

# THE OFFICE OF ADMINISTRATIVE HEARINGS PROVIDES A FORUM FOR THE FAIR AND NEUTRAL RESOLUTION OF DISPUTES UNDER THE LANTERMAN ACT



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OFFICE OF  
**ADMINISTRATIVE HEARINGS**  
CA DEPARTMENT OF GENERAL SERVICES

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OFFICE OF ADMINISTRATIVE HEARINGS



## HOW ARE DISPUTES RESOLVED UNDER THE LANTERMAN DEVELOPMENTAL DISABILITIES SERVICES ACT?



# MEET THE OFFICE OF ADMINISTRATIVE HEARINGS

## Fair and Neutral

Under the law, people with developmental disabilities may be eligible to receive necessary services and support. When a disagreement develops between a person with a developmental disability and the regional center about eligibility or delivery of services under the Lanterman Developmental Disabilities Services Act (Lanterman Act), a neutral third party is often needed to help resolve the dispute.

In California, the General Jurisdiction Division of the Office of Administrative Hearings fulfills that role.

Our administrative law judges are highly trained, experienced legal professionals, with specialized training to supplement their understanding of the complex issues arising under the Lanterman Act.

Our goal is to help resolve these disputes as early in the process as possible.

Once a hearing request has been filed, the parties may agree to mediate a dispute. Our skilled mediators, who are also administrative law judges, meet with the parties to help resolve the dispute by mutual agreement.

In the small percentage of cases where an outcome cannot be reached through mediation, a hearing is held before another administrative law judge, who decides the case and issues a detailed written decision.

## Disputes Under the Lanterman Act

Our administrative law judges preside over disputes arising under the Lanterman Act that involve complex issues, including whether an individual is eligible to receive services. If the regional center has refused to grant eligibility, the person seeking eligibility may request mediation and a fair hearing to resolve the dispute. An individual (or client) who has been found eligible to receive services under the Lanterman Act has the right to receive needed services and supports in order to live the most independent and productive life possible. When disagreements between the regional center and the client arise regarding necessary services and supports, the client may also request mediation and a fair hearing.

## What You Should Do Next

If you have requested a mediation or fair hearing under the Lanterman Act, you may obtain detailed information online about the entire process, and about representing yourself, at <http://www.oah.dgs.ca.gov> or the Office of Administrative Hearings will mail the information to you upon request.

## Mission Statement for the Office of Administrative Hearings

To provide a neutral forum for fair and independent resolution of matters in a professional, efficient and innovative way, ensuring due process and respecting the dignity of all.



# UNDERSTANDING THE PROCESS

## Conducting the Hearing

A highly trained administrative law judge will preside at your fair hearing. An administrative law judge is a neutral and unbiased judicial officer who ensures that all parties receive a fair hearing. The parties will have the opportunity during the hearing to present all relevant facts. After applying the laws and regulations to the facts that have been presented, the administrative law judge will issue a detailed written decision.

## Are Settlements Possible?

The parties may choose to mediate their dispute at any time. The Office of Administrative Hearings provides experienced mediators to assist the parties in reaching a resolution of their dispute without the necessity of a hearing.

## Need an Interpreter?

If you or a witness require a sign or language interpreter, immediately contact the Office of Administrative Hearings so that a certified interpreter can be provided. Normally, you will not be allowed to bring a friend or relative to act as the official interpreter at the hearing.

## Representation

Many people represent themselves through the mediation and fair hearing process. Others employ an advocate or attorney. You should decide what would be best for you in achieving your goals and presenting your case.