

**WASHINGTON STATE
OFFICE OF ADMINISTRATIVE HEARINGS**

In the matter of:

APPELLANTNAME,

Appellant.

Docket No. DOCKETNO

PREHEARING ORDER

Agency: AGENCYNAME
Program: PROGRAMTYPE
Agency No. AGENCYNO

Your Name 

Important Dates 

I. CASE SCHEDULE

<u>Dates and Times</u>	<u>Events</u>
	Deadline for HCA to file witness list, exhibit list and marked copies of exhibits.
	Deadline for Appellant to file witness list, exhibit list and marked copies of exhibits.
	The hearing will convene. See below for further instructions.

II. HEARING PROCEDURES

2.1 **TELEPHONE HEARING:** The hearing in this matter will begin on _____ at _____ Pacific Time. The hearing will be held by telephone conference call. Please use the call-in instructions provided in the Notice of Hearing that accompanies this order.

If any party fails to join the call at the time of the hearing, that party may be defaulted under RCW 34.05.440(2).

2.2 **CONTINUANCES:** Any party may request a delay (“continuance”) of the hearing date; however, a continuance will not be granted except for good cause. WAC 182-526-0280. Do not assume that your continuance request has been granted unless the Office of Administrative Hearings (OAH) notifies you the hearing has been continued.

2.3 **ISSUES:** Whether _____. The hearing in this matter will be limited to these issues unless the issues are modified at a later prehearing conference.



2.4 FILING AND SERVING DOCUMENTS:

2.4.1 FILING WITH OAH: To "file" a document, you must provide the original to OAH and a copy to the other party. You can deliver those documents by hand delivery, mail, fax, e-mail or through the OAH portal. The date of filing will be the date of receipt by OAH during regular business hours.¹ Documents may be filed with OAH at the following address:

Office of Administrative Hearings
949 Market Street Suite 500
Tacoma, WA 98402
Phone: (253) 476-6888
Fax: (253) 593-2200

2.4.2 SERVICE ON OTHER PARTIES: When you file documents with OAH, you must also serve copies on the other party and the other party's representative, if applicable.² You can serve those copies by hand delivery, mail, fax³ and, if agreed by the parties, through e-mail or the OAH portal.

2.4.3 E-FILING PROCEDURES: OAH has two ways for you to submit documents for your case electronically. (1) You can use our online portal to upload documents, view all of the documents in your case, see upcoming hearing dates and read the judge's decision. The portal is the best way to receive quick, up-to-date information on your case, and the best way to file documents with OAH. (2) You may also send us documents through secure email, but there are some file size limits that apply, so you may have to send multiple emails. If you are interested in either of those options, see below:

PORTAL: Instructions and a video for using the portal are on our website at www.oah.wa.gov. You can also call OAH at (360) 407-2700 or (800) 583-8271 and our Call Center team can help you set up a portal account. Once you have set up an account, you may view all of the documents in your case and easily upload new documents.

SECURE E-MAIL: If you have not given the Administrative Law Judge your e-mail address, call (800) 583-8271 to provide your e-mail address. Let the Call Center team know that you are interested in receiving documents by secure e-mail. You will then receive a secure email from OAH. The email address will end in "oah.wa.gov" and the

¹ WAC 10-08-110(1)(a)

² WAC 10-08-110(2)(a)

³ WAC 10-08-110(2)(b)

subject line will include the words, "OAH Secure Email". You will need to click a link to create an account and read the email.

Once you've set up an account, you may reply to the secure email to send OAH documents you would like the judge to consider. The size limit for attachments is 25 megabytes. If you are sending more, please break up your reply into multiple emails.

If you have any questions about how to use the secure email, there are instructions and a video on our website at www.oah.wa.gov.

2.5 PRESENTING WITNESSES: If you want to present witnesses at the hearing, you must file a witness list. Your witness list must include the following information about each witness: (a) name, (b) role, (c) phone number, (d) address, (e) the testimony you expect the witness to give, and (f) whether your witness will appear in-person or by telephone. Without approval from the ALJ, only witnesses named in a timely filed witness list will be allowed to testify. Find a form attached.

2.6 PRESENTING EXHIBITS:

2.6.1 Preparing an Exhibit List: Exhibits are documents used as evidence. If you want to introduce exhibits, you must file an exhibit list and a fully marked set of your exhibits. For each exhibit, your list must include: (a) title or description, (b) date, and (c) number of pages. Without approval from the ALJ, only exhibits named in a timely filed exhibit list will be admitted. Find a form attached.

2.6.2 Marking Exhibits: You must mark each page of your exhibits in the lower right hand corner with an exhibit number and a page number. Health Care Authority will identify exhibits numerically. APPELLANTNAME will identify exhibits alphabetically. For example:

- Health Care Authority: Exhibit 1, page 1 of 10
- APPELLANTNAME: Exhibit A, page 1 of 10

2.7 CONTACT INFORMATION: The parties must promptly update OAH with any changes to their addresses or telephone numbers.

2.8 RIGHT TO REPRESENTATION: You have a right to representation at your own expense. If you plan to seek representation, start looking now. If you delay, your representative may not be available for the hearing.

2.9 INTERPRETER: {Party, Witness} requires a English interpreter to fully participate in the hearing. OAH will provide a English interpreter at the hearing at no cost to any party.

III. ORDER

IT IS ORDERED:

- 3.1 The case schedule shall control this proceeding unless modified by the assigned administrative law judge.
- 3.2 Because I have not made a discretionary ruling in this matter, it may be assigned to any administrative law judge of OAH.

Dated: _____.

JUDGENAME
Administrative Law Judge
Office of Administrative Hearings

DECLARATION OF SERVICE

I certify that true copies of this document were served on those listed below, from Tacoma, Washington via Consolidated Mail Services by one of the following: First Class Mail, Certified Mail, Hand Delivery via Messenger, Campus Mail, Facsimile, or by email.

[DATA LIST]

Dated _____, at OAH CITY, Washington.

(DATE OF MAILING)

Representative
Office of Administrative Hearings
OAH ADDRESS
OAH CITY STATE ZIP

EXHIBIT LIST

Case Name: In the matter of APPELLANTNAME, Docket No. DOCKETNO

Party Proposing Exhibits:

Exhibit Number Or Letter	Name and Date of Document Example: Investigative Report, January 12, 2017	Number Of Pages	Treatment Of Exhibit (FOR ALJ USE ONLY)

WITNESS LIST

Case Name: In the matter of APPELLANTNAME, Docket No. DOCKETNO

Party Proposing Witnesses:

Witness Name	Relationship to Case (Example: Department Investigator)	Telephone Number	Contact Address	Method of Appearance (In-Person/By Phone)
Brief Description of Testimony:				
Brief Description of Testimony:				
Brief Description of Testimony:				
Brief Description of Testimony:				
Brief Description of Testimony:				