**Section 204.25 Requests and Proceedings for Director's Review Conference**

a) Any properly filed appeal concerning a ruling of the Stewards resulting in a civil penalty in an amount of $500 or less or for a disqualification based on an occurrence in the race such as interference, or a claim of foul for which no penalty was assessed against the jockey or driver, shall be required to submit to a Director's Review Conference conducted pursuant to this Section.

b) Any properly filed appeal concerning a ruling of the Stewards resulting in a suspension, exclusion, civil penalties greater than $500, redistribution of the purse after the race results are finalized by the Stewards, or disqualification based on a violation of 11 Ill. Adm. Code 603 (Medication), may, in lieu of an administrative hearing, request a Director's Review Conference.

c) The Director's Review Conference process affords licensees the opportunity to resolve protests without a formal administrative hearing before an Administrative Law Judge. The Executive Director of the Board or his or her designee shall serve as the designated reviewer in accordance with the provisions of this Section. The Executive Director or reviewer shall have authority and knowledge of the rules and regulations of the Board sufficient to make a reasoned and appropriate resolution of the matter.

d) All requests for a Director's Review Conference shall:

1) be in writing;

2) contain an address and telephone number where the petitioner may be notified;

3) identify the Stewards' ruling and state the specific reasons for the request; and

4) include a list of all supporting documentation to be presented at the Director's Review Conference.

e) Unless unavailability of the Executive Director and/or designee requires otherwise, the Director's Review Conference shall be conducted within 30 calendar days after the request.

f) Board counsel and any Board employee who may be called as a witness shall not serve as the designated reviewer. Administrative Law Judges shall in no instance serve as the designated reviewer under this Section.

g) At the Director's Review Conference, Board counsel shall present the Stewards' evidence to the reviewer. The licensee may be represented by counsel or may appear without counsel and present his or her evidence and witnesses. The reviewer shall consider all relevant evidence.

h) The Illinois Administrative Procedure Act [5 ILCS 100], Section 16 of the Illinois Horse Racing Act [230 ILCS 5], and Sections 204.40, 204.50, 204.60, 204.65, 204.70, 204.80, 204.85, 204.90, 204.100, 200.110, 204.120, 204.130 and 204.140 of this Part shall not apply to the Director's Review Conference. Rules of evidence shall be construed liberally, and hearsay shall be allowed at the reviewer's discretion. The reviewer may ask questions of the witnesses and the parties during the Director's Review Conference.

i) Director's Review Conferences conducted under this Part shall be recorded by audiotape or other similar media.

j) At the conclusion of the Director's Review Conference, the reviewer shall issue a written report of his or her findings. The reviewer can find in favor of the licensee, uphold the Stewards' ruling, or modify the penalty. Decisions of the reviewer may not be appealed to the Board, but are subject to the Administrative Review Law [735 ILCS 5/Art. III].

k) Requests for a Director's Review Conference may be filed in person at, or by mail addressed to, the Board's office at 100 W. Randolph, Suite 7-701, Chicago, Illinois 60601. Requests submitted by mail will be deemed timely if postmarked no later than five regular business days after receipt of notice of the Stewards' ruling, ejection or exclusion or other action of the Board.

(Source: Added at 34 Ill. Reg. 12883, effective August 20, 2010)