**Section 336.190 Grounds for Dismissal**

The Chief ALJ or the ALJ shall dismiss the appeal on his or her own motion or on the motion of any party:

a) when the issue is not regarding a child abuse or neglect report as defined in 89 Ill. Adm. Code 300 (Reports of Child Abuse and Neglect);

b) when there is a pending juvenile court action or criminal court action involving the same set of circumstances that gave rise to the indicated finding;

c) when there has been a court finding of child abuse or neglect or a criminal finding of guilt as to the perpetrator;

d) when the request for the appeal was not received within 60 calendar days after the postmarked date of the notice that the report was indicated;

e) when the request for the appeal is not received within 60 calendar days following the conclusion of any criminal court action in the circuit court or after adjudication in any juvenile court action concerning the circumstances that give rise to the indicated finding;

f) when the appeal has been withdrawn in writing;

g) when the appeal has been abandoned pursuant to Section 336.200; or

h) when the issue is not within the jurisdiction of the AHU as set forth in Section 336.60.

(Source: Amended at 41 Ill. Reg. 15260, effective December 6, 2017)