

WAC 371-08-435 Prehearing conferences. (1) The board may, upon written request by a party or on its own, schedule a prehearing conference on not less than seven days notice to each party to the appeal, at a time and place fixed by the board. The purpose of the prehearing conference is to prepare the case for hearing by scheduling prehearing deadlines and by identifying the issues. At the prehearing conference, the presiding officer will encourage the parties to engage in settlement negotiations as the case proceeds.

(2) Following the prehearing conference the presiding officer shall enter a prehearing order. Normally, this will include a statement of issues, a schedule for filing motions and briefs, as well as other matters which may bear on the preparation for hearing. The issues which the prehearing order identifies for the hearing shall control the subsequent course of the appeal, and shall be the only issues to be tried at the hearing, unless modified for good cause by subsequent order of the board or the presiding officer.

(3) Appearance by a party or by the party's representative at the prehearing conference is mandatory. If a party fails to attend a prehearing conference, that is not justified by good cause, the presiding officer may issue an order of default against the absent party or take other appropriate action.

[Statutory Authority: RCW 43.21B.170. WSR 23-11-076, § 371-08-435, filed 5/17/23, effective 6/16/23. Statutory Authority: RCW 43.21B.170, 90.58.175. WSR 15-03-044, § 371-08-435, filed 1/14/15, effective 2/14/15. Statutory Authority: RCW 43.21B.170. WSR 96-15-003, § 371-08-435, filed 7/3/96, effective 8/3/96.]