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March 19, 2024

Memorandum

To: Whatcom County Council

From: Kellen Kooistra, Deputy Prosecuting Attorney

Re: 2024 Proposed Hearing Examiner Rules

Councilmembers,

The Whatcom County Prosecuting Attorney's Office supports the adoption of the proposed Business Rules of the Hearing Examiner. The Hearing Examiner plays a pivotal role in our county government, adjudicating planning issues, resolving appeals of administrative decisions, and creating a forum for public comment and participation in local government. The current business rules, promulgated in 1986, are obsolete and insufficient to ensure a clear, consistent and fair process for proceedings in front of the Hearings Examiner. Our office has worked with Mr. Majumdar and the Department of Planning and Development Services to create a set of rules and processes that create a clear and consistent procedure for handling questions before the Hearing Examiner. This clarity will aid both the County and the general public in understanding how to present disputes and provide public comment before the Hearing Examiner, and will give the public confidence that issues are being resolved openly and fairly with full opportunity for citizens to participate. Adopting the proposed rules serves the interests of Whatcom County and its residents.



Kellen Kooistra  
Deputy Prosecuting Attorney