



WSBA

**Hearing Officer Extraordinary Compensation Policy
Adopted by the Board of Governors
Effective October 1, 2010**

The Rule for Enforcement of Lawyer Conduct 2.11 allows for compensation of hearing officers with approval of the Board of Governors.

Based on concerns about the detrimental financial impact of lengthy hearings on hearing officers assigned to those cases, the WSBA Board of Governors adopted the following criteria:

- Compensation is available only in cases where the hearing officer spends in excess of 40 hours in the actual hearing within a 30-day period.
- Once the 40 hour base is exceeded, compensation is provided for additional hearing time, to be calculated as follows:
 - Half days (4 hours or less) would be compensated at \$250
 - Full days (more than 4 hours) would be compensated at \$500
 - Compensation would be capped at \$5,000 per case
- Compensation is only be available for time spent in the hearing itself. Compensation is not be available for time spent prior to the hearing (including prep time), or for time spent post hearing (including post-hearing motions, reading the transcript, drafting the hearing officer's findings and recommendations, etc.).
- Hearing officers requesting extraordinary compensation are required to submit their request to the Assistant General Counsel who staffs the hearing officers, who will then take the necessary steps to validate and process the compensation request.

ELC 13.9 provides that costs and expenses may be assessed against a lawyer who receives discipline sanctions or an admonition, and specifically includes compensation to hearing officers within the definition of costs. ***Therefore, all costs paid to hearing officers should be coded to the proper discipline file number and bar number when paid.***