

Representing Yourself in Proceedings before the Washington Utilities and Transportation Commission

Navigating the administrative hearing process can be overwhelming and intimidating if you choose to represent yourself as a “pro se litigant.” There are numerous rules and laws for Commission proceedings (referenced below), and everyone appearing before the Commission is expected to follow them. While this brief handout can’t tell you everything you need to know, the following information will help you to represent yourself before the Commission if you choose to not hire a lawyer.

WHAT DO I WEAR AND HOW DO I ACT IN AN ADMINISTRATIVE HEARING?

Administrative hearings are formal proceedings. You will have the opportunity to tell your side of the story, so you should make every effort to present yourself in the best possible light. Dress, speak, and conduct yourself appropriately by following these guidelines:

- Arrive at least 15 minutes before your scheduled hearing start time. Allow yourself enough travel time to ensure you are not late. If you are late to your hearing, you run the risk of having a default order entered against you for failing to appear. Default orders can include penalties. The Commission holds its hearings at its headquarters, located at 621 Woodland Square Loop SE, Lacey, Washington 98503.
- Wear clean clothing, in good condition, that is appropriate for a formal hearing before a judge.
- Do not use your cell phone in the hearing room.
- Be sure to bring to the hearing three (3) copies of any records, paperwork, letters, etc., that you would like the judge to consider. In a hearing, these documents will be referred to as “exhibits.” Bring a copy of any exhibit for yourself, a copy for Commission Staff, and a copy for the judge.
- The judge will swear you in before you present your case. This means that everything you say is considered sworn testimony taken under oath, which is a promise to tell the truth.
- Speak clearly and respectfully.
- Do not interrupt the judge or another person who is speaking to the judge.
- Get to your point. Do not ramble. Only address matters being decided today by the judge.
- Do not chew gum, yell, swear, or use improper language.

- Request accommodations or translation services if you need them. The Commission is committed to providing reasonable accommodations and resources.
- Do not use inappropriate body language, such as eye rolling, or make demonstrative sounds (scoffing, muttering under your breath, etc.).

Try to imagine you are the judge and someone is appearing in front of you seeking a favorable decision. How would you want them to act so you can assess the facts fairly and not be distracted by their language or behavior?

GLOSSARY OF TERMS

The following terms are important to know:

- **Pro se** – A Latin phrase meaning “for oneself.” This refers to people who represent themselves in legal proceedings.
- **Order** – A direction or command issued by the Commission and entered into the record. Orders are decisions made by the judge. They can be procedural decisions to extend deadlines, or they can be the final decision of your case.
- **Adjudicative proceeding** – This is the formal term for the process that decides your case. It begins with a notice of hearing or notice of opportunity for hearing and concludes when the Commission’s final order becomes effective. It usually, but does not always, involve a hearing. Sometimes parties can reach an agreement, and the judge reviews that agreement and enters an order based only a paper record.
- **Docket number** – This is the number assigned to your case to help you, the judge, and other parties keep track of the proceeding. The docket number appears on all of the documents you receive for your case with the Commission. It begins with two letters, followed by a hyphen and six numbers (ex. TV-190000). Make sure to put your docket number on all emails, letters, and documents you file with the Commission for your case.
- **Ex parte** – A Latin phrase indicating action taken by one party to a case without informing the opposing party. For example, if you contact the judge by email or telephone to discuss the merits of your case without letting the other party know the conversation is taking place, you would be attempting to have an ex parte contact. **You may not engage in ex parte communications with the judge.**
- **Motion** – Written or spoken requests made by a party for an order, or Commission decision, granting relief. For example, if you fail to show up at your hearing, Commission Staff will make a motion that the Commission find you in default.
- **Petition** – A formal written request to the Commission asking for a legal solution. For example, if the Commission enters an order and you disagree with the outcome, you can file a petition for administrative review of the judge’s decision.
- **Settlement conference** – A conference where all parties attempt to work out an agreement to present to the judge for approval. This can happen over the phone, in person, or even on the day of your hearing if the judge allows the parties to take a break to discuss the case.

WHERE CAN I FIND MORE INFORMATION?

The Commission’s procedural rules are very similar to the Administrative Procedure Act (APA), which is a statute that governs administrative hearings in the state of Washington.

The APA, RCW 34.05, can be found [here](#).¹ Part IV of the APA contains rules about adjudicative proceedings.

The entire chapter of the Commission's procedural rules, WAC 480-07, can be found [here](#).² Below are specific rules that will best assist you in filing documents with, and appearing before, the Commission:

[WAC 480-07-140](#) explains how to file documents with the Commission.

[WAC 480-07-150](#) explains how the Commission serves documents.

[WAC 480-07-310](#) explains the process for handling ex parte communications.

[WAC 480-07-330](#) explains the judge's role in the hearing.

[WAC 480-07-340](#) explains the different types of parties that generally participate in Commission proceedings.

[WAC 480-07-350](#) explains how to request accommodations for limited-English speakers and hearing-impaired people.

[WAC 480-07-365](#) explains how to file documents in adjudicative proceedings.

[WAC 480-07-370](#) explains how to file pleadings, and [WAC 480-07-395](#) explains how to format pleadings.

[WAC 480-07-375](#), [WAC 480-07-380](#), and [WAC 480-07-385](#) explain how to file different types of motions, including motions for continuance (*i.e.*, requesting a hearing be held at a later date than originally scheduled).

[WAC 480-07-450](#) explains what can happen if you fail to appear at the time and place scheduled for hearing.

[WAC 40-07-460](#) explains how to file exhibits and cross-examination exhibits.

[WAC 480-07-470](#) explains hearing guidelines generally.

[WAC 480-07-490](#) explains how to object to an exhibit offered as evidence.

[WAC 480-07-610](#) explains the process for conducting a brief adjudicative proceeding (BAP), as well as the process for seeking review of an order entered after a BAP.

[WAC 480-07-825](#) explains how to file petitions for administrative review of orders entered after a full evidentiary hearing, as well as how to file a motion for clarification of an initial order.

Questions? Contact the Administrative Law Director, Rayne Pearson, at rayne.pearson@utc.wa.gov or (360) 664-1136.

¹ <https://app.leg.wa.gov/RCW/default.aspx?cite=34.05>.

² <https://app.leg.wa.gov/wac/default.aspx?cite=480-07>.