**Section 1110.210 Motions**

a) Motions will be made in writing, unless otherwise allowed by the Administrative Law Judge prior to or during the course of a hearing. Written motions are limited to the following:

1) To request dismissal of a Complaint for failure to state facts that, if true, would form a sufficient basis for discipline.

2) To request sanctions in accordance with Section 1110.90 (Representation).

3) To request sanctions in accordance with Section 1110.130 (Discovery).

4) To request dismissal of a Petition for Hearing, for failure to comply with Section 1110.30 (Institution of a Contested Case by a Petitioner).

5) To request dismissal of a Complaint, Notice of Intent to Deny, or Notice of Intent to Refuse to Renew when the Division's case has been concluded without sufficient evidence having been presented to form a basis for discipline.

6) To request a continuance or extension of time to comply with any provision of this Part consistent with the expedited nature of administrative hearings.

7) To request that a member of the Board be excluded from the hearing or deliberations, for prejudice.

8) To request that an Order entered by the ALJ be vacated or modified.

9) To request a prehearing.

10) To request separation of cases joined by the Division.

11) To request disqualification of an ALJ in accordance with Section 1110.175.

12) To request a protective order to prevent exposure in the public domain of records or other information that is of a sensitive or confidential nature.

13) To request that a Notice to Plead or Be Held in Default be issued upon failure to file an Answer or other responsive pleading in accordance with Section 1110.120(c).

14) To compel discovery.

b) When any motion is filed, the ALJ may allow oral argument if this is deemed necessary for a fuller understanding of the issues presented. When facts that are not part of the record in the case are alleged as a basis for the request, an affidavit will be attached to the motion setting forth those facts. Facts outside of the Complaint cannot be used to support a motion to dismiss for failure to state facts that, if true, would form a sufficient basis for discipline.

c) Motions and any responses or replies shall be filed in accordance with Section 1110.50 with copies to the ALJ and other parties or their counsel. Unless otherwise directed by an ALJ, a party shall have 20 days from the date of service to respond to a motion and 10 days from date of service to reply to a response.

(Source: Amended at 43 Ill. Reg. 9969, effective September 13, 2019)