**Section 102.408 Prehearing Order**

a) *No record need be kept of the prehearing conference, nor shall any participant or the Board be bound by any discussions conducted at the prehearing conference.* [415 ILCS 5/27(d)]

b) Notwithstanding subsection (a), *with the consent of all participants in the prehearing conference, the hearing officer may enter a prehearing order delineating issues to be heard, agreed facts, and other matters.* [415 ILCS 5/27(d)]

c) If the participants in the prehearing conference agree to have a prehearing order entered under subsection (b), the hearing officer may require that those participants furnish a draft of a proposed order setting forth the substance of the agreements reached at the prehearing conference. The hearing officer will enter that order if he agrees that it sets forth the substance of the agreement. The order will identify which participants have agreed to the substance of the order.

d) A prehearing *order will not be binding on non-participants in the prehearing conference.* [415 ILCS 5/27(d)]

(Source: Amended at 41 Ill. Reg. 10002, effective July 5, 2017)