**Section 7030.20 Setting a Case for Trial**

a) A written request for a date certain for trial may be made at the monthly status call on which the case appears. A request for a trial date in a case which does not appear on the monthly status call may only be made in accordance with Section 7020.60(b)(2)(B).

b) If the parties by agreement request a trial date, the Arbitrator will assign a specific date and time for trial. A pre-trial conference may be held by the Arbitrator. Either party may request a pre-trial conference prior to the start of trial.

c) If there is no agreement:

1) Any party may file a motion requesting a date certain for trial. The motion must be accompanied by a form provided by the Industrial Commission called a Request for Hearing, which sets forth the moving party's claims on each issue.

2) A Respondent may file a motion requesting a date certain for trial if Respondent claims that:

A) Respondent has not received in the prior 6 months any bills or other evidence that Petitioner is under medical care or undergoing physical or vocational rehabilitation related to the alleged accidental injuries, and

B) Respondent has evidence establishing that Petitioner has not been entitled for the prior 6 months to temporary total disability benefits as a result of the alleged accidental injuries, and such benefits have not been paid for that period.

3) The motions for trial dates shall be filed and heard pursuant to Section 7020.70 and Section 7020.60. If the Arbitrator determines that proper and timely fifteen (15) days notice was given of the motion for trial date to the opposing party, opposing party was provided with a completed Request for Hearing, said case appears on the monthly status call on the date the motion is heard, or if the case is not on the status call, the Arbitrator has determined that the case falls within the exceptions in Section 7020.60(b)(2)(B), and that the matter should proceed to trial, the Arbitrator shall set the matter for trial on a date certain. If any party fails without good cause to appear, the Arbitrator will hear the motion for trial date ex parte, and if the Arbitrator determines the matter is ready for trial will set a trial date convenient to the Arbitrator and the party that appeared. The party that appeared shall notify the opposing party of the trial date.

d) On each trial day each party or, if represented, the party's attorney of record must appear before the Arbitrator between 8:45 a.m. and 9:15 a.m. during which time the Arbitrator shall establish the order in which cases shall proceed that day. The Arbitrator may give priority to cases in which a Petition under Section 19(b) or 19(b-1) of the Act has been filed, death benefits under Section 7 of the Act or permanent total disability benefits under Section 8 of the Act are claimed or other cases in which special circumstances exist which in the opinion of the Arbitrator warrant granting priority to the case in the trial order. Request for Hearing forms must be completed, signed and submitted to the Arbitrator prior to the beginning of the hearing in the case.

e) Failure of the Petitioner to appear before 9:15 a.m. may bar the case from being heard that day or may result in dismissal of the claim. Failure of the Respondent to appear may result in an ex parte hearing on the merits of the claim.

f) On each trial day the Arbitrator shall begin hearing cases at 9:30 a.m. Any party who requests a date certain for trial must be prepared, absent good cause shown, to proceed to trial. On the trial day parties may report the case settled or request a continuance on a form provided by the Industrial Commission. If the moving party does not respond when the case is called for trial by the Arbitrator, the case may be placed at the end of the trial order.

g) Bifurcated hearings are discouraged and will be allowed only for good cause. Examples of good cause include, but are not limited to, where the number or location of witnesses make it impossible to conclude the hearing in one day or the testimony of a witness must be taken prior to a deposition. All cases, except those which are heard under Section 19(b-1) of the Act, must be concluded within 3 months after the first hearing date or the Arbitrator will close proofs, absent good cause shown, and render a decision.

(Source: Amended at 20 Ill. Reg. 4053, effective February 15, 1996).