

645—11.18(17A) Continuances.

11.18(1) Applications for continuances shall be filed with the board. In the event the application for continuance is not contested, the board administrator shall issue the appropriate order. In the event the application for continuance is contested, the matter shall be heard by the board or may be delegated by the board to an administrative law judge.

11.18(2) A written application for a continuance shall:

a. Be made at the earliest possible time and no less than five working days before the hearing. Within five working days of the date set for hearing, no continuances shall be granted except for extraordinary, extenuating, or emergency circumstances;

b. State the specific reasons for the request; and

c. Be signed by the requesting party or the party's representative.

11.18(3) In determining whether to grant a continuance, the presiding officer may consider:

a. Prior continuances;

b. The interests of all parties;

c. The public interest;

d. The likelihood of informal settlement;

e. The existence of an emergency;

f. Any objection;

g. Any applicable time requirements;

h. The existence of a conflict in the schedules of counsel, parties, or witnesses;

i. The timeliness of the request; and

j. Other relevant factors.

11.18(4) The presiding officer may require documentation of any grounds for continuance.