

WAC 110-03-0420 Testimony. (1) All testimony of witnesses, including parties, must be made under oath or affirmation.

(2) Direct examination. All witnesses may be asked questions by the party who calls the witness to testify. Each witness:

(a) May testify in person, or by telephone if approved by the ALJ;

(b) May request an interpreter from OAH at no cost to the parties;

(c) May be subpoenaed and ordered to appear according to WAC 110-03-0400.

(3) Cross-examination. The parties have the right to cross-examine (question) each witness called by any other party.

(4) If a party has a representative, only the representative, not the party, may question the witness.

(5) The ALJ may also question witnesses.

(6) Witnesses may refuse to answer questions. However, if a witness refuses to answer a question, the ALJ may reject all of the related testimony of that witness or make a negative inference from the refusal to answer the question.

[Statutory Authority: RCW 34.05.220, 43.216.020, and 43.216.065. WSR 20-02-031, § 110-03-0420, filed 12/19/19, effective 1/19/20.]