LEGAL ETHICS OPINION 617  APPEARANCE OF IMPROPIETY – 
HEARING OFFICERS.

It is improper for an attorney representing a party in a special education due process hearing to 
appear in said hearing when the presiding hearing officer is a member of the same law firm as the 
representative attorney.

It is not improper for an attorney representing a party in a special education due process hearing 
to appear in said hearing when the presiding hearing officer is not a member of the same law firm 
as the representative attorney although a member of said attorney's firm presides as a hearing 
officer in other such cases.

It is improper for an attorney to represent a school division in proceedings in which the hearing 
officer is a member of said attorney's law firm.

It is not improper for an attorney to represent a school division in proceedings when a member 
of said attorney's firm who serves as a hearing officer in similar proceedings had no contact with 

Committee Opinion
October 24, 1984