**Section 2520.430 Investigation**

a) After a charge has been filed, the Department's staff shall institute an investigation to ascertain the facts relating to the civil rights violation as alleged in the charge and any amendments.

b) A respondent must promptly provide the Department with a notice of any change in address or telephone number or of any prolonged absence from the current address so that respondent can be located. If, during the investigation, a respondent refuses to cooperate, the Director may either make a finding of substantial evidence or request the Commission issue subpoenas to compel the attendance of witnesses or the production of documents.

c) A complainant must promptly provide the Department with a notice of any change in address or telephone number or of any prolonged absence from the current address so that he or she can be located. A complainant must cooperate with the Department, provide necessary information and be available for interviews and conferences upon reasonable notice or request by the Department. If a complainant cannot be located or does not respond to reasonable requests by the Department, the Department may dismiss the charge pursuant to Section 2520.560 of this Part.

d) The Director may request the Commission issue subpoenas to compel the production of any documents and/or the attendance of witnesses at an interview conducted by the Department or at a fact-finding conference.

e) The Department may withhold any witness statement, or the identity of any witness, as confidential upon the request of a party or the witness.

f) The Department shall neither rely on nor make credibility determinations without affording the parties the rights of confrontation and cross-examination. (See Cooper v Salazar, #98C2930, U.S. District Court for the Northern District of Illinois, Order dated November 1, 2001, paragraph 26.1).

(Source: Amended at 31 Ill. Reg. 14815, effective October 19, 2007)