

11—7.17(17A) Continuances. Unless otherwise provided, application for continuance shall be made to the presiding officer.

7.17(1) A written application for continuance shall:

- a.* Be made before the hearing;
- b.* State the specific reasons for the request; and
- c.* Be signed by the requesting party or the requesting party's representative.

7.17(2) If the presiding officer waives the requirement for a written motion, an oral application for continuance may be made. A written application shall be submitted no later than five days after the oral request. The presiding officer may waive the requirement for a written application. No application for continuance will be made or granted *ex parte* without notice except in an emergency where notice is not feasible. The department may waive notice of requests for a case or a class of cases.

7.17(3) Except where otherwise provided, a continuance may be granted at the discretion of the presiding officer. The presiding officer may consider, in addition to the grounds stated in the motion:

- a.* Any prior continuances;
- b.* The interests of all parties;
- c.* The likelihood of informal settlement;
- d.* Existence of emergency;
- e.* Objection to the continuance;
- f.* Any applicable time requirements;
- g.* The existence of a conflict in the schedules of counsel or parties or witnesses;
- h.* The timeliness of the request;
- i.* Any applicable state or federal statutes or regulations; and
- j.* Other relevant factors.

The presiding officer may require documentation of any ground for continuance.