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**IDAHO PROFESSIONAL STANDARDS COMMISSION**

LISA COLÓN DURHAM, CHIEF  
CERTIFICATION OFFICER,  
  
Complainant,  
  
v.  
  
MARVIN J. HANSEN,  
  
Respondent.

Case No. 22027

**ORDER ON MOTION FOR DEFAULT  
JUDGMENT AND/OR MOTION TO FILE  
AN AMENDED COMPLAINT**

1. On February 25, 2021, Lisa Colón Durham, Chief Certification Officer for the Idaho Professional Standards Commission, filed and served an Administrative Complaint on Respondent Martin Hansen (“Respondent”) seeking to discipline his educator certificates (“Complaint”). There is no indication there was an issue with service of the Complaint on Respondent.

2. Included with the Complaint was a Notification of Procedural Rights, which among other things, notified Respondent that pursuant to IDAPA 04.11.01.270, he must file an answer at least 30 days prior to a hearing set in the matter on June 23, 2021, or by May 24, 2021.

3. On May 27, 2021, the Chief Certification Officer filed a Motion for Default Judgment and/or Motion to File an Amended Complaint (“Motion”) seeking that default be entered against Respondent for failing to file an answer to the Complaint. Alternatively, the Chief Certification Officer requested that if the motion for default is denied, that the State be allowed to amend the Complaint to include an additional count alleging a violation of Ethical Principal VIII.

4. On June 4, 2021, the Presiding Officer sent out a Scheduling Order requiring Respondent to respond to the Motion by close of business on June 8, 2021.

5. As of the date of this Order, Respondent has not filed an answer to the Complaint or responded to the Motion.

6. IDAPA 04.011.01.270 reads as follows:

270. ANSWERS -- DEFINED -- FORM AND CONTENTS -- TIME FOR FILING (RULE 270). All pleadings responding to the allegations or requests of applications or claims or appeals, complaints, petitions, protests, or motions are called “answers.” (3-24-93) 01. Answers to Pleadings Other Than Motions. Answers to applications, claims, or appeals, complaints, petitions, or protests must be filed and served on all parties of record within twenty-one (21) days after service of the pleading being answered, unless order or notice modifies the time within which answer may be made, or a motion to dismiss is made within twenty-one (21) days. When an answer is not timely filed under this rule, the presiding officer may issue a notice of default against the respondent pursuant to Rule 700. Answers to applications or claims or appeals, complaints, petitions, or protests must admit or deny each material allegation of the application or claim or appeal, complaint, petition or protest. Any material allegation not specifically admitted shall be considered to be denied. Matters alleged by cross-complaint or affirmative defense must be separately stated and numbered.

7. IDAPA 04.011.01.700 reads as follows:

700. NOTICE OF PROPOSED DEFAULT AFTER FAILURE TO APPEAR (RULE 700). If an applicant or claimant or appellant, petitioner, complainant, or

moving party fails to appear at the time and place set for hearing on an application or claim or appeal, petition, complaint, or motion, the presiding officer may serve upon all parties a notice of a proposed default order denying the application or claim or appeal, petition, complaint, or motion. The notice of a proposed default order shall include a statement that the default order is proposed to be issued because of a failure of the applicant or claimant or appellant, petitioner, complainant or moving party to appear at the time and place set for hearing. The notice of proposed default order may be mailed to the last known mailing address of the party proposed to be defaulted.

8. Pursuant to the rules set out above, the Presiding Officer grants the Chief Certification Officer's Motion and issues a Notice of Proposed Default Order concurrent with this order. Pursuant to IDAPA 4.011.01.701, Respondent has seven days to challenge the proposed default order.

9. The hearing set for June 23, 2021 is hereby VACATED.

IT IS SO ORDERED.

DATED this 15th day of June, 2021.

STATE OF IDAHO  
OFFICE OF THE ATTORNEY GENERAL

By /s/ Karen Sheehan  
KAREN SHEEHAN  
Presiding Officer

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 15th day of June, 2021, I caused to be served a true and correct copy of the foregoing by the following method to:

Marvin J. Hansen  
[REDACTED]

- U.S. Mail
- Hand Delivery
- Certified Mail, Return Receipt Requested
- Overnight Mail
- Email: [REDACTED]

*Attorney for the*  
*Chief Certification Officer*  
Robert A. Berry  
Deputy Attorney General  
P. O. Box 83720  
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- U.S. Mail
- Hand Delivery
- Overnight Mail
- Facsimile: (208) 854-8073
- Email: robert.berry@ag.idaho.gov  
leslie.gottsch@ag.idaho.gov

Idaho State Department of Education  
Professional Standards Commission  
Attn: Annette Schwab  
P. O. Box 83720  
Boise, ID 83720-0027

- U.S. Mail
- Hand Delivery
- Overnight Mail
- Facsimile:
- Email: aschwab@sde.idaho.gov
- Statehouse mail

/s/ Karen Sheehan

KAREN SHEEHAN  
Presiding Officer