

Rule 100.6. Scheduling of the Hearings

(a) Assignment of Hearing Date. If an action or a motion filed by a IV-D participant qualifies as an action over which an administrative hearing officer has authority, the person designated in the Plan shall assign a hearing date before an administrative hearing officer. Non-IV-D participants may request that the clerk assign eligible actions a hearing date before an administrative hearing officer. The procedure for fixing the date, time and place of a hearing before an administrative hearing officer shall be prescribed by circuit rule provided that not less than seven days' notice in writing shall be given to the parties or their attorneys of record. In cases in which the court has previously acquired jurisdiction over the responding party, the hearing shall be held on the scheduled date and not less than 21 days or more than 35 days of the date of filing of the action, unless continued by the administrative hearing officer or court upon good cause shown. In cases in which the court has not previously acquired jurisdiction over the responding party, the hearing shall be held on the scheduled date and not less than 21 days or more than 45 days of the date of filing of the action, unless continued by the administrative hearing officer or court upon good cause shown. The hearing shall be held at a location provided or authorized by the chief judge of the circuit.

(b) Providing Notice of Hearing Date. The person designated in the Plan shall serve notice of the action and the hearing date on respondent by regular mail to his or her last known address, unless the action is one over which no court has previously acquired personal jurisdiction, in which case service will be in the same manner as summonses are served in other civil proceedings. If service is made by mail, the person serving notice shall prepare a certificate of mailing to be included in the file.

(c) Subpoenas. The clerk of the circuit court may issue subpoenas upon, or prior to, the filing of a petition if the court has previously acquired jurisdiction over the subject matter of the underlying action.

(d) Affidavit of Income and Expenses. A form affidavit of income and expenses, in such form as the Supreme Court shall prescribe, may be served on the respondent with the petition initiating the proceedings before the administrative hearing officer. Each party should be requested to complete the form prior to the first appearance before the administrative hearing officer.

Adopted April 1, 1992, effective immediately.