**Section 1.80 Subpoenas**

a) Subpoenas requiring that attendance and the giving of testimony by witnesses, and subpoenas duces tecum requiring the production of books, papers, records or memoranda may be issued by the Director or the administrative law judge upon his or her own motion or upon the written request of any party to the proceeding. The Director or the administrative law judge may require the party requesting the issuance of subpoenas to demonstrate the relevancy of the request to the issues in the hearing. For good cause shown, the Director or the administrative law judge may deny or modify the request for subpoenas.

b) Subpoenas issued by the Director or the administrative law judge upon the request of a party to the proceeding shall be delivered to the requesting party who shall be responsible for serving the subpoenas. Subpoenas shall be served personally or by certified mail.

c) The witness fee for attendance and travel shall be the same as the fee of the witnesses before the Circuit Courts of this State. The person who requests that a subpoena be issued shall be responsible for paying any witness fee for attendance and travel to the formal administrative proceeding. When a witness is subpoenaed by the Director or administrative law judge upon his or her own motion or upon the request of the Department, the witness fee shall be paid in the same manner as other expenses of the agency.

(Source: Amended at 16 Ill. Reg. 15850, effective October 5, 1992)