**Section 5300.762 Preparation and Issuance of Final Order in Alternative Hearing Procedure Proceedings**

a) For all cases which proceed to public hearing under the alternative hearing procedure of Section 8A-102.5 of the Act, following the taking of testimony and the submission of oral argument and briefs, if any are ordered, the selected Administrative Law Judge shall prepare a written Final Order disposing of the Complaint based upon the pleadings and evidence presented. The Final Order shall include:

1) a determination as to whether a preponderance of the evidence sustains the Complaint or each portion thereof;

2) a brief discussion of the analysis of the case and reasoning to support the Administrative Law Judge's determination with sufficient detail to apprise the Parties as to the basis for the decision; and

3) a determination of the damages and relief, including attorneys fees and costs, to which any Party is entitled.

b) The Final Order need not contain detailed findings of fact and conclusions of law.

c) The Final Order may provide for any relief or penalty identified in Section 8A-104 of the Act.

d) The Final Order shall be issued by the selected Administrative Law Judge and shall be served by the Commission on all Parties and the Department personally or by registered or certified mail.

e) The Final Order entered by an Administrative Law Judge in a case proceeding under the alternative hearing procedure shall be deemed the final decision of the Commission and shall not be subject to review by any three member panel of the Commission nor by the full Commission. Such Final Orders are enforceable in the same manner as Orders And Decisions issued by the Commission.

f) A Party may not apply for and obtain review of a Final Order by filing a petition for review in the Appellate Court pursuant to Section 8-111(A) of the Act except on the basis of fraud or duress. By stipulating to disposition of the Complaint under the alternative hearing procedure, the Parties waive all right of appeal except for Orders procured by fraud or duress.

g) The Final Order entered by an Administrative Law Judge in a case proceeding under the alternative hearing procedure shall not be considered Commission precedent.

(Source: Added at 20 Ill. Reg. 7820, effective June 1, 1996)