

WAC 363-11-310 Depositions and interrogatories—Use and effect.

Subject to rulings by the hearing officer upon objections a deposition taken and filed as provided in this rule will not become a part of the record in the proceeding until received in evidence by the hearing officer upon the motion of any party. Except by agreement of the parties or ruling of the hearing officer, only that portion of the deposition transcript cited during the adjudicative hearing which demonstrates that the witness made a previously inconsistent statement may become a part of the record of proceedings. The portion of the transcript submitted shall include such testimony necessary to give proper context to the witness's prior statement, as determined by the hearing officer. A party does not make a party, or the privy of a party, or any hostile witness his witness by taking his deposition. Any party may rebut any relevant evidence contained in a deposition whether introduced by him or any other party.

[Statutory Authority: Chapter 88.16 RCW. WSR 12-12-041, § 363-11-310, filed 5/30/12, effective 6/30/12. WSR 97-08-042, recodified as § 363-11-310, filed 3/28/97, effective 3/28/97; Rule .08.310, effective 3/1/60, filed 3/23/60.]