

WAC 110-03-0390 Witnesses. (1) A witness is any person who makes statements or gives testimony that becomes evidence in a hearing.

(2) Witnesses may include:

(a) A party: The appealing party or a DCYF representative; and

(b) Anyone a party or the ALJ asks to be a witness. This can include a person who has knowledge of relevant facts or an expert witness who is qualified by knowledge, experience, and education to give opinions or evidence in a specialized area.

(3) Unless DCYF gives permission, no current or former DCYF employee may be an expert witness against DCYF if that employee was actively involved in the case while working for DCYF, or if that employee was actively involved in the case while working for the department of early learning (DEL) or the department of social and health services (DSHS) on or before June 30, 2018.

(4) The ALJ decides who may testify as a witness.

[Statutory Authority: RCW 34.05.220, 43.216.020, and 43.216.065. WSR 20-02-031, § 110-03-0390, filed 12/19/19, effective 1/19/20.]