

WAC 230-17-065 Depositions and interrogatories. (1) Parties may take testimony by deposition on oral examination (deposition) or written questions (interrogatories) for use as evidence in the administrative hearing. A party may serve no more than 30 interrogatories, including all discrete subparts, and no more than 30 requests for production, including all discrete subparts, except where permitted by the presiding officer on notice and motion for good cause.

(2) In addition to limitations on discovery set forth in any other applicable law, regulation, or rule, discovery does not include:

(a) Information or documents from the personnel file of any commission employee;

(b) Information or documents relating to any investigation conducted by the commission against unrelated parties;

(c) Information or documents relating to any action brought by the commission against unrelated parties;

(d) Information or documents relating to any examination conducted by the commission of unrelated parties;

(e) Information or documents relating to any license applications or determinations made by the commission of unrelated parties; or

(f) Depositions of the agency director or assistant directors.

(3) Parties must depose persons in the same manner, and before the same officers, authorized by the Washington civil rules for superior court, unless otherwise agreed in writing by the parties.

(4) Witnesses may be subpoenaed to attend a deposition or produce documents.

(5) Parties may only depose a commissioner, the director, deputy director, or an assistant director if they apply to the presiding officer and show good cause that circumstances prevent the statements or depositions of other staff members from revealing the information, evidence, or details needed.

(6) Unless otherwise ordered, the person being deposed may be examined about any matter to the same extent that the Washington civil rules for superior court allow.

[Statutory Authority: RCW 9.46.070. WSR 25-21-112, s 230-17-065, filed 10/20/25, effective 11/20/25; WSR 07-21-156 (Order 615), § 230-17-065, filed 10/24/07, effective 1/1/08.]