**Section 1520.60 Conduct of Meetings and Hearings on the Complaint**

a) Meetings and hearings on complaints shall be conducted in accordance with the contested case provisions of Article 10 of the Administrative Procedure Act [5 ILCS 100/Art. 10].

b) Procedure

1) The meeting or hearing shall be opened with an explanation of the procedure to be followed in the hearing.

2) Upon motion of either party or at the discretion of the hearing officer, any or all witnesses may be sequestered.

3) Preliminary matters such as objection to charges, disputes involving discovery, stipulation of facts and documents, and scheduling of witnesses may be resolved.

4) Each party shall be given the opportunity to make a brief opening statement identifying the issues and indicating what is to be proven.

5) Each party may call witnesses to testify on his/her own behalf. All witnesses shall testify under oath or affirmation. The respective parties may cross-examine opposing witnesses, and the examiner may also examine the witnesses.

6) Before closing the hearing, the hearing officer shall allow both parties the opportunity either to make brief oral closing statements or to submit written closing statements.

c) Motions

1) Unless made orally on the record during a hearing, all motions shall be in writing and shall briefly state the order or relief requested and the specific grounds upon which relief is sought. Motions based on facts that are not in the record shall be supported by affidavit.

2) The motion shall point out specifically the defects complained of and shall ask for appropriate relief, such as: dismissal of the action, more clear definition of a specific charge, etc.

d) If the hearing officer determines that a witness is hostile or unwilling, the witness may be examined by the party calling him/her as if under cross-examination. The party calling a witness may, upon showing that he/she called the witness in good faith but is surprised by his/her testimony, impeach the witness by proof of prior inconsistent statements.

e) If a party, or any person at the instance of or in collusion with a party, unreasonably refuses or fails to comply with this Part, or with any order of the Commission, Chair or administrative law judge, the administrative law judge or other presider may enter an adverse finding, order, or decision as may be necessary to ensure just disposition of the matter.

f) The Commission shall have video or audio recordings made of meetings and hearings held under Sections 1520.40 and 1520.50 of this Part. The Commission shall have recordings transcribed at the request of any party, and shall make a copy available to the respondent without charge should the respondent appeal imposition of a fine to court.