**Section 1001.780 Mandatory Settlement Conference**

a) The hearing officer assigned to the case may order a mandatory settlement conference (conference) if it is felt that such a conference would promote any of the following:

1) A clarification of issues and/or violations;

2) A settlement of the matter without a hearing;

3) What each party expects from the hearing process and would settle for without a hearing;

4) If a hearing is necessary, an estimate of the length of the hearing, the number of witnesses and volume of documentation, and an estimate of the hearing costs to be assessed to the parties.

b) If the hearing officer orders a conference, it shall be done by notifying the Secretary who shall then send a Notice of Mandatory Settlement Conference to each party. This notice shall advise the parties of the time and place of the conference and that failure to appear, be prepared, or have authority to settle the matter could result in any of the actions set forth in Section 29 of the Act.

c) A conference may be conducted in person or by telephone as deemed appropriate by the hearing officer.

d) If the conference results in a settlement of the matter to the satisfaction of the parties, the hearing officer shall issue a written recommendation and if applicable the procedure set forth in Section 1001.760(f) of this Subpart may be followed.

e) If the conference does not result in a settlement of the matter, the hearing shall proceed as scheduled unless a motion to dismiss is granted on the grounds of the protest being without merit and/or frivolous. In such case, the hearing officer shall issue a proposed order and all of the ensuing procedures set forth in Section 1001.770 of this Subpart relating to the issuance of a final order shall be followed.

(Source: Amended at 23 Ill. Reg. 692, effective January 15, 1999)