**Section** **1620.1390** **Motions**

a) 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 a matter that does not appear on record shall be supported by affidavit.

b) A written motion shall be served at the same time upon all parties and filed with the Commission's Springfield office.

c) Written motions and responses to motions shall set forth the arguments and authorities relied upon to permit the Administrative Law Judge to make a decision without oral argument on the motion. Parties may request a hearing that will be granted or denied based on the Administrative Law Judge's determination of need.

d) Within seven days after service of a motion, a participant or party may file a response to the motion. If no response is filed, the participant or party shall be presumed to have waived objection to the granting of the motion, but the waiver of objection does not bind the Administrative Law Judge in the decision on the motion. Unless undue delay or material prejudice would result, the Administrative Law Judge will not grant any motion before expiration of the seven-day response period. The moving person shall not have the right to reply, except as permitted by the Administrative Law Judge.

e) Arguments on preliminary motions may be held by telephone conference by order of the Administrative Law Judge.

(Source: Added at 36 Ill. Reg. 13826, effective August 21, 2012)