



Hanover told to pay lawyers, family

Judge orders \$200,000 paid in costs tied to legal dispute over education of autistic boy

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A federal judge has ordered the Hanover County school system to pay more than \$200,000 in legal and educational costs associated with a family's successful effort to show that it failed to meet the educational needs of their autistic son.

The 27-page ruling from U.S. District Judge Robert E. Payne reinforces his decision late last summer that found the school system had failed to provide an appropriate education under the federal Individuals with Disabilities Education Act.

Payne's order setting the amount, issued Thursday, comes after three years of administrative and court challenges waged by Karl and Linda Peterson on behalf of their son, James, who now attends a private school specializing in teaching autistic students. Payne had found that the school system should have provided public funds to provide James with a private education because the school system failed to appropriately address his condition in public school.

Autism is a disorder that affects a child's ability to process information and learn behaviors. Its causes are largely unknown but recent studies have shown it affects as many as 1 in 150 school-aged children. Virginia experienced a four-fold increase in the number of children identified with autism between 1997 and 2005. Costs of special education have increased across the country.

Last year, however, the Hanover school system appealed Payne's decision on the broad educational issue, largely on the basis that he had allegedly overstepped his authority. Yesterday, County Attorney Sterling Rives said the legal-fee issue and education costs would be part of the school's system's appeal.

The 4th U.S. Circuit Court of Appeals is expected to hear the case sometime this spring.

Payne ruled this week that the school system owes the Petersons' law firm, Strother Law Offices, PLC of Richmond, nearly \$183,000 and it owes the Petersons \$33,187 that the family spent to educate their son at a private school during the 2005-2006 school year.

The family and school system are still disputing what money should be paid for the current school year.

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