

2052

Sponsor(s): Representatives G. Chandler, Quall, Bush, Grant, Hatfield and Kessler

Brief Description: Ensuring equal access to justice.

HB 2052 - DIGEST

Provides that for the agencies that conduct their own administrative hearings or administrative reviews under chapter 34.05 RCW, the chief administrative law judge of the office of administrative hearings, and the board of industrial insurance appeals are authorized to adopt rules to implement RCW 4.84.340 through 4.84.360 and this act.

Provides that these rules may include reasonable requirements for notices of appearances by authorized representatives, requirements for notices of intent to seek fees under this act, limitations on the eligibility for fees for nonattorney representatives, and a schedule for hours, rates, or limitations on amounts of fees and other expenses presumed reasonable for the type of adjudicative proceeding. In addition, rules may set a maximum total amount including all fees and expenses for specific types of adjudicative proceedings.

Provides that, when an agency has made an offer to participate in an alternative dispute resolution process, the appellant must participate in good faith or be precluded from applying for an award of attorneys' fees or expenses under RCW 4.84.340 through 4.84.360 and this act.

Provides that no fees or other expenses may be awarded against an administrative tribunal.