

5510.5240 PROCEEDINGS DURING HEARING.**Subpart 1. Representation.**

A. A party may be represented by a representative or an attorney.

B. A panel may not conduct a hearing unless all parties or their designated representatives are present in person or virtually. This item does not apply if:

(1) an absent party consents; or

(2) a party fails to appear after due notice of the hearing or leaves the hearing without the panel's permission.

Subp. 2. Order of proceedings.

A. The order of the proceedings is as follows:

(1) the party with the burden of proof outlines the party's case, calls witnesses, and presents evidence; and

(2) after the party under subitem (1) presents its case, the responding party outlines the party's case, calls witnesses, and presents evidence.

B. Each party may cross-examine the other party's witnesses, and each party may call witnesses in rebuttal.

C. Any party may offer exhibits, and offered exhibits accepted as evidence are part of the record.

D. After the parties have presented their evidence, they may make arguments in the same order as described under item A for submitting evidence. The hearing closes after arguments end.

E. The panel may not present the case nor examine any party's witnesses except as needed to amplify the testimony disclosed under this subpart.

Subp. 3. Hearing record. All proceedings and the hearing record are confidential unless both parties agree in writing to release the hearing record.

Statutory Authority: *MS s 179.02; 179.71; 179.82; 179A.04; 179A.16; 626.892*

History: *17 SR 1279; 46 SR 1387*

Published Electronically: *July 27, 2022*