**Section 1.190 Subpoena − Fees and Mileage of Witnesses**

a) Upon written request by a party to a contested case, the Commission will issue a subpoena for attendance of a witness or production of books, papers, documents or other tangible things at a hearing or deposition if the party shows good cause as to why the testimony and/or books, papers, documents or other tangible things cannot otherwise be obtained and states the reasons why the testimony and/or books, papers, documents or other tangible things are necessary and relevant.

b) Subpoena forms may be obtained upon written request to the Administrative Law Judge in the Commission's Springfield office.

c) Witness and Mileage Fees − The cost of service and witness and mileage fees shall be borne by the person requesting the subpoena. Witness and mileage fees shall be the same as are paid witnesses in the circuit courts of the State of Illinois.

d) Service and Contents − The person requesting a subpoena shall be responsible for its service. The subpoena shall state the telephone number and address of the person initiating its issuance and shall identify the person or evidence subpoenaed and the person to whom, and the place, date and the time at which, it is returnable.

e) Petition to Quash or Modify − Within five days after service of a subpoena on any person, that person may file a petition to quash or modify the subpoena, stating reasons in support of the relief. A copy of the petition shall be served at the same time on the person serving the subpoena. Whenever a petition to quash a subpoena is properly filed under this Section, the petitioner shall not be required to respond to the subpoena until the petition has been ruled upon.

f) Any witness subpoenaed for a deposition may be required to attend only in the county in which he or she resides or maintains an office address, or in any other place ordered by the Administrative Law Judge.

g) Enforcement − Whenever any person knowingly fails or refuses to comply with a subpoena, the party serving the subpoena or the Commission shall petition the appropriate circuit court pursuant to the Personnel Code for an order enforcing the subpoena.

(Source: Amended at 42 Ill. Reg. 16395, effective September 1, 2018)