

Table 5.8 - Supervision, Examination, and Insurance: Enforcement and Appeal

State	Enforcement powers								Action taken before prohibited activity/loss	Agency have authority to ban individual from the industry	CU appeal process?	If yes, explain
	Conservatorship	Cease and desist	Removal of officials	Suspension of CU operations	Letters / memos of understanding and agreement	Involuntary merger	Civil money penalties	Liquidation				
Alabama	Y	Y	Y	Y				Y	Y		Y	10 to 30 day appeal deadline
Alaska												
Arizona	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	An administrative law judge has the power to conduct hearings relating to an order of the Superintendent revoking a credit union's certificate. In addition, a final decision of the Superintendent is subject to judicial review if the complaint seeking review is filed with the superior court and served on the Superintendent
Arkansas												
California	Y	Y	Y	Y	Y		Y	Y	Y	Y	Y	The credit union can ask for and receive a hearing to protest the action or ask for modification
Colorado												
Connecticut	Y	Y	Y	Y	Y	Y	Y	Y	Y		Y	Credit unions must follow the appeal process pursuant to Section 4-183 of the Connecticut General Statutes
Florida	Y	Y	Y		Y	Y	Y	Y	N	Y	Y	May appeal to the Division of Administrative Hearings
Georgia		Y	Y		Y	Y		Y	Y	Y	Y	There is a judicial review process in the case of a Cease and Desist Order or other final action, pursuant to OCGA 7-1-90
Hawaii	Y	Y	Y	Y	Y	Y	Y	Y	Y		Y	Formal enforcement actions are issued after an administrative hearing, unless the affected CU has waived its right to a hearing and has consented to the issuance of an order. Final administrative orders can be appealed to the Circuit Court, in accordance with Hawaii's law on Administrative Procedure, Chapter 91, HRS
Idaho	Y	Y	Y	Y	Y		Y	Y	Y	Y	Y	CU may petition in District Court
Illinois		Y	Y	Y		Y		Y	N	N	Y	Administrative hearing
Indiana	Y	Y	Y		Y	Y		Y	N	Y	Y	Some of the actions have a judicial review requirement, others do not
Iowa	Y	Y	Y	Y	Y			Y	Y	Y	Y	Appeal to the Superintendent or District Court
Kansas	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Appeal per Kansas APA
Kentucky												
Louisiana	Y	Y		Y	Y	Y	Y	Y	Y	N	N/A	
Maine		Y	Y		Y		Y	Y	Y	Y	Y	Administrative actions may be appealed to Superior Court
Maryland												

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Massachusetts	Y	Y	Y	Y	Y	Y		Y	Y	N	Y	Seeking relief in court is the only appeal process for most of the above actions. Removal of an official could be appealed to a three member board
Michigan	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	MCUA details appeals process
Minnesota		Y		Y	Y				N	N	N	
Mississippi	Y	Y	Y	Y	Y		Y	Y	Y	Y	N/A	
Missouri	Y	Y	Y	Y	Y	Y		Y	Y	Y	Y	Appeal to Director and court
Montana	Y	Y	Y	Y	Y	Y		Y	Y	N	Y	CU may appeal per MT APA
Nebraska	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	May request hearing with agency director: decision may be appealed to a district court
Nevada												
New Hampshire		Y	Y	Y	Y				Y	N	Y	Appeal through the court system
New Jersey												
New Mexico												
New York	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Appeal through the court system
North Carolina	Y		Y	Y			Y	Y	Y	Y	Y	GS 54-109.92(k) provides appeal process
North Dakota	Y	Y	Y		Y	Y	Y	Y	Y	Y	Y	Appeal to State Credit Union Board
Ohio												
Oklahoma												
Oregon												
Pennsylvania		Y	Y		Y	Y	Y	Y	Y	Y	Y	Administrative hearing
Puerto Rico												
Rhode Island												
South Carolina	Y	Y	Y	Y				Y				
Tennessee	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Appeal to TN CU Board of Appeals
Texas	Y	Y	Y		Y		Y	Y	Y	Y	Y	As provided by statute- TFC 122.257, 122.258, 126.105
Utah	Y	Y	Y	Y	Y	Y		Y	Y	N	Y	Appeal available through District Court
Vermont	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Appeal to the commissioner and then to Superior Court
Virginia	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Appeal to State Corporation Commission
Washington	Y	Y	Y		Y			Y	Y	Y	Y	Administrative hearing process and court system
West Virginia	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Administrative hearing and court system
Wisconsin	Y	Y	Y	Y	Y	Y		Y	Y	N	Y	Appeal to Credit Union Review Board