

.02 Pre-hearing Conference Follow-up

REVISION 41
(04/01/16 - 05/31/16)

Never ask the appellant to complete a [request to withdraw the hearing](#) when the appellant no longer disputes either of the following:

- Benefit levels
- The determination

When the appellant wishes to withdraw from the hearing, refer the appellant to the Appellate Services Administration (ASA).

EXCEPTION

Do not request a [hearing withdrawal](#) when one of the following occurs:

- The [case file\(g\)](#) cannot be located.
- The overpayment is incorrect.
- The case requires correction.

When the review of the circumstances indicates that the case needs correction, complete the following:

- The Request to Vacate and Remand (FAA-1389A) form.
- Send the form to the ASA, Office of Appeals. Do not correct the case until a response is received from ASA that indicates the matter was vacated and remanded for correction.

When a resolution is not reached during the pre-hearing conference, continue processing the hearing request.