**Section 101.904 Relief from Final Opinions and Orders**

a) Upon its own motion or motion of any party, the Board may correct clerical mistakes in orders or other parts of the record and errors in the record arising from oversight or omission before the appeal is docketed in the appellate court. While the appeal is pending, the mistakes may be corrected only with permission of the appellate court. Any corrected order will be delivered to all parties and participants in that proceeding.

b) On written motion, the Board may relieve a party from a final order entered in a contested proceeding, for the following:

1) Newly-discovered evidence that existed at the time of hearing and that by due diligence could not have been timely discovered;

2) Fraud (whether intrinsic or extrinsic), misrepresentation, or other misconduct of an adverse party; or

3) Void order, such as an order based upon jurisdictional defects.

c) A motion under this Section does not affect the finality of a Board order or suspend the operation of a Board order. The motion must be filed in the same proceeding in which the order was entered but is not a continuation of the proceeding. The motion must be supported by oath or affidavit or other appropriate showing as to matters not of record. All parties or participants in the proceeding must be notified by the movant as provided by Section 101.304.

d) A motion under subsection (b) must be filed with the Board within one year after entry of the order, except that a motion under subsection (b)(3) must be filed within a reasonable time after entry of the order.

e) Any response to a motion under this Section must be filed within 14 days after the filing of the motion.

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