**Section 336.90 Confidentiality During the Expungement Process**

a) The Department has an affirmative duty to protect the confidentiality of personal information, in accordance with 89 Ill. Adm. Code 431 (Confidentiality of Personal Information of Persons Served by the Department of Children and Family Services) and the Adoption Assistance and Child Welfare Act of 1980 (42 USC 671(a)(8)). Confidentiality shall be preserved throughout the administrative hearing, the transmittal of the ALJ's recommendation to the Director and the release of the final administrative decision. All parties shall be advised of the Department's duty to protect confidentiality during the administrative appeal.

b) The ALJ has the right to exclude any individual or agency that does not have the right of access to the information being presented in accordance with the federal Adoption Assistance and Child Welfare Act of 1980, the Children and Family Services Act, ANCRA, and any other pertinent Act.

c) The ALJ has the authority to bifurcate the hearing into separate segments that deal with issues of other parties in order to preserve confidentiality as mandated under applicable statutes and rules and to prohibit discussion or introduction of evidence that is outside of the scope of the issues being presented in that segment.

(Source: Amended at 41 Ill. Reg. 15260, effective December 6, 2017)