be reached at the following web sites:

Missouri Bar Association: www.mobar.org

Kansas City Metropolitan Bar Association: www.kcmba.org

The Bar Association of Metropolitan St. Louis: www.bamsl.org

In completing this sample/form petition in § 36.390.5, RSMo, cases please note the following instructions.

1. The petition must be filed (for filing documents, see Regulation CSR15-3.290) within 30 days of the effective date of the action. Do not miss this date if you wish to have a hearing on this matter. If you do not file your complaint in time, your case must be dismissed.

Our fax number: [573-751-5018](tel:573-751-5018)

Our mailing address:

Administrative Hearing Commission
P.O. Box 1557
Jefferson City, MO 65102-1557

2. Attach a copy of the Appointing Authority's letter that is the subject of this appeal.

3. Use your complete legal name in completing the form and give the best contact information you have.
4. Notify this Commission of any changes to your address or contact information.
5. Tell this Commission if you have an attorney or intend to get one. You may file your petition without an attorney and get one at a later date if you so choose.
6. Define the disciplinary action type by marking the appropriate box.

This Commission can be reached by e-mail at AHC@oa.mo.gov and by phone at 573-751-2422 in regard to the use of this form.