

**WAC 162-08-263 Discovery—Administrative hearing.** The commission has determined that discovery will be available in adjudicative proceedings in accordance with RCW 34.05.446(2).

(1) **Methods.** Upon certification of the file pursuant to WAC 162-08-190, and request for the appointment of an administrative law judge pursuant to WAC 162-08-211, any party may obtain discovery by the methods provided in CR 26(a). The procedures regarding these methods of discovery are found at CR 28 through 37 as now or hereafter amended and are hereby incorporated in this section.

(2) **Scope of discovery.** Any party may obtain discovery regarding any matter not privileged which is relevant to the amended complaint prepared by counsel for the commission or the additional charges filed by the complainant pursuant to WAC 162-08-261.

(3) **Protective order.** Rulings on motions for protective orders regarding discovery brought under this section shall be made by the administrative law judge pursuant to the provisions of WAC 162-08-271.

(4) **Order compelling discovery.** The administrative law judge is authorized to make any order that a court could make under CR 37(a), including an order awarding expenses of the motion to compel discovery. Motions for an order compelling discovery and the procedure for its disposition are governed by WAC 162-08-271.

[Statutory Authority: RCW 49.60.120(3). WSR 89-23-020, § 162-08-263, filed 11/7/89, effective 12/8/89.]