**Section 3500.380 Evidentiary Proceedings Before the Commission**

a) If the Commission elects to hold an evidentiary hearing, the following procedures will apply:

1) At the hearing, all relevant evidence from the formal inquiry shall be presented to the full Commission in summary form as part of the Director's report and recommendation.

2) The Director shall present the additional evidence the Commission has elected to consider, unless the Commission orders otherwise.

3) All testimony taken shall be under oath or affirmation.

4) The appearance of a witness necessary for the taking of evidence, including the convicted person, may be compelled by serving a subpoena upon that person in accordance with the procedures set forth in 20 Ill. Adm. Code 2000.40. The subpoena also may require the production at the hearing of documents or things.

b) Any person present for the purpose of the evidentiary proceeding will not be allowed to address the Commission except as part of the scheduled proceeding.

c) Any hearing before the full Commission shall be conducted subject to this Part and the Open Meetings Act. All proceedings of the full Commission shall be recorded by audio and transcribed as part of the record. All Commission members' votes shall be recorded in the record.

d) After reviewing all the relevant evidence from the formal inquiry, and the additional evidence taken during an evidentiary proceeding, if any, the Commission shall vote to decide the claim as set forth in Section 3500.385.

(Source: Amended at 38 Ill. Reg. 18988, effective September 19, 2014)