

Rule 618

FORMAL HEARING PROCEDURE

- (a) At the time and place set for hearing, the Examiner will present the case in support of the charges in the formal complaint. The respondent may present any evidence or testimony in defense of the formal complaint.
 - (b) The respondent's failure to answer or appear at the hearing will not stay the formal proceeding or be taken as evidence of the truth of the facts alleged in the formal complaint.
 - (c) The proceedings at the hearing must be recorded verbatim.
 - (d) No fewer than 5 members of the Hearing Panel must be present when evidence is introduced.
 - (e) Rules of evidence applicable to civil cases apply at the formal hearing.
 - (f) Procedural and other interlocutory rulings will be made by the Hearing Panel chair.
 - (g) While the matter is pending before the Hearing Panel and upon application of the Examiner, the respondent, or on the Panel's own initiative, the Hearing Panel may reopen the hearing and take additional evidence related to the pending matter. The order must set the time and place of the reopened hearing and must indicate the matters on which the Panel will hear additional evidence.
 - (h) The Hearing Panel's deliberations are not public.
- [History:** New rule adopted effective May 1, 2019.]