

ELC 10.2
HEARING OFFICER ASSIGNMENT

(a) Assignment. The chief hearing officer assigns a hearing officer, from those eligible under rule 2.5.

(b) Disqualification and Removal.

(1) *Removal Without Cause.* Either party is entitled to have an assigned hearing officer removed, without establishing cause for the removal, by filing a written request with the Clerk within ten days after service on the respondent of that officer's assignment. A party may only once request removal without cause in any proceeding.

(2) *Disqualification for Cause.* Either party may move to disqualify any assigned hearing officer for good cause. A motion under this subsection must be filed promptly after the party knows, or in the exercise of due diligence should have known, of the basis for the disqualification.

(3) *Notice to Chief Hearing Officer.* The Clerk must promptly provide copies of requests or motions for removal or for disqualification to the chief hearing officer.

(4) *Decision.* The chief hearing officer decides all requests for removal and disqualification motions, except the Chair decides a request to remove or disqualify the chief hearing officer. The decision of the chief hearing officer or Chair on a request for removal or a motion to disqualify is not subject to interim review. After removal or disqualification of the assigned hearing officer, the chief hearing officer assigns a replacement.

[Adopted effective October 1, 2002; Amended effective January 1, 2014.]