



Ohio Administrative Code Rule 3517-1-10 Expedited hearings.

Effective: May 2, 1996

(A) Upon the filing of a complaint which is required to receive or eligible for an expedited hearing, staff attorney to the commission shall make the necessary determination and notify complainant of said determination and the date and time of the probable cause panel meeting, by use of the means outlined in paragraph (C) of rule 3517-1-03 of the Administrative Code.

(B) Commission staff shall also use its best efforts to notify the respondent or respondents of any complaint which is to receive an expedited hearing of the determination and the date and time of the probable cause panel meeting. However, failure to notify the respondent(s) shall not delay or necessitate the continuance of any probable cause panel meeting scheduled in compliance with these rules and the Revised Code.

(C) The probable cause panel meeting shall be held within two business days of the determination by the staff attorney to the commission that an expedited hearing is proper. However, if good cause is shown that establishes that fairness and equity for all parties will be met, such meeting may be extended by the staff attorney to the commission to such date that is not later than seven business days after the date of filing of the complaint. Further continuances may be granted by staff attorney to the commission, the commission chair or the panel chair when a request is made by or on behalf of all parties to the complaint. In no event shall a continuance be granted which would extend the time for a meeting beyond that allowed by statute.

(D) At the probable cause panel meeting:

(1) The panel shall not hear arguments, receive evidence or take testimony unless:

(a) All parties (whether pro se or through counsel) have filed a stipulation agreeing to such procedure and a majority of panel members, in their sole discretion, agree to do so; or

(b) Any panel member wishes to request specific information which will aid in a proper



determination of the matter.

(2) The panel will review the complaint and any additional information which may be presented to it and receive any recommendation from counsel.

(3) After a review of all information available at the meeting, the panel shall:

(a) Dismiss the matter, or any part thereof:

(i) If the panel finds that there is no probable cause;

(ii) Upon request of the complainant; or

(iii) If commission jurisdiction is not found; or

(b) Find that there is sufficient probable cause and refer the complaint to the full commission for further consideration; or

(c) Find that the evidence is insufficient for the panel to make a determination and request that an investigatory attorney be appointed. Such investigatory attorney shall be selected by the staff attorney to the commission upon recommendation by the chair and vice-chair of the commission. If such request is made, the panel shall also refer the matter for a timely hearing before the full commission.

(E) The full commission shall hear the complaint not later than ten business days after referral by the panel unless there is good cause for the matter to be continued consistent with paragraph (B) of rule 3517-1-06 of the Administrative Code. Said hearing shall be held in the manner outline in rule 3517-1-11 of the Administrative Code.