

What are Office Hearings?

Not all cases handled by the District Attorney's Office are resolved in court. Many minor cases are resolved informally in Office Hearings. These hearings are a way for citizens to save time and taxpayer money.

Hearings usually result from police reports filed with the District Attorney's Office regarding complaints made by citizens to the police.

Hearings are conducted by trained hearing officers who are not lawyers. They are skilled in dispute resolution and seek to resolve the issues that caused the dispute. The hearing officers seek to obtain compliance with the law in the future and, if the hearing is not successful in reaching these goals, a formal criminal complaint may be reconsidered.

Cases which frequently go to hearing are minor assaults, such as barroom confrontations; family disputes that do not involve domestic partners; neighborhood disputes, such as barking dogs; nuisance phone calls; truancy; some health and safety violations; and other local and state regulatory agency violations.

Hearings are conducted on weekdays between 8:30 a.m. and 3:30 p.m. in the local District Attorney's Office where the crime report was filed by the police or deputy sheriff. A hearing is scheduled as soon as possible after receipt of a police report so that the problem may be quickly resolved.

When a hearing has been set, respondents (suspects) and complainants (victims) will receive a letter from the District Attorney informing them of the date, time and location of the hearing. The letter will also state what charges are involved.

Usually both parties in the dispute will be present at the hearing. However, if the hearing officer decides that the matter can better be resolved in separate hearings, this will be done.

Both parties will be allowed to present any facts relative to the main issue that is the subject of the hearing.

Unrelated problems and incidents that do not involve the immediate problem will not be considered.

Although the hearing is informal, you should be prepared to present your side as concisely and clearly as possible.

How are hearings conducted?

Both parties may bring any appropriate witnesses as well as pertinent photographs, documents and other evidence. The hearing officer will not retain this material unless needed for the filing of a criminal complaint. Parties may also bring attorneys. However, the attorneys will not be allowed to participate in the hearing but merely observe and counsel their clients.

When the parties and witnesses enter the hearing, the hearing officer will introduce himself/herself to each person and will explain the hearing procedure and the object of the hearing.

The complainant-victim will present his/her position first. Then the respondent-suspect will present his/her version of the incident.

Witnesses for both sides may then be heard.

The hearing officer will summarize both positions and discuss the main issues involved in the hearing.

The hearing officer will also explain the consequence in time and money if this case goes to court instead of being resolved in the hearing.

The hearing officer will then present conditions for resolution of the case and if the parties agree to comply with the recommended resolution, the hearing is completed.

How is compliance obtained?

In certain cases, hearing officers will make follow-up telephone calls to make sure the resolution conditions are being complied with.

Sometimes, participants in hearings may be referred to social agencies for counseling and this will be monitored.

Complainants are encouraged to contact their law enforcement agency if there is a reoccurrence.

What if there is no resolution?

If the case is not resolved and the hearing officer decides that a formal criminal complaint should be filed, the hearing officer will make that recommendation to the filing deputy in the District Attorney's Office.

If there is insufficient evidence for criminal prosecution, civil litigation may be an option.

**For Office Hearing program
information call (562) 803-7116.
For additional copies of this or other
pamphlets, call (213) 974-7401,
or visit our Web site at
<http://da.lacounty.gov>.**

A relatively minor dispute between neighbors over a barking dog or broken tree limb can easily escalate into a more serious and potentially dangerous confrontation unless the underlying issues are promptly addressed and fairly resolved.

The District Attorney's Office annually mediates hundreds of similar disputes, mostly low-level misdemeanors, through its Office Hearing program. The program brings together a team of specially trained non-lawyers to resolve the matter before criminal cases are filed.

Both sides meet with a hearing officer to present their version of events. The hearing officer then proposes conditions and, if accepted, the case is closed. This program not only ends disputes on mutually accepted terms but also saves time and tax dollars.

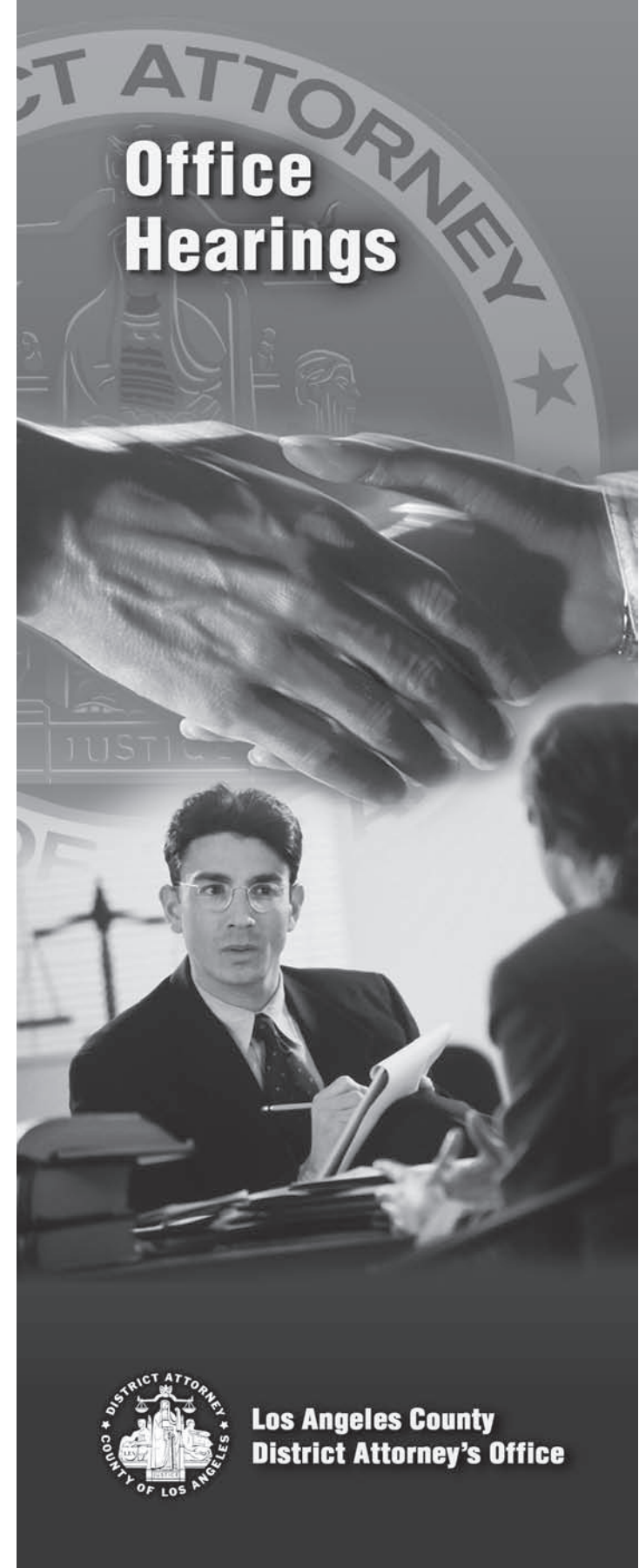
If you find yourself involved in a problematic disagreement, our Office Hearing program may help you resolve the issue. Even before utilizing this program, I encourage you take steps to reach a fair and reasonable solution on your own.



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