**Section 1650.635 Presiding Hearing Officer − Duties and Responsibilities**

The Presiding Hearing Officer of the Claims Hearing Committee shall have the following powers and duties and shall perform the following functions during administrative review proceedings.

a) Pre-hearing:

1) The Presiding Hearing Officer shall monitor and supervise the pre-hearing proceedings to ensure that the Committee is presented with the information necessary to make an informed and legally supported decision on the matters being presented for administrative review.

2) The Presiding Hearing Officer shall facilitate cooperation between the petitioner and the System's Legal Counsel in the preparation of issue and fact statements. Whenever appropriate, the Presiding Hearing Officer shall encourage the use of stipulated materials to enhance the efficiency of the proceedings.

3) The Presiding Hearing Officer shall ensure the timely exchange of exhibits, witness lists and testimony summaries.

4) The Presiding Hearing Officer shall rule on discovery requests and procedural matters. The rules of civil procedure shall not be strictly applied; however, the Presiding Hearing Officer shall make necessary and appropriate legal or evidentiary rulings to ensure that both parties receive fair and timely consideration of all pre-hearing motions and discovery requests.

5) The Presiding Hearing Officer shall establish pre-hearing position statements and briefing schedules.

6) The Presiding Hearing Officer shall make any necessary and appropriate inquiries or requests of the parties in order to assure that the Committee has the requisite information to rule on the issues raised by the claim.

7) The Presiding Hearing Officer shall develop hearing procedures that assure that the hearing process remains focused on pertinent issues while providing a full and fair hearing for the petitioner and the System. Whenever appropriate, the Presiding Hearing Officer shall encourage the parties to submit the matter to the Committee on the written record.

8) When appropriate, the Presiding Hearing Officer shall facilitate settlement of the claim prior to hearing.

b) Hearing:

1) The Presiding Hearing Officer shall preside at the administrative review hearing and shall assure that the proceedings remain focused on the issues to be decided by the Committee and that both the petitioner and the System are treated fairly and equally in the presentation of their respective positions.

2) The Presiding Hearing Officer shall ensure that the agreed upon hearing format is followed.

3) The Presiding Hearing Officer shall ensure that repetitious and irrelevant arguments and evidence are excluded.

4) The Presiding Hearing Officer shall make necessary and appropriate legal or evidentiary rulings.

(Source: Amended at 32 Ill. Reg. 13534, effective August 6, 2008)