

7—2506.15(17A) Motions.

2506.15(1) Motions are not required to be in a particular form. However, prehearing motions are to be in writing, state the grounds for relief, and state the relief sought.

2506.15(2) Any party may file a written response to a motion within ten days after the motion is served unless the time period is extended or shortened by rules of the agency or the presiding officer. The presiding officer may consider a failure to respond within the time period in ruling on a motion.

2506.15(3) The presiding officer may schedule oral argument on any motion.

2506.15(4) Unless there is good cause, motions pertaining to the hearing, except motions for summary judgment, must be filed and served at least ten days before the date of hearing. This time may be lengthened or shortened by rule of the agency or an order of the presiding officer.

2506.15(5) Motions for summary judgment.

a. Iowa Rules of Civil Procedure 1.981 through 1.983 govern motions for summary judgment, except where they conflict with this rule or legal requirements governing contested case proceedings.

b. Motions for summary judgment must be filed and served at least 45 days before the scheduled hearing date. Any party resisting the motion then has 15 days to file and serve a resistance. The time fixed for hearing or nonoral submission will be not less than 20 days after the filing of the motion. The presiding officer may by order change any of these deadlines. An order rendering summary judgment on all issues in a contested case is subject to rehearing pursuant to rule 7—2506.28(17A) and appeal pursuant to rule 7—2506.27(17A).

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