

265—7.11(17A) Pleadings.

7.11(1) Pleadings may be required by rule, by the notice of hearing, or by order of the presiding officer. A petitioner in a contested case proceeding has 20 days from delivery of the notice of hearing or subsequent order of the presiding officer to file a petition unless otherwise ordered.

7.11(2) A petition shall include the following:

- a.* The persons or entities on whose behalf the petition is filed;
- b.* The particular provisions of statutes and rules involved;
- c.* The relief demanded and the facts and law relied upon for such relief; and
- d.* The name, address and telephone number of the petitioner and the petitioner's attorney, if any.

7.11(3) Answers are to be filed within 20 days of service of the petition unless otherwise ordered. A party may move to dismiss or apply for a more definite and detailed statement when appropriate. An answer shall include the following:

- a.* The name, address and telephone number of the person filing the answer;
- b.* The name of the person or entities on whose behalf it is filed;
- c.* The name of any attorney representing the person or entity on whose behalf it is filed;
- d.* Specific admission, denial, or other answer to all material allegations of the pleading to which it responds;
- e.* Any facts deemed to show an affirmative defense;
- f.* Any additional defenses the pleader may claim;

Any allegation in the petition not denied in the answer is considered admitted. The presiding officer may refuse to consider any defense not raised in the answer that could have been raised on the basis of facts known when the answer was filed if any party would be prejudiced.

7.11(4) Any notice of hearing, petition, or other charging document may be amended before a responsive pleading has been filed. Amendments to pleadings after a responsive pleading has been filed and to an answer may be allowed with the consent of the other parties or at the discretion of the presiding officer who may impose terms or grant a continuance.

[ARC 9405C, IAB 7/9/25, effective 8/13/25]