**Section 1240.50 Filing and Service**

a) General Procedures

1) All initial documents relating to the decertification of police officers, except those filed pursuant to subsection (b), must be filed in the Board's Springfield office (see Section 1240.20). All subsequent documents shall be filed in the Board's Chicago office, as directed by the Board. Two copies of each document shall be filed.

2) Documents may be filed by any of the following methods:

A) By actual delivery of documents to the Board;

B) By first class, registered or certified United States mail or by commercial parcel delivery company; or

C) By fax, subject to the following limitations:

i) Parties shall transmit one copy of the documents, accompanied by a cover sheet or form identifying the party filing the documents, the total number of pages in the fax transmission, and the name, address, telephone number and fax number of the person sending the fax;

ii) The original documents filed by fax shall be mailed or delivered to the appropriate Board office on the same day the fax is transmitted, together with a fax confirmation receipt;

iii) The appropriate case number shall be indicated on the front page of each document filed by fax, unless the document is being filed to initiate proceedings before the Board; and

iv) If receipt of a fax transmission commences after the close of the Board's business hours, the documents will be deemed filed on the next business day.

3) All petitions for hearing, amendments to verified complaints and amendments to petitions for hearing shall be served on the appropriate parties by the Board by certified mail. All other documents shall be served by the party filing the document on all other parties to the proceeding. The document shall not be considered properly served unless accompanied by proof of service. Proof of service shall consist of a written statement, signed by the party effecting service, detailing the name of the party served and the date and manner of service.

4) When a party is represented in a proceeding before the Board, service shall be on the party's representative. When a party is not represented, service shall be on the party.

5) A document shall be considered filed with the Board on the date that it is postmarked, tendered to a delivery service or received by personal delivery in the appropriate Board office before the close of the Board's business hours. Service made by fax shall be regarded as completed upon production by the fax machine of confirmation of transmission, together with the same-day mailing of a copy of the papers, postage pre-paid and properly addressed, to the person being served.

b) Cases Arising Upon Acquittal

1) In the case of an acquittal on a charge of murder, the defendant in the criminal case or a police officer with personal knowledge of perjured testimony may file a verified complaint with the Executive Director of LETSB, pursuant to 20 Ill. Adm. Code 1720.120.

2) The Illinois Labor Relations Board will not accept the filing of the verified complaint at its offices.

c) Cases Arising Upon a Finding of Guilt

1) In the case of a finding of guilt on the offense of murder, the Board will hold a hearing where either a new trial was granted on direct appeal or a State post-conviction evidentiary hearing has been ordered *based on a claim that a police officer, under oath, knowingly and willfully made false statements as to a material fact going to an element of the offense of murder*. [50 ILCS 705/6.1(k)]

2) An interested party must file a petition for hearing with the Board within 2 years after the court's decision in order for the petition to be considered timely filed.

3) The petition for hearing must contain the following information:

A) names and, to the extent known, addresses of individuals and representatives of the parties involved;

B) a summary of the procedural history of the underlying criminal case;

C) a description of the conduct alleged to be remediable by the Board within the meaning of Section 6.1 of the Act; and

D) a copy of the court order granting either a new trial or a State post-conviction evidentiary hearing.