**Section 150.145 Alternative Dispute Resolution**

If the State Board of Elections fails to resolve the complaint within 90 days after its filing, or the parties refuse to waive the 90 day deadline, the Board shall select a person, company or association providing dispute resolution services ("the service provider") to resolve the matter. If the parties object to the Board's selection, they shall be provided an opportunity to select a service provider and their selection shall then be presented to the Board. The Board shall select the service provider in consultation with the parties. If the Board and the parties fail to agree on the choice of the service provider, the names of the selections shall be placed in a container and the service provider shall be determined by lot, drawn by the Chairman of the Board. In all circumstances, the service provider shall have at least two years experience in providing mediation services in Illinois. Pursuant to section 402(a)(I) of HAVA, the matter shall be resolved within 60 days after its referral and this time limitation shall be included in any contract for the provision of alternative dispute resolution services. Costs of the service shall be borne by the Board. The record from any hearing conducted under this Part shall be made available for use by the service provider to have costs of the services shifted to either party. The decision of the service provider shall be subject to judicial review. The Board may petition the service provider to have the costs of the services shifted to either party. The petition shall set forth facts warranting the shifting of costs and must show, at a minimum, that a determination was made by the service provider that the complaint was completely lacking any basis in fact or law, or unreasonable delay caused by the party resulted in the matter not being resolved by the Board within the original 90-day time period.

(Source: Amended at 40 Ill. Reg. 1953, effective January 5, 2016)