

WAC 456-10-410 Service and filing of documents and proof of service. (1) All notices, pleadings, exhibits, correspondence specific to an appeal, and other papers submitted to the board must be served on all counsel and representatives of record and on unrepresented parties or on their agents designated by them, or to other persons or entities as required by law.

(a) Service must be made personally or, unless otherwise provided by law, by first-class, registered, or certified mail; by fax; by commercial delivery company; or electronically.

(b) Service by mail will be considered complete as evidenced by the postmark. Service by fax will be considered complete as evidenced by confirmation of transmission. Service by commercial delivery will be considered completed on delivery to the delivery company. Electronic service will be considered completed as evidenced by a sent receipt or the equivalent.

(c) Service must be completed by 5:00 p.m. Pacific Time on the date due.

(2) Proof of service. Receipt by the board, together with one of the following, will serve as proof of service:

(a) A written acknowledgment of service by all parties of record.

(b) A written declaration of service indicating service on all parties of record was made. The declaration must include language that:

(i) A copy was mailed to each party or his or her attorney or representative; or

(ii) A copy was faxed to each party to the proceeding or to his or her attorney or representative; or

(iii) A copy was delivered to a commercial delivery company; or

(iv) A copy was electronically transmitted to each party or his or her attorney or representative.

(3) All notices, pleadings, exhibits, correspondence specific to an appeal, and other papers are considered filed with the board:

(a) On the date of receipt by the board at its Olympia office if the document is hand-delivered, commercially delivered, or mailed. The board's date stamp will be evidence of the date of receipt; or

(b) On the date and time indicated by the board's fax or computer, if the document is submitted by fax, electronic mail, or uploaded through the board's website as long as the document shows it was received by 5:00 p.m. Pacific Time on the date due.

[Statutory Authority: RCW 82.03.170. WSR 22-13-111, § 456-10-410, filed 6/15/22, effective 7/16/22; WSR 05-13-141, § 456-10-410, filed 6/21/05, effective 8/1/05; WSR 98-22-040, § 456-10-410, filed 10/29/98, effective 11/29/98; WSR 89-10-057 (Order 89-03), § 456-10-410, filed 5/2/89.]