**Section 100.4 Appearance – Right to Counsel**

a) Any party to a proceeding may appear and be represented by a private attorney authorized to practice law in the State of Illinois at the party's own cost. Any individual party may waive this right and represent himself or herself. For hearings conducted pursuant to Sections 2-110(d) and 3-410 of the NHCA, the MC/DD Act, and the ID/DD Act, a visitor or resident shall have the option of being represented by a non-attorney of his or her choosing. A corporation, a limited liability company, partnership, association, or certified local health department shall appear and be represented only by an attorney authorized to practice law in the State of Illinois. A shareholder, corporate officer, employee, or member of the board of directors may not appear or represent a corporation or association unless that individual is authorized to practice law in the State of Illinois.

b) All persons appearing in proceedings before the Department, including a visitor's or resident's non-attorney representative, shall conform to the standards of ethical conduct required of attorneys before the courts of Illinois. If any person or attorney does not conform to those standards, the administrative law judge may decline to permit that person to appear in any proceeding.

c) Any attorney or other person appearing before the Department as a representative of a visitor or resident shall file an Appearance form containing: the name of the party represented; the name, address, electronic mail address, and telephone number of the attorney or representative; an affirmative statement that the attorney is or is not duly licensed in the State of Illinois; and the written signature of the attorney or representative.

d) Special appearances are not recognized. The initial appearance, regardless of form, is deemed a general appearance.

e) An attorney may withdraw his or her appearance and/or representation only upon motion and appropriate ruling by the administrative law judge in accordance with Illinois Supreme Court Rule 13. However, attorneys may be substituted without motion upon notice to all parties and the administrative law judge if the substitution will not delay the proceedings, a statement to that effect is contained in the notice, and a substitute Appearance form is filed concurrently with the notice.

(Source: Amended at 46 Ill. Reg. 8158, effective May 5, 2022)