



## Washington State Office of Administrative Hearings

We independently resolve administrative disputes through accessible, fair, prompt processes and issue sound decisions.

### What Happens When You Request a Public Assistance Hearing?

A party may request a hearing when the Department of Social and Health Services (DSHS) tries to deny, change, or end benefits. The hearing is held by an independent and impartial judge at the Office of Administrative Hearings (OAH).

OAH will mail you a Notice of Hearing with the date, time, and location of your hearing. On average, hearings last about 30 minutes.

(Plan for up to 60 minutes.)

**Tell OAH immediately if your address or phone number changes.**

### How to Prepare for Your Hearing

You may represent yourself at the hearing or choose an attorney or any other person to represent you. (You may not choose a DSHS employee). You are responsible for any fees charged by your attorney.

DSHS may be represented by an administrative hearing coordinator. The coordinator will mail you a hearing packet which includes documents provided by you and DSHS. Carefully read the hearing packet and have it with you at the time of the hearing.

**Submitting Documents (Exhibits):** If you have documents you want the judge to see, immediately send them to OAH and DSHS.

Examples of document you may want the judge to see:

- The notice that DSHS sent you that caused you to request a hearing.
- Documents that show your claims are correct.
- Proof of any special or financial circumstances that you want considered.
- Documents DSHS has told you that you need to show the judge. OAH cannot accept documents that are 2.0 giga bites (GB) in size or greater. OAH will reject any documents that are 2.0 GB or greater.
- OAH can accept video exhibits in the following formats: .mp4, .avi, .mpg, .mpeg. OAH will reject video exhibits submitted in any other format.
- OAH can accept audio exhibits in the following format: .mp3. OAH will reject audio exhibits submitted in any other format.

**Your hearing may be:**

- Over the phone or
- In-person

**The Notice of Hearing explains how to participate.**

If you need an interpreter, OAH will provide one for you at no cost. If you have a disability you may request an accommodation to help you participate in the hearing. You may request an interpreter or accommodation by calling the OAH office on your Notice of Hearing.

If you need to request a change to the time or the date of your hearing, contact the administrative hearing coordinator and OAH as soon as possible. Only the judge can grant a change to your scheduled hearing time. Before a decision is made, the judge will want to know if DSHS agrees or disagrees with your request.

- The judge will deny your request if you do not have a good reason.
- If the judge changes the hearing time, keep the hearing packet to use during the rescheduled hearing.
- If you are receiving continued benefits until the hearing decision is made, and you ask to postpone the hearing date, the DSHS's representative may ask the judge for a hearing to discuss whether your benefits will continue.

You have a right to an in-person hearing with the judge. If you want to change how your hearing is held you must contact the OAH office listed on the Notice of Hearing.

If you are interested in doing legal research, links are available at [www.oah.wa.gov](http://www.oah.wa.gov) and [www.washingtonlawhelp.org](http://www.washingtonlawhelp.org).

**Watch a video of a sample OAH hearing on**  
[www.oah.wa.gov](http://www.oah.wa.gov)  
(Available in English and Spanish)

Here are options for reduced cost legal assistance:

Resource Name	Phone Number	Website
CLEAR: In King County	Dial 211	<a href="http://www.wa211.org/region/king-county/">www.wa211.org/region/king-county/</a>
CLEAR: Outside King County	888-201-1014	
Veteran's Project	855-6578387	<a href="http://nwjustice.org/veterans">http://nwjustice.org/veterans</a>
WA State Bar Association		<a href="https://www.wsba.org/for-the-public/find-legal-help">https://www.wsba.org/for-the-public/find-legal-help</a>

**You may contact the DSHS administrative hearing coordinator if you would like to try to settle your case before the hearing, or if you have questions about the rules. The coordinator cannot give you legal advice.**

### How to Participate in Your Hearing

**Hearing by phone:** Follow the instructions in the Notice of Hearing. If you do not appear and participate, you may lose your right to a hearing.

- The Notice may instruct you to provide the telephone number where you can be reached. The Notice may provide you with call-in codes unique to your case.
- You must have good phone reception.
- Please note that you must be able to receive calls from a blocked caller ID.

**Hearing in-person:** Go to the hearing location at least 10 minutes early. Show your Notice to the receptionist. If you do not appear and participate, you may lose your right to a hearing.

- Bring your document with you to the hearing.

If you plan to use a witness, they will testify during your scheduled hearing time. Tell your witness the time and date of the hearing and how to participate.

- The witness will follow the same instructions in the Notice (providing a telephone number where they may be reached, using a call-in code, or going to a hearing location).
- If they participate by phone, tell the witness their phone must have good reception and their phone must be able to receive calls from a blocked caller ID. Have the number where your witness can be reached.

The judge will record the hearing. The judge will begin by identifying the issues with the parties and describing what will happen during the hearing. The judge will review the hearing packet (and other documents received) and decide what to admit into evidence.

The administrative hearing coordinator usually presents the DSHS's case first. Each party may call their own witnesses and question the witnesses called by the other parties. Witnesses testify under oath or affirmation. The judge may also ask questions.

After the hearing the judge will make a decision that will be mailed to you approximately 16 days after the close of the hearing record.

If you disagree with the decision, instructions to appeal the decision will be at the end of the judge's order.