



**STATE OF ILLINOIS
HUMAN RIGHTS COMMISSION
ADMINISTRATIVE LAW SECTION**

**INTERIM PROCEDURE FOR FILING MOTIONS
BEFORE ADMINISTRATIVE LAW JUDGES**

Due to administrative and procedural challenges associated with the ongoing COVID-19 pandemic, the Administrative Law Section of the Illinois Human Rights Commission is suspending its practice of “Noticing” motions that are filed before the administrative law judges in our Chicago office.

Previously, a litigant who filed a motion in a case before the Commission’s Chicago office was also required to file a notice of the date on which he or she intended to appear before the assigned administrative law judge to set a briefing schedule for that motion. This practice was colloquially referred to as “Noticing” the motion, and would often require the party filing the motion to contact the Commission to determine a date on which the assigned administrative law judge was already scheduled to conduct status hearings in other cases. The obligations for “Noticing” a motion are presently set forth in the Commission’s procedural rules under 56 Ill. Admin. Code § 5300.730(d).

However, these obligations have created significant burdens and confusion for many litigants during the continuing pandemic—principally because the Commission’s procedural rules appear to suggest that parties must visit the Commission’s Chicago office to schedule a hearing at which the notice of their motions will be heard.

To avoid such confusion, beginning on April 1, 2022—and continuing until further notice—a party that files a motion before the Commission in Chicago is not required to engage in the practice of “Noticing” the motion to determine a briefing schedule.

Instead, when a party files a motion before the Commission, a copy of that motion will immediately be provided to the assigned administrative law judge in the party’s case. The assigned administrative law judge will either enter an order setting a briefing schedule for the motion or enter an order directing the parties to appear at a subsequent status hearing to discuss the motion. In other words, once a motion is filed, only the assigned administrative law judge will need to take further action to set a briefing schedule. Neither party is required to “notice” the motion or otherwise appear, and all parties will receive a copy of any associated order that is entered by the assigned administrative law judge.

This order applies only to the practice of “Noticing” motions, and does not alter or change the current procedures for filing motions before the Commission. Parties should continue to file motions in person, electronically, or by mail, and should ensure that proper certificates of service are attached to their motions for the opposing party and the Illinois Department of Human Rights (if the latter is required to be served under 56 Ill. Admin. Code § 5300.730(b)).

ILLINOIS HUMAN RIGHTS COMMISSION



BY:

A handwritten signature in black ink, appearing to read "B. Weintal".

BRIAN WEINTHAL
CHIEF ADMINISTRATIVE LAW JUDGE
ADMINISTRATIVE LAW SECTION