

199—42.24(17A,476) Hearing procedures.

42.24(1) All hearings will be recorded either by mechanized means or by certified shorthand reporters. All testimony will be taken under oath or affirmation.

42.24(2) If a party fails to appear at a hearing after proper service of the notice of hearing, the presiding officer may, if no adjournment is granted, enter a default decision or proceed with the hearing and make a decision in the absence of the party. The parties will be notified of the decision by ordinary mail. If adequate reasons are provided showing good cause for the party's failure to appear, the presiding officer may vacate the decision and, after proper service of notice, conduct another hearing and issue a decision.

42.24(3) The presiding officer shall maintain the decorum of the hearing, and may refuse to admit, or may expel, anyone whose conduct is disorderly, contemptuous, or disruptive.

42.24(4) Subject to terms and conditions set by the presiding officer, each party has the right to introduce evidence, cross-examine witnesses, present evidence in rebuttal, and present oral argument. The presiding officer will determine the order for the presentation of evidence. Prior to or at the hearing, the parties must alert the presiding officer if circumstances exist that require expedited issuance of the decision.

42.24(5) A party that wishes to present a brief must file it prior to or at the hearing.

42.24(6) A party that wishes a shortened appeal time must make a motion at the hearing. If there are no objections and there are no issues that indicate the need for a 15-day appeal period, the presiding officer may shorten the time for appeal set forth in 199—subrule 7.8(2).