

Rule 216

PREHEARING PROCEDURE

- (a) **Prehearing Investigation.** When the review committee directs or when the respondent demands a hearing on the formal complaint, the disciplinary administrator may conduct additional investigation necessary for a hearing.
- (b) **Prehearing Scheduling Order.** A hearing panel may issue a prehearing scheduling order.
- (c) **Motions.** Unless there are unique circumstances or a prehearing scheduling order specifies otherwise, all prehearing motions must be filed no later than 14 days before a hearing on a formal complaint or petition for reinstatement. The opposing party may serve the moving party with a copy of a response to the motion no later than seven days after service of the motion. The moving party may not reply to the response. The panel may schedule a hearing on the motion.
- (d) **Prehearing Conference.** If the circumstances warrant, a hearing panel may schedule a prehearing conference to consider any pending motion, obtain admissions, or otherwise narrow the issues presented by the pleadings. The presiding officer may designate a panel member to conduct the conference. The panel may issue a prehearing conference order. The panel may modify the order.

[**History:** New rule adopted effective January 1, 2021.]