

**ILLINOIS DEPARTMENT OF FINANCIAL AND
PROFESSIONAL REGULATION
DIVISION OF PROFESSIONAL REGULATION/DIVISION OF REAL ESTATE
STANDING ORDER REGARDING REMOTE FORMAL HEARINGS**

In recognition of the Governor's Restore Illinois Plan and, in an effort to address the unique needs created by the COVID-19 pandemic, the Administrative Hearing Unit will assess which pending contested matters may be suitable for formal hearing to be conducted remotely. This Standing Order is intended to assist in conducting proceedings remotely. Remote hearings (teleconference or videoconference) are intended to substitute for in-person proceedings.

PROCESS

1. At any scheduled status or prehearing, a party may inform the presiding Administrative Law Judge (ALJ) that she or he believes that the pending matter may be suitable for a remote formal hearing in whole or in part.
2. If the presiding ALJ finds the pending matter ripe for consideration she or he will schedule a prehearing on the pending matter to be conducted remotely and set discovery, motion and other deadlines as necessary.
3. The parties are to be fully prepared to participate in the prehearing pursuant to 68 Ill. Admin. Code 1110.150 which shall include presentation of any prehearing motions, witness and exhibit lists that list only those witnesses the party in good faith intends to call, disclosure of expert witnesses, and any other materials directed by the assigned ALJ. Exhibit and witness lists are to be exchanged between the parties with a copy to the assigned ALJ at least ten (10) days prior to the scheduled prehearing. Exhibits are to be clearly labeled reflecting the party offering it with the exhibit number or letter and pages shall be enumerated. Electronic sharing of such documents in a recognized standard and searchable format is highly preferred. Instructions on submitting exhibits electronically will be contained in the order setting a remote prehearing. Physical copies of exhibits which are admitted into evidence at the prehearing shall be provided to the ALJ prior to the formal hearing by the party offering the exhibit.
4. Nothing in this Standing Order shall be construed to limit the ability of the presiding ALJ to schedule a pending matter for a prehearing.

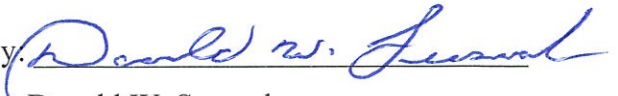
ATTENDANCE PROCEDURE

5. Only attorneys of record and self-represented Respondents or Petitioners may participate in the prehearing remotely unless otherwise permitted by the Court.
6. It is the responsibility of the person attending remotely to access the prehearing no later than five (5) minutes prior to the scheduled start time.
7. Participants attending the remote prehearing shall state and spell their name the first time they speak and shall participate with the same degree of courtesy and courtroom etiquette as is required when being physically present.
8. To promote efficiency, persons attending the remote prehearing shall be in a quiet, private location.
9. If a remote prehearing connection is dropped during the course of the hearing, it is the responsibility of the party to initiate contact.

GUIDELINES

10. The assigned ALJ will conduct the remote prehearing pursuant to 68 Ill. Admin. Code 1110.150.
11. The assigned ALJ will determine the manner that the formal hearing shall proceed (in-person, via teleconference, via videoconference, or a combination thereof). In making this determination, the ALJ may consider various factors including, but not limited to, the following: preference of the parties; the capabilities of participants to participate via video or telephone; whether the selected method is accessible for persons with health risks or disabilities; whether participants have access to the internet; number of witnesses; volume of documents offered as exhibits; complexity of complaint; expected duration of the hearing; extent to which the credibility of any witness will be at issue; extent to which exhibits will be used to examine any witness; and, any other consideration which will impede or aid in the fair and efficient administration of the formal hearing process.
12. The precise method that the hearing will be conducted remains within the discretion of the assigned ALJ within the bounds of applicable law, rules, and practice procedures.

Dated: September 21, 2020

By: 
Donald W. Seasock
Chief Administrative Law Judge