**Section 336.150 Continuances**

a) No continuance of a scheduled pre-hearing conference or hearing shall be granted by the ALJ to any party except for good cause shown.

1) Good cause includes, but is not limited to:

A) sickness or death in the immediate family of the appellant, the Department's legal representative or the authorized representative of the appellant;

B) court or administrative hearing dates scheduled prior to the issuance of the notice of hearing; and

C) the unavailability of a witness due to unforeseen and unavoidable circumstances.

2) A continuance for good cause shall not be considered delay on the part of any party.

b) No request for a continuance shall be granted without notice to the parties, including, but not limited to, the Department's legal representative and a minor's attorney/GAL. Only the parties shall have an opportunity to object on the record. All requests for continuances shall be disposed of by written order. All requests for continuances shall be addressed by the ALJ in a timely manner.

c) If a continuance is requested or agreed to by an appellant, the time period between the request for continuance and the continued hearing date shall not be considered a delay on the part of the Department in issuing and implementing its final administrative decision.

d) If a continuance is requested due to the lack of a certified court reporter or interpreter, the party seeking a continuance must demonstrate due diligence in seeking that service for the hearing date.

e) Notices of a continued hearing date need not include any restatement of the rights of the parties.

f) If a hearing is commenced and needs to be continued to another date, the time period between the commenced hearing date and the continued hearing date shall be tolled.

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