

*****DRAFT - NOT FOR FILING*****

3301-73-12 Pre-hearing conferences; status conferences.

- (A) Upon being appointed to preside over an administrative hearing, the hearing officer may, in accordance with paragraph (D) of this rule, schedule a pre-hearing conference and direct participation by the parties in the pre-hearing conference.
- (B) The hearing officer ~~shall will~~, in accordance with paragraph (D) of this rule, upon motion of any party, schedule a pre-hearing conference.
- (C) The hearing officer ~~shall will~~ issue a journal entry setting the date and time for any pre-hearing conference.
- (D) Pre-hearing conferences may be held for the following purposes:
- (1) Identification of issues;
 - (2) Obtaining stipulations and admissions;
 - (3) Agreements limiting the number of witnesses;
 - (4) Discussion of documents, exhibits, and witness lists;
 - (5) Estimating the time necessary for hearing;
 - (6) Scheduling hearing dates and times;
 - (7) Establishing other scheduling orders; or
 - (8) Discussion of any other matters the hearing officer deems appropriate.
- (E) Procedural orders may be issued by the hearing officer based upon information obtained at a pre-hearing conference. The hearing officer ~~shall will~~ issue an entry journalizing any procedural orders.
- (F) The proceedings at a pre-hearing conference ~~shall be are~~ informal, but the hearing officer may prepare, or order prepared, an entry journalizing the agreements reached and decisions made at the pre-hearing conference, including any admissions, stipulations, or proposals agreed to.
- (G) Pre-hearing conferences may be held in person or via video, telephonic, or other electronic means.
- (H) All journal entries, issued pursuant to this rule, ~~shall will~~ be filed with the department in accordance with rule 3301-73-06 of the Administrative Code.

Commented [DM1]: Changes made throughout the rule according to SB 9, 134th GA, to remove restrictive regulatory language.