

Chapter PC 2

DISCOVERY

PC 2.01 Mandatory disclosure

PC 2.02 Other means of disclosure

PC 2.01 Mandatory disclosure. At prehearing conferences, the parties shall file and exchange lists of their witnesses, and the originals or copies of the documentary and other physical evidence which they intend to utilize at the hearing, if available at that time. If the prehearing conference is conducted by conference telephone call, filing and exchange of these materials will be by mail. Following the prehearing conference, or if no prehearing conference is held, the parties are under a continuing obligation to file and exchange lists of further witnesses and further evidentiary matter which they intend to utilize at the hearing. With the exception of rebuttal matter, names of witnesses and copies of exhibits must be submitted more than 2 working days before the commencement of the hearing or will be subject to exclusion, unless good cause for the failure to comply is shown. For the purpose of this section only, service is not complete on mailing but on receipt.

Note: As an example of how deadlines are computed under this section, if a hearing is scheduled for a Friday, the deadline for service and filing is the preceeding Tuesday.

History: Cr. Register, March, 1980, No. 291, eff. 4-1-80.

PC 2.02 Other means of disclosure. Parties shall have available all the means of discovery that are available to parties to judicial proceedings as set forth in ch. 804, Stats., to the extent that the same are not inconsistent with or prohibited by these rules or the Wisconsin Statutes or the Wisconsin Administrative Code.

Note: Wherever ch. 804 refers to resort to a court, as, for example, for an order compelling discovery, resort shall be had to the commission rather than to a court.

History: Cr. Register, March, 1980, No. 291, eff. 4-1-80.