

WAC 110-03-0100 Representation. (1) The party requesting the hearing may represent themselves or may have another person act as a representative.

(a) A representative may be either an attorney or a lay representative including, but not limited to, a friend, relative, community advocate, or paralegal.

(b) Current DCYF employees may not represent a party other than DCYF. Unless DCYF gives permission, no former DCYF employee may be a representative for a party other than DCYF, if that employee was actively involved in the party's case while working for DCYF, or if that employee was actively involved in the party's case while working for the department of early learning (DEL) or the department of social and health services (DSHS) on or before June 30, 2018.

(2) The representative must provide OAH and the other parties with the representative's name, address, and telephone number as soon as practically possible once the decision for representation is made. If the representative is an attorney, the attorney must file a written notice of appearance in the case. If the party's representative is not an attorney, the party must also provide a written statement to DCYF authorizing the release of the party's information to the representative.

(3) After notice of representation has been properly provided, a represented party will be considered served by service on the representative.

(4) A party must notify OAH and DCYF if a representative is no longer representing the party. Withdrawal of an attorney representative is accomplished by the attorney filing a notice of withdrawal with OAH. Withdrawal of a lay representative is accomplished by the party providing written notice to OAH, or by oral notice on the record, that the former lay representative is no longer representing the party.

(5) If the party chooses to be represented or advised by an attorney or lay representative, DCYF will not pay for that attorney's or lay representative's services, as provided under RCW 34.05.428.

(6) A request for representation as an Americans with Disabilities Act (ADA) accommodation may be made to OAH under WAC 10-24-010.

[Statutory Authority: RCW 34.05.220, 43.216.020, and 43.216.065. WSR 20-02-031, § 110-03-0100, filed 12/19/19, effective 1/19/20.]