**Section 1200.45 Motions**

a) Motions during the course of an investigation must be filed with the Executive Director. In matters set for hearing, all motions must be filed with the assigned Administrative Law Judge. Once the Administrative Law Judge's recommended decision and order has issued, all motions must be filed with the General Counsel. Any briefs related to a motion filed before an Administrative Law Judge or General Counsel must comport with Section 1200.140.

b) Motions must be made in writing unless made during the hearing, at which time the motions may be made verbally, on the record. Motions must briefly state the grounds for the motion and any relief requested. Written motions must be served in accordance with Section 1200.20.

1) Motions to extend time for the filing of documents must contain a statement that the moving party discussed the requested extension with the other parties. If no objections were raised, the moving party must certify that the other parties were consulted and authorized the moving party to represent that they have no objections. If objections were raised, the moving party must describe those objections and its response.

2) Motions for continuance of a hearing must contain a statement that the moving party consulted with the other parties to determine whether they have any objection to the requested continuance. Where there are no objections, the moving party must certify that it has consulted with the other parties and that they authorized the moving party to represent that they have no objections. Where objections are raised, the moving party must describe those objections and its response. The motion for continuance must contain a statement that the moving party contacted the other parties to determine their availability for hearing on subsequent dates and it must indicate those dates in the motion.

3) At any time prior to the issuance of the recommended decision and order, a party may move to disqualify the Administrative Law Judge on the grounds of bias or conflict of interest. The motion shall be in writing to the General Counsel, with a copy to the Administrative Law Judge, setting out the specific instances of bias or conflict of interest. An adverse decision or ruling, in and of itself, is not grounds for disqualification. The General Counsel may decline to disqualify the Administrative Law Judge or may appoint another Administrative Law Judge to hear the case.

4) Motions to defer an unfair labor practice matter to arbitration may be made in accordance with Section 1220.65.

c) Responses and any other answering documents, including memoranda and affidavits, must be filed within 5 days after service of the motion, or as otherwise required by the Executive Director, Administrative Law Judge or the Board. Responses must be served in accordance with Section 1200.20.

d) Rulings on motions shall be made in writing and served on all parties to the proceeding. The Administrative Law Judge may reserve ruling on any motion until the issuance of his or her recommended decision and order.

e) Rulings on motions are not appealable to the Board, unless as otherwise provided by the Board.

(Source: Amended at 40 Ill. Reg. 10892, effective August 1, 2016)