

481—10.21(17A) Default.

10.21(1) If a party fails to appear in a contested case proceeding or prehearing conference after proper service of notice, the presiding officer may either find the party to be in default or, if no adjournment is granted, proceed with the hearing and render a decision in the absence of the party.

10.21(2) Where appropriate and not contrary to law, any party may move for default against a party who has requested an evidentiary hearing to contest adverse agency action that has already occurred but has failed to file a required pleading after proper service.

10.21(3) A party against whom a default has been entered may move to vacate the default decision within 14 days following the issuance of the order. Good cause to vacate a default decision means mistake, inadvertence, surprise, excusable neglect, or unavoidable casualty as provided in Iowa Rule of Civil Procedure 1.977.

[ARC 0462D, IAB 8/5/26, effective 10/1/26]