

DISTRICT OF COLUMBIA COURT OF APPEALS

In re A.T.; District of Columbia, Appellant

10 A.3d 127 (D.C. 2010) · No. 10-FS-124 · Decided December 16, 2010

SUMMARY

The District of Columbia Court of Appeals held that the Superior Court exceeded its authority by conducting a de novo determination of whether A.T. met the statutory definition of mental retardation after the Department on Disability Services denied her eligibility for residential habilitation services. The court concluded that the matter was a non-contested agency review proceeding, requiring review of the administrative record for procedural error, substantial evidence, and arbitrary or capricious action. The court vacated the Superior Court's order and affirmed DDS's denial on the administrative record.

CASE DETAILS

COURT	District of Columbia Court of Appeals
WRITING FOR THE COURT	Oberly, Judge; Kramer, Associate Judge; Oberly, Associate Judge; Belson, Senior Judge
JURISDICTION	District of Columbia
DECIDED	December 16, 2010
DOCKET	10-FS-124
DISPOSITION	vacated
PROCEDURAL POSTURE	The District of Columbia appealed the Superior Court's order admitting A.T. to a Department on Disability Services facility for residential habilitation after the Superior Court conducted a de novo hearing and found that A.T. met the statutory definition of mental retardation.
STANDARD OF REVIEW	The Superior Court was required to review the non-contested agency decision on the administrative record, without substituting its judgment for the agency's or receiving additional evidence. The reviewing court examines the record for procedural error, substantial evidence supporting the agency's action, and arbitrariness, capriciousness, abuse of discretion, or contrariness to law.
PRECEDENTIAL VALUE	published and precedential

PARTIES

District of Columbia v. A.T.

TOPICS

judicial review of agency action

administrative law

standard of review

statutory interpretation

appellate procedure

PRACTICE AREAS

administrative law

appellate procedure

disability services

QUESTIONS PRESENTED

1. Whether the Superior Court had authority to conduct a de novo hearing and independently determine whether A.T. met the statutory definition of mental retardation after DDS denied her eligibility for services.
2. What standard of judicial review applied to DDS's eligibility determination in this non-contested agency matter.
3. Whether DDS's denial of services was procedurally proper and supported by substantial evidence.
4. Whether the Superior Court erred in determining that a current diagnosis of mental retardation was not required for eligibility for residential habilitation services.

HOLDINGS

1. The Superior Court exceeded its authority by conducting a de novo hearing and making its own initial determination that A.T. met the statutory definition of mental retardation. The Act assigns the initial admission and eligibility determination to the facility director or agency, while permitting judicial review of the agency decision.
2. The Superior Court was required to review DDS's decision on the administrative record under the same deferential standard used by the Court of Appeals for agency decisions, rather than conduct a de novo hearing.
3. DDS committed no procedural error because A.T. received notices explaining the denial and available review procedures, had an opportunity to submit information and meet with agency officials, and received a final administrative decision stating the agency's reasons.
4. DDS's determination that A.T. was ineligible for services was supported by substantial evidence and was not arbitrary, capricious, an abuse of discretion, or contrary to law.

KEY QUOTATIONS

"The Superior Court must apply the same level of review that this court uses when reviewing contested cases, which "prohibits the substitution of our judgment for that of the agency," and dictates that we review "the administrative record alone and not duplicate agency proceedings or hear additional evidence."" (135)

“Because hers was a non-contested case, A.T. was not entitled to a formal, trial-type, contested-case hearing before DDS.” (136)

“Given the lack of evidence in the administrative record to show that A.T. met all of the Act's requirements for a finding of mental retardation, DDS's decision that she was ineligible for services was supported by substantial evidence, and was not otherwise arbitrary, capricious, or an abuse of discretion.” (136)

FACTUAL BACKGROUND

A.T. had significant adaptive-functioning difficulties and developmental diagnoses, but psychological evaluations produced IQ scores of 73, 98, and 81. The evaluations and accompanying documentation did not diagnose her with mental retardation, and one letter from her own doctors described her as having normal intellectual functioning. DDS denied her application for residential habilitation services and later confirmed that denial after a meeting with agency officials. The Superior Court relied on additional testimony, including a revised opinion from one psychologist, to find that A.T. met the statutory definition of mental retardation.

PROCEDURAL HISTORY

DDS denied A.T.'s application for Developmental Disabilities Administration services after reviewing psychological evaluations and other documentation. Rather than filing a civil action for review of the agency decision, A.T.'s guardian ad litem filed a petition for voluntary admission in the Superior Court. The Superior Court denied the District's objections to the scope of review, conducted a de novo evidentiary hearing, found A.T. eligible, and ordered her admission. The Court of Appeals vacated the Superior Court's order and affirmed DDS's denial on the administrative record.

DISPOSITION

vacated

REMAND INSTRUCTIONS

No remand. The Court of Appeals declined to remand because it could apply the proper standard of review itself, vacated the Superior Court's order, and affirmed DDS's decision that A.T. was ineligible for services on the administrative record before the agency.

CASES CITED

- In re Bicksler, 501 A.2d 1 (D.C. 1985)
- Rones v. District of Columbia Department of Housing & Community Development, 500 A.2d 998 (D.C. 1985)
- Kegley v. District of Columbia, 440 A.2d 1013 (D.C. 1982)
- Barry v. Wilson, 448 A.2d 244 (D.C. 1982)
- Felicity's, Inc. v. District of Columbia Board of Appeals & Review, 851 A.2d 497 (D.C. 2004)
- Washington Hospital Center v. District of Columbia Department of Employment Services, 859 A.2d 1058 (D.C. 2004)

- In re Andre Brooks, 112 Daily Wash. L. Rptr. 37 (D.C. Super. Ct. Jan. 10, 1984)

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