



Expert Fees in Lawsuits Brought under the Individuals with Disabilities Education Act (IDEA)

In *Arlington Central School District Board of Education v. Murphy*, 548 U.S. 291 (2006), the Supreme Court stated that parents who win a lawsuit brought under the Individuals with Disabilities Education Act (IDEA) *may not* be awarded expert fees as part of their costs. The law includes a section that allows parents to collect “reasonable attorneys’ fees as part of the costs” from the State, but unfortunately, the term “costs” does not include educational expert or consultant’s fees you might incur while preparing for hearing. Though this might make the idea of pursuing your claim sound difficult due to the potential expense involved, you should seek the advice of an attorney to discuss your options prior to making a decision about filing an action under the IDEA.