

**481—10.16 (17A) Prehearing conference.**

**10.16(1)** Any party may request a prehearing conference. A request for prehearing conference or an order for prehearing conference on the ALJ's own motion shall be filed in writing and served on all parties of record not less than ten days prior to the hearing date. A prehearing conference shall be scheduled not less than three business days prior to the hearing date.

Notice of the prehearing conference shall be given by the division to all parties. For good cause the ALJ may permit variances from this rule.

**10.16(2)** Each party shall bring to the prehearing conference:

*a.* A final list of witnesses who the party reasonably anticipates will testify at the hearing. Witnesses not listed may be excluded from testifying.

*b.* A final list of exhibits which the party reasonably anticipates will be introduced at the hearing. Exhibits not listed, except rebuttal exhibits, may be excluded from admission into evidence.

**10.16(3)** In addition to the requirements of subrule 10.16(2), the parties at a prehearing conference may:

*a.* Enter into stipulations of law;

*b.* Enter into stipulations of fact;

*c.* Enter into stipulations on the admissibility of exhibits;

*d.* Identify matters which the parties intend to request be officially noticed;

*e.* Unless precluded by statute, enter into stipulations for waiver of the provisions of Iowa Code chapter 17A allowed by Iowa Code section 17A.10(2) or waiver of agency rules; and

*f.* Consider any additional matters which will expedite the hearing.

**10.16(4)** A prehearing conference shall be conducted by telephone conference call unless otherwise ordered. Parties shall exchange and receive witness and exhibit lists prior to a telephone prehearing conference.

This rule is intended to implement Iowa Code section 17A.10.