**Section 1.220 Discovery**

The Commission does not facilitate the exchange of discovery information between or among the parties. Discovery is a process primarily conducted between or among the parties. Discovery shall be attained through the following methods:

a) Bill of Particulars − An employee who is the subject of disciplinary charges may request additional information regarding the charges. Written demands for relevant information concerning the charges shall be answered within 10 days after service unless objected to.

b) Written Interrogatories − A party may direct written interrogatories to any other party. The interrogatories shall be restricted to the subject matter of the complaint or defense and shall avoid placing undue detail, excessive burden, or expense on the answering party. Within 10 days after service, the answering party shall serve on the propounding party an answer, under oath or affirmation, or an objection to each interrogatory. When appropriate, a document may be served in answer to an interrogatory. Supplemental interrogatories shall not be allowed except on leave of the Administrative Law Judge for good cause shown.

c) Production, Inspection, Copying or Photographing of Documents and Tangible Things − A party, by written request served upon the other parties, may require production for inspection, copying or photographing any document, object or tangible thing that is relevant to the subject matter of the complaint or defense. The party upon whom the request is served shall respond to the request within 10 days, stating with respect to each item or category that inspection and related activities will be permitted as required, unless the request is objected to, stating the reasons for objection.

d) List of Witnesses and Documents − Upon timely request prior to a hearing on the merits, each party to the proceeding shall serve on the other party:

1) A list of names and home or work addresses of the witnesses the party proposes to call in its case in chief.

2) All documents the party proposes to offer in its case in chief.

3) All written or recorded statements of the party's witnesses that may be used by an adverse party for the purpose of cross-examination.

e) Deposition − A party may take discovery depositions either for good cause shown or by agreement. A discovery deposition, taken for good cause or by agreement, may be taken only upon leave of the Administrative Law Judge. No party shall serve a notice of deposition without leave of the Administrative Law Judge.

f) Admission of Fact or of Genuineness of Documents − A party may serve on any other party a written request for the admission by the latter of the truth of any specified relevant fact set forth in the request or for the admission of genuineness of any relevant documents described in the request. Copies of the documents shall be served with the request unless copies have already been furnished.

g) Privileges − All matters that are privileged against disclosure in civil cases in the courts of the State of Illinois shall be privileged against disclosure through any discovery procedure.

h) Limitation of Discovery − At any time the Administrative Law Judge may, on his/her own motion or on motion of any party or witness, make protective orders as justice and fairness may require, denying, limiting, conditioning or regulating discovery to prevent unreasonable annoyance, expense, embarrassment, disadvantage or oppression.

i) Unless specifically requested by the Administrative Law Judge, the parties shall not file discovery with the Commission.

(Source: Amended at 42 Ill. Reg. 16395, effective September 1, 2018)