



Ohio Administrative Code Rule 3301-73-10 Continuance of a hearing.

Effective: January 21, 2019

(A) The department may continue a hearing on its own motion as provided by the rules in this chapter and Chapter 119. of the Revised Code.

(B) The parties may agree to continue a hearing. If the parties agree to continue a hearing, the hearing officer shall grant a continuance of the hearing.

(C) The hearing officer may continue a hearing upon a written motion of any party. Unless the parties agree, hearings shall not be continued upon motion by a party unless a showing of reasonable cause and proper diligence is presented. Before granting any continuance, the hearing officer shall consider the showing of reasonable cause and proper diligence along with the potential harm that may result from the granting of the motion. The hearing officer may grant a continuance if requested less than seven calendar days prior to the scheduled date of the hearing if the parties agree or if a party demonstrates that an extraordinary situation exists which could not have been anticipated and which would justify the granting of a continuance.

(D) All motions for a continuance and any supporting documentation shall be filed with the department and served by the moving party on both the hearing officer and the opposing party.

(E) If a continuance is granted, the hearing officer shall, without any unnecessary delay, establish a new hearing date and notify the parties, in writing, of the new hearing date.
