**Section 2720.245 Conduct of Hearing**

a) The Referee will control the hearing, will be confined to the factual and/or legal issues on appeal, and will ensure that the parties have a full opportunity to present all evidence and testimony regarding those issues.

b) Following examination of each witness by the Referee, that witness may be questioned and cross-examined by any other party and further questioned by the Referee, if necessary, to ensure clarity and completeness of the issues and of the record. The Referee shall ensure that the parties have full opportunity to present all evidence and testimony regarding the factual and/or legal issues on appeal.

c) If any person becomes abusive or disruptive so that a full and fair hearing cannot be conducted, the Referee shall exclude the person from the hearing. The Referee will then continue the hearing without the participation of the excluded individual, and will render a decision based on the evidence in the record.

d) The Director shall prohibit any individual from representing a party in a proceeding under this Part if the Director finds that the individual is or has been guilty of violating the standards in Rule 8.4 of the Illinois Rules of Professional Conduct, Article 8 of the Rules of the Illinois Supreme Court or has intentionally disregarded the provisions of the Act or rules promulgated under the Act, or the written instructions of the Board of Review. The prohibition shall be in writing and shall be applicable for a period not to exceed 120 days from the date the decision is mailed to the party. The individual may appeal the Director's Decision under the Administrative Review Law [735 ILCS 5/Art. III].

e) Unless agreed to by all parties in writing or on the record, no bifurcated (split) hearings shall be held.

EXAMPLE: The appellant appears at the scheduled hearing, and his testimony is taken by the referee; the appellee fails to appear but later requests and is granted a reopened hearing. At the reopened hearing, only the appellee appears. This situation shall not constitute a bifurcated hearing.

(Source: Amended at 43 Ill. Reg. 6385, effective May 14, 2019)