**Section 3500.340 Initial Screening of Claim Form**

a) Upon receipt of the Claim Form, the Director, or his or her designee, will conduct an initial screening of the Claim Form to determine whether it satisfies the following minimum criteria required for the Commission to consider a claim of torture:

1) The Claim Form is properly completed;

2) The claim meets the definition of "claim of torture" contained in 20 Ill. Adm. Code 2000.10; and

3) The Claim Form is timely filed by August 10, 2019. (See 775 ILCS 40/70.)

b) If the Claim Form is not properly completed, the Director shall return it to the person who submitted it, indicating why the Form has not been filed and giving the opportunity to resubmit it.

c) If the Claim Form is properly completed, the claim will be filed and assigned a claim number.

d) If the claim meets the definition of "claim of torture" contained in 20 Ill. Adm. Code 2000.10, the claim shall proceed to the Waiver of Convicted Person's Procedural Safeguards and Privileges under Section 3500.350. The claim shall be set for investigation, in the manner and priority to be determined by the Director, subject to Section 3500.375(c) of this Part, and any direction by the Commission.

e) If the Claim Form demonstrates that the claim does not meet the definition of "claim of torture" contained in 20 Ill. Adm. Code 2000.10, the Director shall recommend in a written report to the Commission that the claim be denied for the reasons specified in the report.

1) The Commission shall vote to accept or to reject the Director's recommendation by majority vote of the voting members appointed. At least 4 votes are required to accept a recommendation to deny a claim.

2) If the Commission accepts the recommendation to deny the claim, the Director shall notify the convicted person, and the person filing the claim if other than the convicted person, in writing that the claim was denied and the reasons for the denial.

(Source: Amended at 41 Ill. Reg. 3941, effective March 17, 2017)