**Section 101.400 Appearances, Withdrawals, and Substitutions of Attorneys in Adjudicatory Proceedings**

a) Appearances. A person who is a party in a Board adjudicatory proceeding may appear as follows:

1) Individuals may appear on their own behalf or through an attorney-at-law licensed and registered to practice law. (See Section 1 of the Attorney Act [705 ILCS 205/1].)

2) When appearing before the Board, any person other than individuals must appear through an attorney-at-law licensed and registered to practice law. (See Section 1 of the Corporation Practice of Law Prohibition Act [705 ILCS 220/1] and Section 1 of the Attorney Act.)

3) An out-of-state attorney may appear as counsel and provide legal services in a proceeding before the Board only if the attorney has permission to do so under Illinois Supreme Court Rule 707. No Board order is required for an out-of-state attorney to appear and no motion to appear pro hac vice is necessary. The out‑of‑state attorney's appearance must include the following:

A) A representation that the out-of-state attorney is in, and will maintain throughout the proceeding, compliance with Supreme Court Rule 707; and

B) Identification of the active status Illinois attorney associated with the out-of-state attorney under Supreme Court Rule 707 and the date on which the active status Illinois attorney filed an appearance in the proceeding.

4) Any attorney appearing in a representative capacity must file a separate written appearance with the Clerk, together with documentation of service of the appearance under Section 101.304(d) and notice of filing of the appearance under Section 101.304(b)(2). The appearance must include:

A) For law firms, the Agency, and the Attorney General's Office, a lead attorney must be designated for phone and mail contact pertaining to the proceeding. Absent written notice, the Board will designate the attorney whose signature appears first on the party's first filing as the lead attorney.

B) The attorney's business address and designation of a primary e-mail address for service by e-mail. Up to two secondary e-mail addresses may also be included.

5) Any person seeking to contest personal jurisdiction must do so by filing a motion with the Board consistent with Section 2-301 of the Code of Civil Procedure.

b) Withdrawals. An attorney who has appeared in a representative capacity and who wishes to withdraw from that representation must file a notice of withdrawal with the Clerk, together with documentation of service and notice of filing on all parties or their representatives.

c) Substitution. Any attorney who substitutes for an attorney of record must file a written appearance under subsection (a). That appearance must identify the attorney for whom the substitution is made. However, no attorney will be considered withdrawn from a proceeding until a formal withdrawal is filed in compliance with subsection (b).

d) Any person may appear on his or her own behalf or on others' behalf in a rulemaking, consistent with 35 Ill. Adm. Code 102.100(b), or in a TLWQS proceeding.

(Source: Amended at 43 Ill. Reg. 9674, effective August 22, 2019)