**Section 104.243 Subpoenas**

a) Any request that a Department subpoena issue on behalf of a party to a hearing may be made in writing to the designated hearing officer, or if none has been designated, to the chief hearing officer.

b) A subpoena shall be granted by the Department only upon:

1) a showing of relevancy and reasonable scope; and

2) a showing that unless the subpoena is issued the party will be unable to produce individuals or documents requested by the subpoena; and

3) a showing that the individuals or documents requested by the subpoena are not unduly repetitious; and

4) a showing that there are not other individuals or documents available to establish the matters which the subpoenaed individuals or documents are intended to establish.

c) No subpoena shall issue for any party, for any person presently employed by a party, or for any documents in possession of a party.

(Source: Amended at 13 Ill. Reg. 17013, effective October 16, 1989)