**Section 1.22 Qualifications and Authority of the Department's Administrative Law Judges**

a) Appointment and qualifications of the administrative law judges: In accordance with Section 10-20 of the Illinois Administrative Procedure Act, the following persons are authorized to act as administrative law judges:

1) the Director;

2) the Director may appoint an attorney licensed to practice law in Illinois; or

3) the Director may appoint a person as an administrative law judge who is not licensed to practice law in Illinois, provided such person meets the following minimum qualifications:

A) The person has at least two years of experience in administrative law.

B) The person has knowledge of evidentiary procedures and of the procedures for formal administrative proceedings.

C) The person has knowledge of the laws, rules and regulations applicable to the Department.

D) The person has the ability to prepare complex and technical legal documents.

E) The person has the ability and skill to analyze and appraise facts, evidence, legal and administrative documents, records, and audits in order to obtain a clear mental picture of the issues involved.

b) Authority of the Department's administrative law judge: The administrative law judge shall have the authority to conduct a contested case hearing, to take all necessary action to avoid delay, to maintain order, and to ensure development of a clear and complete record. The administrative law judge shall have all powers necessary to these ends, including but not limited to the power to:

1) rule upon offers of proof and receive evidence and rule upon objections to the introduction of evidence;

2) regulate the course of the hearings and conduct of the parties and their counsel therein;

3) examine witnesses, take depositions, and issue subpoenas that require attendance, the giving of testimony and the production of books, papers and other documentary evidence necessary for resolution of the matter;

4) make findings of fact and conclusions of law and issue an order of the Department; and

5) direct parties to appear and confer for the settlement or simplification of the issues, or any other purpose pertinent to the formal administrative proceeding.

(Source: Added at 16 Ill. Reg. 15850, effective October 5, 1992)