

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

LOS ANGELES COUNTY OFFICE OF
EDUCATION.

OAH CASE NO. 2011080849

ORDER DENYING REQUEST FOR
CONTINUANCE

On September 14, 2011, the parties filed a first stipulated request to continue all dates. A due process hearing must be conducted and a decision rendered within 45 days of receipt of the due process notice unless an extension is granted for good cause. (34 C.F.R. § 300.515(a); Ed. Code, §§ 56502, subd. (f), 56505, subd. (f)(3); see also Cal. Code Regs., tit. 1, § 1020; Cal. Rules of Court, rule 3.1332.) Generally, continuances of matters are disfavored. (Cal. Rules of Court, rule 3.1332(c).)

OAH has reviewed the request for good cause and the request is denied. All hearing dates and timelines shall proceed as calendared. Here, the parties have requested a continuance of the hearing dates, and OAH is inclined to grant the continuance. However, the parties, who are both represented by attorneys who regularly practice before OAH, have requested a PHC date during a week when OAH is dark for training, and at a time when OAH does not schedule PHCs. In addition, OAH does not calendar mediations on Mondays as requested, nor does OAH calendar hearings on Fridays as requested. Accordingly, the parties should resubmit the request for mediation, PHC, and hearing dates on dates other than the weeks of October 17-21, 24-28, 2011, that conform to OAH scheduling practices as follows: 1) mediations must be Tuesday through Thursday; 2) PHCs are conducted on Mondays and Wednesdays at 10:00 a.m. or 1:30 p.m. only; and 3) hearings are scheduled Mondays through Thursdays. The parties may re-submit the request to continue after they have agreed upon hearing dates that conform to the above.

IT IS SO ORDERED.

Dated: September 14, 2011

/s/

RICHARD T. BREEN
Presiding Administrative Law Judge
Office of Administrative Hearings