

WAC 446-08-150 Subpoenas. (1) Every subpoena shall state the name of the agency and the title of the proceeding and shall command the person to whom it is directed to attend and give testimony, or produce designated books, documents or things under his or her control at a hearing.

(2) Subpoenas may be signed and issued by any member of the board, or the hearing officer, or the attorney of record of the party requiring the appearance of the witness. Parties desiring subpoenas to be signed by a member of the board or hearing officer must prepare subpoenas for issuance and submit the subpoenas for signature at least ten calendar days before a hearing.

(3) Parties requesting subpoenas must make arrangements for and bear the expense of service. All subpoenas must be served at least ten calendar days before a hearing.

(4) Subpoenas must be personally served in one of the following ways:

(a) By any suitable person over eighteen years of age;

(b) By exhibiting and reading it to the witness, or by giving him or her a copy thereof; or

(c) By leaving such copy at the place of his or her abode.

(5) When service is made by any other person than an officer authorized to serve process, proof of service shall be made by affidavit or declaration under penalty of perjury. Failure to make proof of service does not affect the validity of the service.

(6) A copy of the subpoena must also be provided to the opposing party or the party, if unrepresented.

[Statutory Authority: RCW 304-05-020 [34.05.020] and chapter 43.43 RCW. WSR 14-03-020, § 446-08-150, filed 1/7/14, effective 2/7/14; Order II, § 446-08-150, filed 11/22/74.]