

ANNOUNCEMENT
Assignment of Hearing Judge and Mediator Duties
December 26, 2008

Beginning January 1, 2009, the Special Education Division will commence a pilot project that assigns its Special Education Division Administrative Law Judges (ALJs) into two core groups: one to handle due process hearings and one to handle mediations. This means that for the next year, one group of ALJs will be solely assigned to mediate due process matters and the other group will be solely assigned to hear due process matters. The pilot project will last one year, from January 1, 2009, through December 31, 2009, after which OAH will review the project.

The project is designed to help OAH evaluate whether resources have been allocated in a manner that will best serve children with special needs who utilize the services offered by OAH. Further, OAH will be examining the question of whether it can better meet those needs by having specially designated judges or whether overlapping duties works best. The project will include regular data collection such as travel hours and costs, settlement rate, number of hearing days and length of mediation and case life. Comments and feedback from the community will be important as well, and OAH welcomes your input during this project.

The ALJs who are designated as mediators will handle the Notice of Insufficiency rulings and all mediations, including convening and confirming calls. The ALJs designated as hearing officers will handle all hearing related matters included prehearing motions, prehearing conferences, hearing preparation, hearings, and decision writing. The presiding judges will assist with both mediations and hearings on an as needed basis.

Any questions regarding this pilot project can be directed to Richard Clark, Acting Presiding Administrative Law Judge for the Special Education Division.