

WAC 110-03-0570 Reconsideration of the final order. (1) Reconsideration is asking a judge to reexamine a final order because the party believes a mistake concerning a matter of law or fact was made.

(2) To request reconsideration of a final order, a party must file a petition for reconsideration with the office of OAH or the BOA that issued the final order. The petition for reconsideration must be filed within ten calendar days of the date the final order was served. The party requesting reconsideration must serve copies on all other parties and their representatives at the same time the petition is filed.

(3) Filing a petition for reconsideration does not stay the effectiveness of a final order.

(4) The petition for reconsideration must identify the parts of the final order with which the party disagrees and must identify the evidence in the hearing record that supports the party's position.

(5) Any nonrequesting party may, but is not required to respond to a request for reconsideration.

(6) If a nonrequesting party responds, the response must be filed so the ALJ or review judge receives it on or before the seventh business day after the date a copy of the petition for reconsideration was served on the parties.

(7) A responding party must serve a copy of the response on all other parties and their representatives at the same time the response is filed.

(8) If a response is filed, a nonresponding party may reply to the response.

(9) If a party replies, the reply must be filed so the office that issued the final order receives it on or before the seventh business day after the date a copy of the response was served on the parties.

(10) The replying party must serve a copy of the reply on all other parties and their representatives at the same time the reply is filed.

(11) If a party needs more time to respond or reply, the party must contact the office that issued the final order by the deadline in subsection (6) or (9) of this section and show good cause for an extension of time.

(12) If a party asks for reconsideration of the final order, the reconsideration process must be completed before requesting judicial review. However, a request for reconsideration of a final order is not required prior to requesting judicial review.

[Statutory Authority: RCW 34.05.220, 43.216.020, and 43.216.065. WSR 20-02-031, § 110-03-0570, filed 12/19/19, effective 1/19/20.]