**Section 101.622 Subpoenas and Depositions**

a) Upon request by any party to a contested proceeding, the Clerk will issue subpoenas for the attendance of witnesses at a hearing or deposition. Subpoena forms are available at the Board's Chicago office. The person requesting the subpoena is responsible for completing the subpoena and serving it upon the witness.

b) Service of the subpoena on the witness must be completed no later than ten days before the date of the required appearance. A copy of the subpoena must be filed with the Clerk and served upon the hearing officer within seven days after service upon the witness. Failure to serve both the Clerk and the hearing officer makes the subpoena null and void. Service and filing must comply with Subpart C.

c) Subpoenas may include a command to produce books, papers, documents, or other tangible things designated in the subpoena and relevant to the matter under consideration.

d) The hearing officer, upon motion made promptly and in any event at or before the time specified in the subpoena for compliance, may quash or modify the subpoena if it is unreasonable or irrelevant. The hearing officer, under the standards of Section 101.614, will rule upon motions to quash or modify material requested in the subpoena under subsection (c).

e) Each witness subpoenaed by a party under this Section is entitled to receive witness fees from that party as provided in Section 4.3 of the Circuit Courts Act [705 ILCS 35/4.3].

f) Unless the hearing officer orders otherwise, any witness subpoenaed for a deposition may be required to attend only in the county in which he or she resides or maintains an office address. Consistent with Illinois Supreme Court Rule 206(d), all depositions must be limited to 3 hours in length unless the parties and the non-party deponent by stipulation agree to a longer time frame or unless the hearing officer orders otherwise after a showing of good cause.

g) Failure of any witness to comply with a subpoena will subject the witness to sanctions under this Part, or the judicial enforcement of the subpoena. The Board may, upon proper motion by the party requesting the subpoena, request the Attorney General to pursue judicial enforcement of the subpoena on behalf of the Board.

(Source: Amended at 43 Ill. Reg. 9674, effective August 22, 2019)