**Section 420.230 Right to Information**

a) AGENCY REPRESENTATION. An agency has no right to be represented by counsel in its response to an investigation. The representatives of the Auditor General shall not be required to submit to any screening of information requests or answers thereto as a condition to direct contact with agency personnel or records.

b) INDIVIDUAL'S RIGHT TO COUNSEL. Any individual shall have the right to engage counsel who has no connection with an agency or office whose personnel or activities are the subject matter of the investigation to advise the individual on his or her legal rights. Counsel may not answer or reply for the individual.

c) USE OF PROCESSES.

1) When requested by the Audit Manager, the Auditor General or Deputy Auditor General may issue subpoenas as desirable during the conduct of an investigation.

2) If an individual associated with the Office of the Auditor General is participating in an investigation and is not a State Auditor, then the Auditor General may, in his or her discretion, empower the individual to administer oaths and affirmations, and take depositions and testimony during the course of a specific investigation, by delegating such authority in writing.

d) ENFORCEMENT. Upon notification by the Audit Manager of an unreasonable delay or of a failure to respond to a request for information or process relating to the investigation, the Auditor General or Deputy Auditor General may initiate appropriate legal proceedings to secure compliance.

(Source: Amended at 20 Ill. Reg. 701, effective January 31, 1996)