**Section 1700.200 Disqualification of an Administrative Law Judge**

a) Any party to a proceeding may request the Director to disqualify the Administrative Law Judge if that party believes that the ALJ is biased against that party or that a conflict of interest exists on the part of the ALJ. Any request for disqualification must be in writing, accompanied by an affidavit signed and dated by the party setting out the specific facts upon which the claim of bias or conflict of interest is based, and must be filed with the Chief Administrative Law Judge. *An adverse ruling, in and of itself, shall not constitute bias or conflict of interest*. [5 ILCS 100/10-30] If the Director finds that bias or conflict of interest exists, the Director shall appoint another ALJ to continue the proceeding.

b) ALJs may recuse themselves from presiding over a matter due to conflict of interest or bias.

c) In any contested case, the Director shall appoint and employ an attorney, licensed to practice in Illinois, to serve as Administrative Law Judge on behalf of the Board. The Director may also appoint and employ an attorney, licensed to practice in Illinois, to serve as ALJ to conduct any hearing in the Director's stead. The ALJ shall be empowered to conduct the hearing, question witnesses, make rulings on motions and objections, and submit findings of fact, conclusions of law, and the ALJ's recommendation to the Board or Director at the conclusion of the case.

d) It shall not be a bar to employment as an Administrative Law Judge that the attorney is also a Department employee.

(Source: Amended at 47 Ill. Reg. 13886, effective September 18, 2023)