**Section 1700.6 Definitions**

The following definitions apply to this Part:

"Address of Record" means the address and/or email address required to be on file with the Department's Licensure Maintenance Unit by a licensee or, in the case of an unlicensed person, the most recent publicly ascertainable address.

"Administrative Hearing" means a proceeding at which parties present legal arguments and evidence about a case to an Administrative Law Judge or the Board, pursuant to the Lottery Law and 11 Ill. Adm. Code 1770.

"Administrative Law Judge" or "ALJ" means an attorney admitted to practice law by, and in good standing before, the Illinois Supreme Court who is duly authorized and designated in writing by the Director of the Illinois Lottery to convene and conduct hearings on matters under the jurisdiction of the Department. An ALJ is specifically empowered to administer oaths and affirmations; rule on matters of proof and evidence; regulate the schedule and course of the hearing and pre-hearing process; hear and dispose of procedural and other similar matters; sign and issue orders and subpoenas; and exercise any other powers relating to the proceeding which are legally proper and reasonably necessary to carry out an ALJ's responsibilities. The authority of any person to act as an ALJ shall not be a matter of proof in any hearing before the Department unless an appropriate motion is made pursuant to Section 1700.200.

"Affidavit" means a sworn and notarized or affirmed statement made in writing and signed.

"Agent" means a person licensed by the Director under the Lottery Law and by 11 Ill. Adm. Code 1770 to sell Illinois State Lottery Game tickets to the public, by an across-the-counter transaction at a specified point of sale at a specifically licensed Lottery location.

"Appeal" means a pleading, petition or application made by an appellant.

"Appellant" means an applicant, complainant or petitioner.

"Board" means the Lottery Control Board created as an independent advisory Board to the Director pursuant to the Lottery Law.

"Chief Administrative Law Judge" means an Administrative Law Judge who, in addition to performing the general duties of an Administrative Law Judge, serves as the immediate supervisor of all other Administrative Law Judges in the Office of the Chief Administrative Hearing Officer and performs other regulatory duties as identified in this Part and elsewhere.

"Chief Administrative Law Judge's Clerk" means the Office of Administrative Hearings Clerk designated to receive filings and to date stamp them.

"Contested Case" means an adjudicatory proceeding (not including ratemaking, rulemaking, or quasi-legislative, informational, or similar proceedings) in which the individual legal rights, duties, or privileges of a party are required by law to be determined by an agency only after an opportunity for a hearing.

"Department" means the Department of the Lottery.

"Director" means the Director of the Department of the Lottery.

"Formal Hearing" means a formal proceeding that is conducted on the record before an ALJ during which the parties present evidence and make arguments regarding appropriate action on a contested matter.

"Litigator" means a Special Assistant Attorney General, employed in the Department's Office of Legal Services, admitted to practice law by, and in good standing before, the Illinois Supreme Court, who is duly authorized and designated in writing by the Director to present the Department's case and otherwise represent the Department's interest in hearing, status and pre-trial conferences on all matters covered by the relevant Lottery Law and 11 Ill. Adm. Code 1770 and any other applicable laws.

"Lottery Law" means the Illinois Lottery Law [20 ILCS 1605].

"Petitioner" is a party who, by written petition, seeks relief or licensure under any provision of the statutes of the State of Illinois or any rule, order or determination of the Department. The party seeking licensure may also be identified as "applicant".

"Preponderance of the Evidence" means the greater weight of the credible evidence.

"Respondent" is the Department against whom a petition, complaint or notice initiating a proceeding is filed.

"Secretary" means the Secretary of the Lottery Control Board at the Department's Chicago, Illinois Office.

(Source: Added at 47 Ill. Reg. 13886, effective September 18, 2023)