BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

PARENTS ON BEHALF OF STUDENT,

v.

LOS ANGELES UNIFIED SCHOOL DISTRICT.

OAH CASE NUMBER 2024010524

ORDER SETTING TELEPHONIC STATUS CONFERENCE

JANUARY 21, 2025

On September 17, 18, 24, and 25, 2024, November 12, 13, 14, 19, 20 and 21, and December 17, 18, 19, 20, and 23, 2024, Student and Los Angeles Unified School District, participated in hearing before Administrative Law Judge Laurie Gorsline. The parties were granted a continuance of the hearing, for the submission of closing briefs to January 27, 2025. The decision due date in this matter is February 18, 2025. After the completion of the hearing, ALJ Gorsline suffered an injury that prevents her from working on the decision. Accordingly, a telephonic trial status conference is required to discuss the impact of the injury on the completion of the decision.

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) & (c) (2006); Ed. Code, §§ 56502, subd. (f), 56505,

subd. (f)(3); Cal. Code Regs., tit. 1, § 1020.) As a result, continuances are disfavored. Good cause may include the unavailability of a party, counsel, or an essential witness due to death, illness or other excusable circumstances; substitution of an attorney when the substitution is required in the interests of justice; a party's excused inability to obtain essential testimony or other material evidence despite diligent efforts; or another significant, unanticipated change in the status of the case as a result of which the case is not ready for hearing. (See Cal. Rules of Court, rule 3.1332(c).) The Office of Administrative Hearings considers all relevant facts and circumstances, including the proximity of the hearing date; previous continuances or delays; the length of continuance requested; the availability of other means to address the problem giving rise to the request; prejudice to a party or witness as a result of a continuance; the impact of granting a continuance on other pending hearings; whether trial counsel is engaged in another trial; whether the parties have stipulated to a continuance; whether the interests of justice are served by the continuance; and any other relevant fact or circumstance. (See Cal. Rules of Court, rule 3.1332(d).)

Therefore, a Telephonic Status Conference will be held with the Division Chief Administrative Law Judge to discuss how this case shall proceed with the parties. Parties are requested to submit to OAH by Noon on January 24, 2025, their preference as to various options, such as three-week continuance for ALJ Gorsline to complete the decision, along with an extension of time for the parties to submit their closing briefs, reassigning the decision to another ALJ, or conducting a new hearing. The Telephonic Status Conference is set forth below:

Trial Setting Conference: January 27, 2025, at 4:00 PM. OAH shall initiate the phone call for the Telephonic Status Conference. OAH reserve the right to cancel the Telephonic Status Conference and issue an order based on the parties' responses.

IT IS SO ORDERED.

Peter Paul Castillo

Peter Paul Castillo
Division Chief Administrative Law Judge
Office of Administrative Hearings