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Michael P. Lawlor
300 Capitol Ave.
Hartford, CT. 06106

Dear Senator Lawlor:

I am writing in support of Senate Bill 1431. This bill would establish an independent Office of Administrative Hearings. I am a private practitioner, representing families in education proceedings and in social security and other disability claims. I am the chair of the Connecticut Bar Association's Education Law Committee. The views expressed here are my own, although I note that the Connecticut Bar Association has endorsed this bill. I have an administrative law practice and have practiced before state hearing officers and federal administrative law judges, including hearing officers at the Connecticut Department of Education.

An independent Office of Administrative Hearings would restore the perception of fairness to the hearing system. Hearing officers who are directly employed by the very agencies which appear before them as litigants are often perceived as biased. For obvious reasons, it is difficult for a hearing officer to rule against his or her employer. This has led to a lack of confidence in the hearing system of many agencies by both the public and members of the bar. A hearing officer who is employed by a centralized agency will not have those same conflicts of interest. A centralized panel will also lead to greater efficiency in scheduling and consistency in decisions.

A centralized panel will lead to increased expertise on the part of the administrative law judges. Training will be conducted by the chief administrative law judge. Professionalism will be enhanced. Judges will be able to specialize in specific areas of law, and will develop the expertise needed for particular agencies. The majority of other states now have centralized offices of administrative hearings.

Currently, parents have a right to a hearing process if they dispute a local board of education's decision on school accommodations. A hearing is held at the local level, with an appeal by a state appointed hearing officer. Under this bill, the central panel would be used at the state appeal level. The initial decision would still be made by the local or regional board of education. This bill simply substitutes the chief ALJ for the state Department of Education in choosing the hearing officer when local decisions are appealed.

Similarly, when parents file due process to contest their child's special education program, the hearing officer will be chosen by the chief ALJ, and not the state Department of Education. Initial placement decisions are still made at the local level, by the Planning and Placement Team.

An independent Office of Administrative Hearings will help public trust and confidence to all parts of state government.

Very truly yours,



Winona W. Zimmerlin