

Amendment 5: Rules for Hearing Examiners Pro Tempore

Councilmember Herbold

The Seattle Hearing Examiner is permitted to hire Hearing Examiners Pro Tempore (pro tem) in cases where there is an absence, unavailability, incapacity, or disqualification of the Hearing Examiner or Deputy Hearing Examiner. Council Bill 119600 would allow the Hearing Examiner to also hire pro tems to assist in meeting deadlines, such as the new deadlines for SEPA appeal decisions included in Council Bill 119600. This amendment clarifies that pro tems serve under the rules that apply to Hearing Examiners and Deputy Hearing Examiner, including those which require recusal of an examiner with a conflict of interest and provide for an appellant to seek the disqualification of an examiner with a perceived conflict of interest.

Section 2. Section 3.02.110 of the Seattle Municipal Code, last amended by Ordinance 124567, is amended as follows:

3.02.110 Office of Hearing Examiner.

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E. The Hearing Examiner is authorized from time to time to appoint Hearing Examiners Pro Tempore to serve on a day-to-day basis during the absence, unavailability, incapacity, or disqualification of the Hearing Examiner or to enable the Hearing Examiner to meet statutory deadlines. All regulations and rules that apply to the Hearing Examiner and Deputy Hearing Examiner, including those related to disqualification or recusal, shall also apply to any Hearing Examiners Pro Tempore.

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