**Section 1105.30 Authority of Hearing Officer**

The hearing officer shall have the duty to conduct a fair hearing, to ensure development of a clear and complete record, to take all necessary action to avoid delay, and to maintain order. The hearing officer shall have all powers necessary to these ends including (but not limited to) the authority to:

a) Require submission of exhibits before the hearing;

b) Require all parties to state in writing their positions with respect to issues, and to submit pre-hearing information, including a list of all exhibits to be offered by each party in their case in chief and a copy of each such exhibit, stipulations as to the authenticity and business record status of each such exhibit, and the estimated time proposed for the party's case in chief. Parties submitting pre-hearing information specified above must serve that information on all other parties;

c) Administer oaths and affirmations or direct the administration of oaths and affirmations by the court reporter transcribing the hearing;

d) Examine witnesses, direct witnesses to testify, call or subpoena witnesses not offered by the parties, and examine such witnesses;

e) Rule upon offers of proof and receive evidence and rule upon objections to the introduction of evidence;

f) Regulate the proceedings of the case, and the conduct of the parties and their counsel, including (but not limited to) determining the order in which the parties shall present evidence after considering the parties' relative access to relevant evidence;

g) Enter, on his own motion or motion of a party, such orders as are just when a party fails to comply with any order entered under 80 Ill. Adm. Code 1100, 80 Ill. Adm. Code 1105, 80 Ill. Adm. Code 1110, 80 Ill. Adm. Code 1120, 80 Ill. Adm. Code 1125, 80 Ill. Adm. Code 1130 and 80 Ill. Adm. Code 1135;

h) Establish reasonable limits on the frequency and duration of the testimony of any witness and limit repetitious or cumulative testimony;

i) Establish reasonable time limits and guidelines for opening or closing statements based upon the number and complexity of the issues;

j) Establish deadlines and limitations for the filing of post-hearing briefs, including (but not limited to) requiring each party to elect between offering closing arguments or submitting post-hearing briefs simultaneously on a date set by the hearing officer; and

k) Issue decisions pursuant to Section 1105.80 of this Subpart.

(Source: Amended at 14 Ill. Reg. 1278, effective January 5, 1990)