**Section 100.110 Qualification and Authority of the Hearings Officer**

a) Qualification of Hearings Officer

A Hearings Officer shall possess a license to practice law in the State of Illinois.

b) Authority of Hearings Officer

The Hearings Officer has the authority to conduct hearings and pre-hearing conferences, to take all necessary action to avoid delay, to maintain order, and to insure the development of a clear and complete record. The Hearings Officer shall have all powers necessary to conduct a hearing, including the power to:

1) Administer oaths and affirmations;

2) Regulate the course of hearings, set the time and place for continued hearings, fix times for filing of documents, provide for the taking of testimony by deposition if necessary, rule on motions and generally conduct the proceedings according to this Part, Article 10 of the IAPA and principles of administrative law as applied by the courts and this subsection;

3) Examine witnesses and direct witnesses to testify;

4) Limit the number of times any witness may testify, limit repetitious or cumulative testimony and set reasonable limits on the amount of time each witness may testify or be cross-examined;

5) Rule upon offers of proof and receive relevant evidence;

6) Direct parties to appear and confer for the settlement or simplification of issues and otherwise conduct pre-hearing conferences;

7) Dispose of procedural requests or similar matters;

8) Render findings of fact, opinions and recommendations for an order of the Commission;

9) Reprimand or exclude from the hearing any person for indecorous or improper conduct committed in the presence of the Hearings Officer;

10) Take official notice of generally recognized facts, administrative rules and regulations, and statutes;

11) Prepare, in every contested case, a proposal for decision in accordance with Section 10-45 of the Illinois Administrative Procedure Act, which shall be forwarded to the parties in sufficient time to allow the filing of written exceptions and legal arguments prior to the Commission rendering a final decision;

12) Rule on any substantive or procedural matters not covered within this Part, such rulings to be subject to the final review of the Commission; and

13) Enter any order that further carries out the purpose of this Part.

c) Disqualification of Hearings Officer

1) A Hearings Officer assigned to a proceeding may, upon written request to and approval of the Merit Commission, recuse himself or herself.

2) Whenever any party believes a Hearings Officer for any reason should be disqualified from conducting, or continuing to conduct, a proceeding assigned to him or her, such party may file a motion to disqualify the Hearings Officer, setting forth by affidavit the alleged grounds for disqualification. The Hearings Officer shall have 7 days after filing of the motion within which to enter a written ruling. A copy of the ruling shall be served upon all parties. The Commission may, on its own motion, review rulings denying or granting a motion for disqualification.

(Source: Amended at 19 Ill. Reg. 206, effective January 3, 1995)