BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

PARENT ON BEHALF OF STUDENT,

v.

BELLFLOWER UNIFIED SCHOOL DISTRICT.

OAH CASE NUMBER 2019110836

ORDER REGARDING PROCEDURES FOR PEREMPTORY CHALLENGES

JULY 7, 2020

Effective July 1, 2020, the Office of Administrative Hearings, referred to as OAH, will consider peremptory challenges in cases filed prior to July 1, 2020, based on the following procedures. A peremptory challenge allows a party to challenge or remove an administrative law judge, referred to as an ALJ, from a case without the need to state a reason.

Each party shall have the earlier of 15 calendar days from the date of this Order, or three business days before the prehearing conference, if already scheduled, to notify OAH of an election to perempt an ALJ from hearing this matter. Parties may only exercise the option to file a peremptory challenge one time in this case and the option is

not available to those parties who have already exercised a peremptory challenge in this case. A party may not preempt an ALJ who has already convened a prehearing conference for the case. A peremptory challenge does not apply to the assignment of ALJ's for mediation.

A party exercising the option to perempt an ALJ pursuant to this Order must notify OAH in writing and may use the attached form, which lists each ALJ in the special education division. The party shall identify one ALJ, and that ALJ will be not be assigned to preside over the due process hearing scheduled in this case. Parties shall notify OAH in writing by E-File and the peremptory challenge must be received by OAH no later than the close of business 15 days after the date of this order, or three business days before the PHC, whichever is earlier.

Any party that fails to comply with this Order waives its right to file a peremptory challenge, unless otherwise ordered.

IT IS SO ORDERED.

DocuSigned by:
Sabrina Kong
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Sabrina Kong
Administrative Law Judge
Office of Administrative Hearings