**Section 9030.20 Setting a Case for Trial**

a) A written request for a date certain for trial may be made by any party at the monthly status call on which the case appears. A request for a trial date in a case that does not appear on the monthly status call may only be made in accordance with 50 Ill. Adm. Code 9020.60(b)(2)(B).

b) If the parties, by agreement, request a trial date, the Arbitrator shall assign a specific date and time for trial. A pre-trial conference may be held by the Arbitrator. Either party may request a pre-trial conference prior to the start of trial.

c) The motions for trial dates shall be filed and heard pursuant to 50 Ill. Adm. Code 9020.70 and 9020.60.

1) The Arbitrator shall set the matter for trial on a date certain if:

A) the Arbitrator determines that proper and timely 15 days notice was given of the motion for trial date to the opposing party;

B) the opposing party was provided with a completed Request for Hearing;

C) the case appears on the monthly status call on the date the motion is heard, or if the case is not on the status call, the Arbitrator has determined that the case falls within the exceptions in 50 Ill. Adm. Code 9020.60(b)(2)(B); and

D) the Arbitrator determines that the matter should proceed to trial.

2) If any party fails, without good cause, to appear, the Arbitrator will hear the motion for trial date ex parte and, if the Arbitrator determines the matter is ready for trial, will set a trial date convenient to the Arbitrator and the party that appeared. The party that appeared shall notify the opposing party of the trial date.

d) On each trial day, each party or, if represented, the party's attorney of record must appear before the Arbitrator between 8:45 a.m. and 9:30 a.m. During this time period, the Arbitrator may establish the order in which cases shall proceed that day. The Arbitrator may give priority to cases in which a Petition under Section 19(b) or 19(b-1) of the Act has been filed, death benefits under Section 7 of the Act or permanent total disability benefits under Section 8 of the Act are claimed, or other cases in which special circumstances exist that, in the opinion of the Arbitrator, warrant granting priority to the case in the trial order. Request for Hearing forms must be completed, signed and submitted to the Arbitrator prior to the beginning of the hearing in the case.

e) Failure of the Petitioner to appear before 9:30 a.m. may bar the case from being heard that day or may result in dismissal of the claim. Failure of the Respondent to appear may result in an ex parte hearing on the merits of the claim.

f) On each trial day, the Arbitrator shall begin hearing cases at 9:30 a.m., after establishing the order in which cases will proceed. Any party who requests a date certain for trial must be prepared, absent good cause shown, to proceed to trial. On the trial day, parties may report the case settled or request a continuance . If the moving party does not respond when the case is called for trial by the Arbitrator, the case may be placed at the end of the trial order.

g) Bifurcated hearings will be allowed only for good cause. Examples of good cause include, but are not limited to, situations in which the number or location of witnesses makes it impossible to conclude the hearing in one day or the testimony of a witness must be taken prior to a deposition. All cases, except those heard under Section 19(b-1) of the Act, should be concluded within 3 months after the first hearing date or the Arbitrator will close proofs, absent good cause shown, and render a decision.

(Source: Amended at 40 Ill. Reg. 15732, effective November 9, 2016)