

WAC 388-02-0600 What is the authority of the review judge? (1)

Review judges review initial orders and enter final orders. The review judge has the same decision-making authority as the ALJ. The review judge considers the entire record and decides the case de novo (anew). In reviewing findings of fact, the review judge must give due regard to the ALJ's opportunity to observe witnesses.

(2) Review judges may return (remand) cases to the OAH for further action.

(3) Review judges may not review ALJ final orders for the types of cases listed in WAC 388-02-0217(2).

(4) A review judge conducts the hearing and enters the final order in cases covered by WAC 388-02-0218.

[Statutory Authority: RCW 34.05.020, 34.05.220. WSR 11-04-074, § 388-02-0600, filed 1/31/11, effective 3/3/11. Statutory Authority: RCW 34.05.020, 34.05.220, 42 C.F.R. 431.10 (e)(3), 45 C.F.R. 205.100 (b)(3), chapter 34.05 RCW, Parts IV and V. WSR 08-21-144, § 388-02-0600, filed 10/21/08, effective 11/21/08. Statutory Authority: RCW 34.05.020, chapter 34.05 RCW, Parts IV and V, 2002 c 371 § 211. WSR 02-21-061, § 388-02-0600, filed 10/15/02, effective 11/15/02. Statutory Authority: RCW 34.05.020. WSR 00-18-059, § 388-02-0600, filed 9/1/00, effective 10/2/00.]