**Section 3000.425 Proceedings**

a) The burden of proof is at all times on the petitioner. The petitioner shall have the affirmative responsibility of establishing by clear and convincing evidence that the petitioner is suitable for licensing or a transfer of ownership, that the petitioner should not be excluded under Section 3000.720, that the petitioner's name should be removed from the Board Exclusion List under Section 3000.740 or that the petitioner's name should be removed from the Self-Exclusion List under Section 3000.785.

b) Any testimony shall be given under oath or affirmation.

c) Both parties may present an opening statement on the merits. Petitioner proceeds first.

d) The petitioner shall then present its case-in-chief.

e) Upon conclusion of the petitioner's case-in-chief, the respondent may move for a directed finding. The hearing officer may hear arguments on the motion or may grant, deny or reserve decision thereon, without argument.

f) If no motion for directed finding is made, or if such motion is denied or decision reserved thereon, the respondent may present its case.

g) Each party may conduct cross-examination of adverse witnesses.

h) Upon conclusion of the respondent's case, the petitioner may present evidence in rebuttal.

i) Both parties may present closing argument. The petitioner proceeds first, then the respondent and thereafter the petitioner may present rebuttal argument.

(Source: Amended at 31 Ill. Reg. 8098, effective June 14, 2007)