**Section 1110.220 Evidence**

a) *Irrelevant, immaterial, or unduly repetitious evidence shall be excluded. The rules of evidence and privilege as applied in civil cases in the circuit courts of this State shall be followed. Evidence not admissible under those rules of evidence may be admitted, however, except when precluded by statute, if it is of a type commonly relied upon by reasonably prudent men in the conduct of their affairs. Objections to evidentiary offers may be made and shall be noted in the record. Subject to these requirements, when a hearing will be expedited and the interests of the parties will not be prejudiced, any part of the evidence may be received in written form.* [5 ILCS 100/10-40(a)]

b) Testimony shall be taken only on oath or affirmation. *Subject to the evidentiary requirements of this Section, a party may conduct cross-examination required for a full and fair disclosure of the facts*. [5 ILCS 100/10-40(b)]

c) All exhibits for any party shall be clearly marked for identification. A sufficient number of copies shall be made prior to the commencement of the hearing and when admitted into evidence by the ALJ.

d) Official notice may be taken of past hearings and of any matter of which the Circuit Courts of Illinois may take judicial notice. In addition, official notice may be taken of generally recognized technical or scientific facts within the Division's specialized knowledge. Parties shall be notified either before or during the hearing, or by reference in preliminary reports or otherwise, of the material noticed, including staff memoranda and data, and they shall be afforded an opportunity to contest the material so noticed. The Division's and the ALJ's experience, technical competence, and specialized knowledge may be utilized in the evaluation of the evidence.

e) If a licensee appears for a hearing and refuses to testify on the grounds that any answer of his or hers may tend to incriminate him or her, the ALJ may take an adverse inference from the refusal to testify and shall consider the adverse inference in addition to other evidence. If a licensee appears and refuses to testify without asserting the right against self-incrimination, the ALJ shall enter any appropriate order as is required by the evidence and this Part.

f) The ALJ may, on his or her own initiative or at the request of any party or witness, enter a protective order to prevent exposure in the public domain of records or other information that is of a sensitive or confidential nature.

(Source: Amended at 43 Ill. Reg. 9969, effective September 13, 2019)