

ATTORNEY APPEARANCE DURING YOUR APPEAL

When you can have an attorney help you during your appeals.

You may have an attorney help you with your appeal. For example, an attorney might help you prepare for a meeting or a hearing or attend a part of the appeal process. There are specific rules about an attorney attending a mediation or hearing.

You must tell the regional center if you are or will have a California licensed attorney attend your informal meeting, mediation or fair hearing. You must tell your regional center at least 5 days before your mediation. You must tell your regional center at least 15 days before a hearing.

You also can have other people help or support you during any part of the process.

When a regional center can have an attorney help during the appeals process.

A regional center may have an attorney help them with the appeals process. This means an attorney may help the regional center prepare for a meeting or a hearing.

A regional center may not have a California licensed attorney attend any part of the appeals process unless you are an attorney or have a California licensed attorney attending.

Who qualifies as a California licensed attorney.

Attorneys who are licensed in California are those who have been admitted to practice law in California. The State Bar of California oversees the admission of attorneys to practice law.

Some attorneys will be “active” members of the Bar. Others will be “inactive” members of the Bar. Active members are individuals who are allowed to represent individuals or entities in California. An inactive attorney is licensed to practice in California but cannot represent individuals or entities unless they become an active member of the Bar.

The State Bar of California website will tell you if an attorney is licensed to practice in California:

<https://apps.calbar.ca.gov/attorney/LicenseeSearch/QuickSearch?FreeText=>

Other times when an attorney can attend the hearing process?



A hearing officer may decide that a California licensed attorney can attend the hearing in the “interest of justice”. This means the hearing officer can let a California licensed attorney attend if it will help make it a fair process. This may happen even if a party has not followed the timelines for saying that they will use an attorney. The hearing officer must tell the parties about this decision before the hearing starts.

How to Get Help

You may get help to understand your appeal rights. Some agencies that may be able to help are found by clicking the Getting Help tab at:

<https://www.dds.ca.gov/general/appeals-complaints-comments/fair-hearings-complaint-process/lanterman-act-appeals-information-packet/>

