

WAC 110-03-0180 Purposes of prehearing conferences. (1) The purposes of the prehearing conferences are to clarify issues, set deadlines for the parties to exchange information regarding witnesses and evidence, and set the time for the hearing.

(2) During a prehearing conference, the parties and the ALJ may:

- (a) Simplify or clarify the issues to be decided during the hearing;
- (b) Agree to the date, time, and place of the hearing;
- (c) Identify any accommodation or safety issues;
- (d) Agree to continue the hearing;
- (e) Allow the parties to make changes in their own documents including, but not limited to, the DCYF notice of an appealable action or the appealing party's hearing request;
- (f) Agree to facts and documents to be entered during the hearing;
- (g) Set a deadline for each party to file and serve a document containing the names and phone numbers of witnesses and copies of all documents and other exhibits that will be presented at the hearing;
- (h) Schedule additional prehearing conferences;
- (i) Resolve the dispute;
- (j) Consider granting a stay if authorized by law or DCYF rule;
- (k) Consider a motion for summary judgment or other motion;
- (l) Determine any other procedural issues that may be raised by the parties; or
- (m) Schedule child witness hearings.

(3) (a) If the parties resolve the dispute informally before the prehearing conference, DCYF must provide a written description of the agreed resolution to the persons involved, and the ALJ may consider the agreement before or at the prehearing conference.

(b) If all the issues are resolved, the parties may settle the matter by:

- (i) Withdrawal by the appellant of the request for hearing to appeal DCYF action;
- (ii) Withdrawal by the agency of the action that is the subject of the proceeding; or
- (iii) Written stipulation (agreement) signed by each party and each party's representative, or the stipulation must be recited on the record at the hearing. If the ALJ accepts the stipulation, the ALJ will enter an order consistent with its terms. The entry of the order based on the stipulation will result in dismissal of the appeal consistent with the terms of the stipulated agreement.

[Statutory Authority: RCW 34.05.220, 43.216.020, and 43.216.065. WSR 20-02-031, § 110-03-0180, filed 12/19/19, effective 1/19/20.]