

WAC 308-12-355 Conduct of brief adjudicative proceedings. (1)

Brief adjudicative proceedings shall be conducted by a presiding officer appointed by the current board chair in accordance with RCW 34.05.485. The presiding officer for brief adjudicative proceedings shall have agency expertise in the subject matter but must not have personally participated in the decision to issue the initiating document.

(2) The parties or their representatives may present written documentation. The presiding officer for brief adjudicative proceedings shall designate the date by which written documents must be submitted by the parties.

(3) The presiding officer for brief adjudicative proceedings may, at his or her discretion, entertain oral argument from the parties or their representatives.

(4) No witnesses may appear to testify.

(5) In addition to the record, the presiding officer for brief adjudicative proceedings may employ agency expertise as a basis for decision.

(6) The presiding officer for brief adjudicative proceedings will not issue an oral order. Within ten days of the final date for submission of materials or oral argument, if any, the presiding officer for brief adjudicative proceedings will enter an initial written order.

[Statutory Authority: RCW 18.08.340 and 43.24.086. WSR 11-11-019, recodified as § 308-12-355, filed 5/9/11, effective 7/1/11. Statutory Authority: RCW 18.08.340. WSR 02-11-082, § 308-12-230, filed 5/14/02, effective 6/14/02; WSR 97-03-121, § 308-12-230, filed 1/21/97, effective 2/21/97.]