

**WAC 381-100-250 Hearing procedures—Witnesses.** (1) Either party may call witnesses to testify in-person, by telephone, or electronically.

(2) The presiding officer may limit the number of witnesses and the scope of the testimony to matters relevant to the allegations and/or disposition.

(3) Witnesses may be excluded from in-person appearance for good cause determined by the presiding officer.

(4) Specifically, the presiding officer may exclude a witness from testifying at a hearing or may require a witness to testify outside of the presence of the individual when there is a substantial likelihood that the witness will not be able to give effective, truthful testimony in the individual's presence.

(a) In this circumstance, if the individual is not represented by counsel, they shall be provided the opportunity to submit a list of questions for any witness testifying outside of their presence. This list shall be made part of the hearing record. The presiding officer shall present these questions to the witness on the record to the extent they seek to elicit relevant testimony.

(b) If the individual is represented by counsel, the attorney shall be allowed to question the witness on the record, but outside the presence of the individual.

(5) In all cases, the presiding officer shall take reasonable precautions related to the safety concerns of witnesses.

[Statutory Authority: RCW 34.05.030 (1)(c). WSR 24-12-050, § 381-100-250, filed 5/31/24, effective 7/1/24. Statutory Authority: RCW 34.05.220 (1)(b). WSR 09-08-109, § 381-100-250, filed 3/31/09, effective 5/1/09.]