

WSR 23-03-112  
PREPROPOSAL STATEMENT OF INQUIRY  
OFFICE OF  
ADMINISTRATIVE HEARINGS

[Filed January 18, 2023, 8:21 a.m.]

Subject of Possible Rule Making: The office of administrative hearings (OAH) is proposing to amend WAC 10-16-010, regarding procedures to complain about improper conduct by an administrative law judge (ALJ).

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 34.05.020 and 34.12.030.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The rule needs to be updated to allow electronic and online complaints, to eliminate current page limits, and to clarify the process for contacting OAH and for OAH to investigate complaints.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: This is an OAH complaint process and is not regulated by any other agency. RCW 34.12.030(4) provides disciplined or terminated ALJs with a right of review by the Thurston County superior court.

Process for Developing New Rule: Agency study; and OAH welcomes the public to participate in developing its rules. Anyone interested should contact the staff person identified above. OAH maintains a list of parties who might be interested in its rule making. At a later date, OAH will file a notice of proposed rule making (CR-102) with the office of the code reviser. A copy of the notice will be sent to everyone on the list of interested parties, as well as anyone who requests a copy. The notice will also be posted on our website at the following web page <https://oah.wa.gov/Content-Area-Management/Rule-Making-Hub/Rulemaking-Activities>.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Sabiha Malikani Ahmad, Staff Attorney, P.O. Box 42488, Olympia, WA 98504-2488, phone 360-407-2739, fax 360-664-8721, TTY 711, email [rulemaking@oah.wa.gov](mailto:rulemaking@oah.wa.gov), website <https://oah.wa.gov>.

January 17, 2023  
Lorraine Lee  
Chief Administrative Law Judge