

**Auzins, Erin**

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**From:** Clerk, King County Council  
**Sent:** Thursday, June 6, 2024 1:25 PM  
**To:** KCC - All Council Members (Email Group)  
**Cc:** Clerk, King County Council  
**Subject:** FW: RE: King County Hearing Examiner DRAFT of revised Rules of Procedure-Comment by July 30, 2024

Good afternoon Councilmembers,

Below is a written public comment received in the Clerk's inbox related to the revised hearing rules and mediation of the King County Hearing Examiner.

Warm regards,  
 Gavin Muller (he/him)  
 Legislative Clerk - Metropolitan King County Council  
 516 Third Ave, Room 1200 | Seattle, WA 98104  
 (206) 263-3138 | [gavin.muller@kingcounty.gov](mailto:gavin.muller@kingcounty.gov)

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**From:** Al Murphy <[ajmurphy@skynetbb.com](mailto:ajmurphy@skynetbb.com)>  
**Sent:** Thursday, June 6, 2024 10:54 AM  
**To:** Clerk, King County Council <[Clerk@kingcounty.gov](mailto:Clerk@kingcounty.gov)>  
**Subject:** Fwd: RE: King County Hearing Examiner DRAFT of revised Rules of Procedure-Comment by July 30, 2024

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**From:** Al Murphy <[ajmurphy@skynetbb.com](mailto:ajmurphy@skynetbb.com)>  
**Sent:** Tuesday, June 4, 2024 8:44 PM  
**To:** Hearing Examiner, King County Council <[hearingexaminer@kingcounty.gov](mailto:hearingexaminer@kingcounty.gov)>  
**Subject:** Re: King County Hearing Examiner DRAFT of revised Rules of Procedure -Comment by July 30, 2024

I was very interested in the documents Animal Services Enforcement section. RASKC should be REQUIRED to provide actual proof of their accusations instead of the word of a complainant. They have issued their findings for decision based on hearsay and most often have never witnessed the action they are presenting. Actual proof should be mandatory.

On Friday 31/05/2024 at 2:03 pm, "Hearing Examiner, King County Council" wrote:

Hello,

Earlier today we posted to our website a draft of our revised rules ([Hearing rules and mediation - King County, Washington](#)) and submitted to the Clerk of Council draft amendments to King County Hearing Examiner's Rules of Procedure and Mediation (*Rules*). If

adopted, they will replace the Rules adopted in 2017. As you have recently, in the last twelve months, been associated with an examiner proceeding, we are sending this to you, in case you wish to offer any feedback, large or small.

Comments are due by **July 30, 2024**, to [clerk.council@kingcounty.gov](mailto:clerk.council@kingcounty.gov). Official comments must be sent to the Clerk, but we can try to answer any questions you might have at 206-477-0860 or [hearingexaminer@kingcounty.gov](mailto:hearingexaminer@kingcounty.gov).

The origin for this draft was examiner code (KCC chapter 20.22) updates adopted last year. In addition to synching our *Rules* to the updated code, we have streamlined our *Rules*, performed general wordsmithing, and specifically:

- Expanded the definition section.
- Reflected the switch from our pre-Covid, hard-copy/in-person hearing process to electronic filing/remote proceedings.
- Enhanced the information agencies should provide would-be-appellants and, later, us.

Y/Clarified prehearing disclosures, including the need to identify fact witnesses (and not just expert witnesses) in advance of a hearing.

Y/Jettisoned three pages of unused special proceedings directions from the 1990s.

Y/Expanded the scope of prohibited off-the-record contacts with an examiner.

If you have received this email and have no interest in providing commentary, please delete or disregard. If you know of someone else who might be interested, please feel free to forward.

Thank you for your time.

David Spohr  
Hearing Examiner  
King County Hearing Examiner's Office  
206-477-0860  
[hearingexaminer@kingcounty.gov](mailto:hearingexaminer@kingcounty.gov)  
[www.kingcounty.gov/independent/hearing-examiner](http://www.kingcounty.gov/independent/hearing-examiner)

**This email is a public record and may be subject to public disclosure.**

## Auzins, Erin

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**From:** Tibbits, Chad  
**Sent:** Monday, June 10, 2024 9:07 AM  
**To:** Clerk, King County Council  
**Subject:** King County Hearing Examiner DRAFT of revised Rules of Procedure - Comments, deadline July 30, 2024

I have comment on these changes pertaining to the use of Shall versus Must.

Just one example: Page 14, (B)(5) striking shall and replacing with must does not follow the Should/Shall protocol.

I don't see in the edits the reasoning for this changes which are found throughout the rules. Why is this being done? No Synopsis was provided on these changes.

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