

WAC 246-10-202 Amendment of initiating documents. (1) Prior to the hearing date, initiating documents may be amended:

(a) Subject to the following conditions:

(i) Amended initiating documents must meet the requirements of WAC 246-10-201(1).

(ii) Amended initiating documents must be accompanied by the documents described in WAC 246-10-201(2).

(b) Whenever amended initiating documents are served, a new interval of response will begin, as described in WAC 246-10-203. Whenever amended initiating documents are served, the respondent shall file an answer within the time period specified in the amended initiating document, unless otherwise permitted to extend the filing period under WAC 246-10-203(3), or if the case is within thirty days of the scheduled hearing as described in (c) of this subsection.

(c) If amended initiating documents are filed within thirty days of the scheduled hearing, the presiding officer will convene a status conference to discuss response deadlines and the case schedule. Upon motion of a party and a showing of good cause, or upon his or her own initiative, the presiding officer may grant a continuance on all or part of the matter and may modify the scheduling order as necessary.

(2) On the hearing date, the initiating documents may be amended subject to the following conditions:

(a) The documents may be amended upon motion of the state.

(b) The presiding officer will determine whether amendments are substantive and may grant a continuance on all if necessary to afford the respondent an opportunity to prepare a defense to the amended documents.

(3) For purposes of this section, motions may be made orally.

[Statutory Authority: RCW 43.70.040, 34.05.220, 34.05.410, 18.130.050, and 34.05.413 through 34.05.476. WSR 18-18-049, § 246-10-202, filed 8/29/18, effective 9/29/18. Statutory Authority: RCW 43.70.040. WSR 94-04-079, § 246-10-202, filed 1/31/94, effective 3/3/94; WSR 93-13-005 (Order 369), § 246-10-202, filed 6/3/93, effective 7/4/93.]