

WAC 110-03-0160 Notice of hearing. (1) When a hearing is requested, OAH serves the parties and their representatives, including all persons who have filed written petitions to intervene, with a written notice of the hearing date. The notice must be served not fewer than seven business days before the hearing date.

(2) The notice of hearing will include:

(a) The names, mailing addresses, and telephone numbers of all parties to whom notice is being given and, if known, the names and addresses of their representatives;

(b) The date of the hearing request;

(c) The official file or other reference number and the name of the proceeding;

(d) If DCYF intends to appear, the mailing address and telephone number of the office designated to represent DCYF;

(e) The name, mailing address, and telephone number of the ALJ who will preside, if known;

(f) The date, time, place, and nature of the hearing;

(g) The legal authority and jurisdiction for the hearing, including a reference to the particular sections of the statutes and rules involved; and

(h) A short and plain statement of the matters asserted by the agency.

(3) OAH will also include information with the notice of hearing stating:

(a) If a party fails to attend or participate, either personally or through a representative, in a prehearing conference or a hearing, the party may lose the right to a hearing and an order of default or an order dismissing the case may be entered against the party;

(b) If an LEP party, witness, party's representative, or individual assisting an LEP party needs an interpreter under WAC 110-03-0110 and 110-03-0120, OAH will provide a qualified interpreter at no cost to the requesting individual. The notice will include information on how to request interpreter services;

(c) Whether the hearing will be held by telephone or in person and how to request a change in the way it will be held;

(d) How to inform OAH of any special accommodation needs for a party or witness; and

(e) How to contact OAH if a party or witness has a safety concern.

(4) The ALJ and the parties may agree to shorten the amount of notice required by any rule.

(5) Any party may request that the hearing be rescheduled if OAH does not provide the amount of notice required by these rules.

[Statutory Authority: RCW 34.05.220, 43.216.020, and 43.216.065. WSR 20-02-031, § 110-03-0160, filed 12/19/19, effective 1/19/20.]