



ARIZONA REGISTRAR OF CONTRACTORS



Douglas A. Ducey, Governor

Jeff Fleetham, Director

PREHEARING DISCLOSURE STATEMENT

ADMINISTRATIVE RULES

A copy of the Arizona Administrative Code's Rules for the Registrar of Contractors can be located on the Registrar's [Website](#).

PREHEARING DISCLOSURE REQUIREMENT

Under A.A.C. R4-9-118(A), before a hearing, the parties must prepare a disclosure statement. The disclosure statement must contain:

- A list of all the witnesses the party will call to testify, including the witnesses' contact information and a brief description of the subject matter of the witnesses' expected testimony; and
- A list of all the exhibits that the party will use at the hearing.

EXCHANGING DISCLOSURE STATEMENTS AND EXHIBITS

Under A.A.C. R4-9-118(B) (effective November 5, 2017), a party to the hearing must serve on every other party and file with the Office of Administrative Hearings a copy of:

- The disclosure statement; and,
- Any exhibit that the party will use at the hearing.

Service: The disclosure statement and exhibits must be served on all parties in accordance with [Arizona Administrative Code R2-19-108 Filing Documents](#). Under A.A.C. R2-19-108, service is completed by:

- Personal delivery;
- 1st class, certified or express mail; or
- Facsimile.

Timing: The disclosure statement and the exhibits must be served and filed not less than seven calendar days before the date of the hearing. Under A.A.C. R2-19-108, a document is served on a party:

- On the date it is personally served;
- Five days after it is mailed by express or 1st class mail;
- On the date of the return receipt if it is mailed by certified mail; or
- On the date indicated on the facsimile transmission.

CONSEQUENCES FOR FAILING TO DISCLOSE

Under A.A.C. R4-9-108(C), if a witness or an exhibit is not timely disclosed as required the rules, and good cause for the failure to disclose is not shown, then the administrative law judge may:

- Order that certain witnesses or exhibits not be used at the hearing;
- Order that a particular fact is or is not established for the record; or,
- Order that a charge, a defense, a claim, or some portion thereof, be dismissed.

*****DO NOT SUBMIT THESE INSTRUCTIONS WITH THE PREHEARING DISCLOSURE FORM*****

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PART I: WITNESS LIST

DOCKET No. _____

Under A.A.C. R4-9-118(A), before a hearing, a party must prepare a disclosure statement containing a list of all the witnesses the party will call to testify, including the witnesses' contact information and a brief description of the subject matter of the witnesses' expected testimony.

If you need additional space to list all witnesses, complete and attach additional Witness Lists.

Example

1. Name <i>John Doe</i>	2. Telephone Number <i>(123) 456-7890</i>	3. Email Address <i>JohnDoe@Gmail.com</i>
4. Subject Matter of Expected Testimony <i>John Doe will testify regarding the poor workmanship and poor installation of the Garage Door. Mr. Doe will also testify regarding the invoices and change orders for the project.</i>		

Witness

1. Name	2. Telephone Number	3. Email Address
4. Subject Matter of Expected Testimony		

Witness

1. Name	2. Telephone Number	3. Email Address
4. Subject Matter of Expected Testimony		

Witness

1. Name	2. Telephone Number	3. Email Address
4. Subject Matter of Expected Testimony		

Witness

1. Name	2. Telephone Number	3. Email Address
4. Subject Matter of Expected Testimony		

PART 3: ACKNOWLEDGEMENT & SIGNATURE

I certify that the above information is true and correct and that I will serve a copy of this disclosure statement and any exhibits listed in Part 2 to all parties to the hearing in accordance with A.A.C. R4-9-118.

I acknowledge and understand that if I fail to properly disclose a witness or exhibit, the administrative law judge may:

- Order that certain witnesses or exhibits not be used at the hearing;*
- Order that a particular fact is or is not established for the record; or,*
- Order that a charge, a defense, a claim, or some portion thereof, be dismissed.*

I am the (check one): Complainant Respondent Docket No. _____

Print Name

Signature

Date