

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:
PARENTS ON BEHALF OF STUDENT,

v.

NORWALK-LA MIRADA UNIFIED SCHOOL DISTRICT.

OAH CASE NUMBER 2026050670

ORDER DENYING SECOND JOINT REQUEST FOR
CONTINUANCE OF PREHEARING CONFERENCE AND
HEARING DATES

JULY 16, 2026

On July 14, 2026, the parties filed a second joint request to continue the due process hearing with the Office of Administrative Hearings, OAH.

The parties contend the hearing should be continued because Student's attorney, Jerid Maybaum, will be traveling during the two weeks prior to the currently scheduled hearing dates in this case, and unable to prepare for hearing. On May 26, 2026, Maybaum signed an agreement to attend a prehearing conference and hearing on the dates he currently opposes. In the current motion to continue, Maybaum fails to explain how dates he previously chose for the PHC and hearing were chosen as a result of

mistake, surprise, or excusable neglect, leaving OAH to question whether the currently selected dates are valid.

OAH must conduct a due process hearing and issue a decision within 45 days of receiving the due process complaint, unless an extension is granted. (34 C.F.R. § 300.515(a); Ed. Code, §§ 56502, subd. (f), 56505, subd. (f)(3).) Resolving the due process hearing quickly is legally required. Hearings may only be continued if "good cause" is established. (Ed. Code, § 56505, subd. (f)(3).) OAH is guided by the Administrative Procedure Act and the California Rules of Court when ruling on continuance motions. (Cal. Code Regs., tit. 1, § 1020; Cal. Rules of Court, rule 3.1332.)

Good cause to continue a hearing may include:

- An essential lay or expert witness is unavailable because of death, illness, or other excusable circumstances;
- A party is unavailable because of death, illness, or other excusable circumstances;
- A party's attorney is unavailable because of death, illness, or other excusable circumstances;
- A new attorney substitutes in, but only if the party establishes that the substitution is required in the interests of justice;

Generally, continuances are disfavored. (Cal. Rules of Court, rule 3.1332(c).)

The parties failed to establish good cause to continue the due process hearing due to the unavailability of Mayfield to prepare for hearing on dates he previously agreed to for hearing.

The request is denied. All previously scheduled dates remain on calendar. Nothing in this order prevents the parties from submitting an additional motion to continue with the same dates, with an explanation from counsel for their prior error in selecting dates upon which he knew or should have known he would be unavailable.

IT IS SO ORDERED.

Ted Mann

Ted Mann

Administrative Law Judge

Office of Administrative Hearings