**Section 2530.430 Motions and Answers**

a) All motions preliminary to a hearing shall be presented to the Hearing Officer at least five (5) days prior to the date of the hearing or on such other date as the Hearing Officer shall designate. All motions to dismiss or strike the complaint or challenging the jurisdiction of the Department shall be filed within fifteen (15) days after receipt of complaint, directed to the Hearing Officer and shall be disposed of prior to hearing on the complaint. All motions must be served on all parties to the proceeding. The response of the Department and such other parties so served shall be filed within fifteen (15) days subsequent to delivery to the Hearing Officer

b) Unless made orally on the record during a hearing, a motion shall be in writing.

c) Within fifteen (15) days after service of a written motion, or such other period as the Hearing Officer may prescribe, a party other than the party who filed the motion may file a response in support of or in opposition to the motion, accompanied by affidavits or other evidence. If no response is filed, the parties shall be deemed to have waived objection to the granting of the motion, but such waiver of objection does not automatically constitute grounds for allowance of the motion.

(Source: Amended at 10 Ill. Reg. 20201, effective November 25, 1986)