

APPEAL RIGHTS

Reconsideration: You have the right to request that the Administrative Law Judge (ALJ) reconsider this Final Order. RCW 34.05.470 and WAC 388-02-0605. Your request must be in writing and must be received by the ALJ within ten (10) calendar days of the mailing date of the Final Order. The request must be received by 5:00 p.m. on the last day. WAC 388-02-0035(2). Requests uploaded to the Participant Portal or received by fax after 5:00 p.m. will be marked as received on the next business day. If the reconsideration request is not received within this ten-day period, it will not be considered, and the timeline to ask for superior court review continues to run.

If the reconsideration request is timely, the ALJ then has twenty (20) days to either decide the request or mail you and the other parties a written notice specifying the date the ALJ will decide the request. The reconsideration request is denied if no action is taken by the ALJ within the twenty-day period. If the request is timely, the timeline to ask for superior court review will start on the date the reconsideration order is mailed.

If you file a reconsideration request, it will be sent to the other parties. You must remove all confidential information that you do not want the other parties to have from the reconsideration request. The Office of Administrative Hearings will remove your address from the reconsideration request. You are responsible for removing all other confidential information that you do not want the other parties to receive.

Superior Court Review: You also have the right to appeal this Final Order to superior court within thirty (30) calendar days of the mailing date of the Final Order. RCW 34.05.542(3) and WAC 388-02-0645. You do not need to file a request for reconsideration before requesting review in superior court. DSHS cannot request superior court review. Please refer to WAC 388-02-0650 for information about how to serve your request for superior court review.

This is an example that provides general information to help you compare it with the documents you received.

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REQUEST FOR RECONSIDERATION (REQUEST FOR RECONSIDERATION)

Name: _____

Docket No. **Case Number** _____

DSHS No. _____

Please explain why you want the Final Order reconsidered. Try to be specific. For example, explain:

- Why you think the Order is wrong (why you disagree with it).
- How the Order should be changed.
- The importance of certain facts that the Administrative Law Judge should consider.

I want the Administrative Law Judge to reconsider the Final Order because:

PLEASE ENTER YOUR CONTACT INFORMATION ON THE NEXT PAGE

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Confidential Contact Information

Address:

Telephone:

Mail to:

Office of Administrative Hearings
PO Box 42489 Olympia, WA 98504

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NOTICE TO PARTIES WHO FAILED TO APPEAR

This order is final. However, any party who is held in default may file a petition to vacate this Final Default Order and reinstate the hearing. The party must show good cause for not appearing at the scheduled hearing. The petition to vacate must be received by the Office of Administrative Hearings or DSHS Board of Appeals within 21 days of the date of mailing of this order. You should send your Petition to the following address:

Office of Administrative Hearings
PO Box 42489 Olympia, WA 98504

A Petition to Vacate Final Default Order and Reinstate Hearing form is enclosed. The rules for vacating the Final Default Order are stated in Washington Administrative Code (WAC) 388-14A-3700, WAC 388-14A-6150 and Washington Superior Court Civil Rule 60.

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Name: _____ Docket No. **Case Number**

DSHS No. _____

EXAMPLE

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DECLARATION OF SERVICE

I declare under penalty of perjury under the laws of the State of Washington that today I served this document on each of the parties listed below. I sent a copy to the parties at their addresses of record using Consolidated Mail Services, U.S. Mail, or secure email.

List of everyone who was sent this Order.

Dated Date when the Order is issued and mailed, at City, Washington.
(DATE OF MAILING)

Representative
Office of Administrative Hearings
PO Box 42489 Olympia, WA 98504

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