

**WAC 10-08-200 Adjudicative proceedings—Presiding officer.** The presiding officer shall have authority to:

- (1) Determine the order of presentation of evidence;
- (2) Administer oaths and affirmations;
- (3) Issue subpoenas pursuant to RCW 34.05.446;
- (4) Rule on procedural matters, objections, and motions;
- (5) Rule on motions for summary judgment;
- (6) Rule on offers of proof and receive relevant evidence;
- (7) Pursuant to RCW 34.05.449(5), close parts of a hearing to public observation or order the exclusion of witnesses upon a showing of good cause;
- (8) Interrogate witnesses called by the parties in an impartial manner to develop any facts deemed necessary to fairly and adequately decide the matter;
- (9) Call additional witnesses and request additional exhibits deemed necessary to complete the record and receive such evidence subject to full opportunity for cross-examination and rebuttal by all parties;
- (10) Take official notice of facts pursuant to RCW 34.05.452(5);
- (11) Regulate the course of the hearing and take any appropriate action necessary to maintain order during the hearing;
- (12) Permit or require oral argument or briefs and determine the time limits for submission thereof;
- (13) Issue an order of default pursuant to RCW 34.05.440;
- (14) Hold prehearing conferences;
- (15) Appoint a mediator or serve as mediator, provided that after serving as mediator, the presiding officer shall not conduct the hearing or issue a decision on the matter unless the parties specifically waive any objections to doing so;
- (16) Take any other action necessary and authorized by any applicable statute or rule; and
- (17) Waive any requirement of these rules unless a party shows that it would be prejudiced by such a waiver.

[Statutory Authority: RCW 34.05.020, 34.05.250, 34.12.030 and 34.12.080. WSR 99-20-115, § 10-08-200, filed 10/6/99, effective 11/6/99. Statutory Authority: RCW 34.05.250. WSR 89-13-036 (Order 6), § 10-08-200, filed 6/15/89. Statutory Authority: RCW 34.04.020 and 34.04.022. WSR 82-22-052 (Order 3), § 10-08-200, filed 11/1/82.]