**Section 310.170 Hearings**

The sequence to be followed for all contested cases is as follows:

a) Preliminary Hearing. The preliminary hearing may be conducted by telephone at the discretion of the hearing officer. The purpose is to set a date on which all parties expect to be prepared, and to rule on any preliminary motions that are presented. This may be eliminated by agreement of the parties and the Comptroller or hearing officer.

b) Prehearing Conference – Optional. The purposes are set out in Section 310.160. The prehearing conference may be conducted by telephone at the discretion of the hearing officer.

c) Hearings

1) Preliminary matters – Motion, attempts to narrow issues or limit evidence.

2) Opening Statements – The party bearing the burden of proof proceeds first.

3) Case in Chief – Evidence and witnesses are presented by the party bearing the burden of proof. As witnesses' testimony is completed, they are subject to cross-examination.

4) Defense – Evidence and witnesses may be presented by the opposing parties.

5) Closing Statements – The party bearing the burden of proof proceeds first, then the opposing party, then a final word by the party bearing the burden of proof.

6) Hearing Officer Report and Recommendation – Described in Section 310.240.

d) The location of the hearing will be determined by the Comptroller or hearing officer. Requests to change the location will be decided by the Comptroller or the hearing officer, with consideration given to the locations of the parties and their abilities to travel.

(Source: Amended at 42 Ill. Reg. 16010, effective August 1, 2018)