**Section 7020.60 Continuances on Arbitration, Notices, Monthly Status Calls, Voluntary Dismissal**

a) Continuances on Arbitration; Notices

 Written notices will be sent to the parties for the initial status call setting on arbitration only. Thereafter, cases will be continued for 3 month intervals, or at other intervals upon notice by the Commission, until the case has been on file at the Industrial Commission for 3 years, has been set for trial pursuant to Section 7030.20, or otherwise disposed of. The parties must obtain any continued status call dates from the Industrial Commission records.

b) Monthly Status Calls

1) Each Arbitrator, subject to his or her availability, shall hold a monthly status call of cases which appear on the Arbitrator's docket that month.

A) In Cook County, each Arbitrator's monthly status call shall be held at 2:00 p.m. on a date and place designated by the Commission.

B) In areas outside of Cook County, each Arbitrator's monthly status call shall be held at 9:00 a.m. on a date and place designated by the Commission.

2) The monthly status call shall be conducted by the Arbitrator as follows:

A) Cases shall be called in the order that they appear on the monthly status call.

B) Cases will be continued in accordance with subsection (a) above unless a request for a trial date is made in accordance with Section 7030.20. A request for a trial date may be made in a case which does not appear on the monthly status call if:

i) a Petition under Section 19(b) of the Act has been filed in accordance with Section 7020.80(a);

ii) death benefits under Section 7 of the Act or permanent total disability benefits under Section 8 of the Act are claimed; or

iii) special circumstances exist which in the opinion of the Arbitrator would warrant advancing the case for trial. The moving party must set forth in his motion the basis of the claimed special circumstance.

 Motions for trial dates under subsections (b)(2)(B)(i), (ii) and (iii) above shall be presented at the conclusion of the status call.

C) Cases on file 3 or more years.

i) In all cases which have been on file at the Industrial Commission for three years or more, the parties or their attorneys must be present at each status call on which the case appears. The case will be set for trial unless a written request has been made to continue the case for good cause. Such request shall be made part of the case file. The written request must be received by the Arbitrator at least fifteen days in advance of the status call date and contain proof of service showing that the request for a continuance was served on all other parties to the case and/or their attorneys. Any objection to a continuance in such case must be received by the Arbitrator at least seven days prior to the status call date and contain a similar proof of service. The Arbitrator shall rule on such requests for continuances or objections thereto at the status call. The parties must appear at the status call even if there is no objection to the continuance.

ii) Failure of the Petitioner or the Petitioner's attorney to request or answer a request for a continuance in accordance with subsection (b)(2)(C)(i) above and to appear at the monthly status call on which the case appears shall result in the case being dismissed for want of prosecution, except upon a showing of good cause.

iii) Where the Arbitrator has set the matter for trial, the case shall proceed on the date set by the Arbitrator.

D) Section 19(b-1) pretrials, motions, pro se settlement contracts

i) In Cook County, each Arbitrator will hear motions and conduct pre-trial hearings on Petitions filed under Section 19(b-1) of the Act beginning at 8:45 a.m. on the monthly status call date. The Arbitrator shall hear other motions at the conclusion of the monthly status call. Pro se settlements may be presented on the morning of any monthly status call or on days designated by the Arbitrator.

ii) In all areas outside of Cook County, the Arbitrator will hear motions and conduct pre-trial hearings on Petitions filed under Section 19(b-1) of the Act, and hear other motions, at the conclusion of the monthly status call. Pro se settlement contracts may be presented at the conclusion of any monthly status call or on days designated by the Arbitrator.

c) Voluntary Dismissals

1) Any party may voluntarily dismiss his or her claim or any petition or motion filed on his or her behalf upon motion signed by the party, if unrepresented, or his or her attorney of record.

2) A party may file a motion to dismiss his or her claim or any petition or motion filed on his or her behalf without the signature of his attorney of record. The moving party must serve said motion on his or her attorney and the opposing party, in the manner set forth in Section 7020.20(a), and set the motion for hearing as set forth in Section 7020.70. In such cases, there shall be no disposition of the claim on its merits prior to the disposition of said motion.

(Source: Amended at 20 Ill. Reg. 3842, effective February 15, 1996)