



## Ohio Administrative Code

### Rule 4901-1-27 Hearings.

Effective: June 15, 2014

---

(A) The commission, the legal director, the deputy legal director, or an attorney examiner shall assign the time and place for each hearing. Unless otherwise ordered, all hearings shall be held at the offices of the commission in Columbus, Ohio. Reasonable notice of each hearing shall be provided to all parties.

(B) The presiding hearing officer shall regulate the course of the hearing and the conduct of the participants. Unless otherwise provided by law, the presiding hearing officer may, without limitation:

(1) Administer oaths and affirmations.

(2) Determine the order in which the parties shall present testimony and the order in which witnesses shall be examined.

(3) Issue subpoenas.

(4) Rule on objections, procedural motions, and other procedural matters.

(5) Examine witnesses.

(6) Grant continuances.

(7) Take such actions as are necessary to:

(a) Avoid unnecessary delay.

(b) Prevent the presentation of irrelevant or cumulative evidence.

(c) Prevent argumentative, repetitious, cumulative, or irrelevant cross-examination.



(d) Assure that the hearing proceeds in an orderly and expeditious manner.

(e) Prevent public disclosure of trade secrets, proprietary business information, or confidential research, development, or commercial materials and information. The presiding hearing officer may, upon motion of any party, direct that a portion of the hearing be conducted in camera and that the corresponding portion of the record be sealed to prevent public disclosure of trade secrets, proprietary business information, or confidential research, development, or commercial materials and information. The party requesting such protection shall have the burden of establishing that such protection is required. The commission or the presiding hearing officer shall issue a ruling prior to the closing of the case regarding the amount of time that any sealed portion of the hearing record shall remain sealed.

(C) The presiding hearing officer shall permit members of the public that are not parties to the proceeding, the opportunity to offer testimony at the portion or session of the hearing designated for the taking of public testimony.

(D) Formal exceptions to rulings or orders of the presiding hearing officer are unnecessary if, at the time the ruling or order is made, the party makes known the action which he or she desires the presiding hearing officer to take, or his or her objection to action which has been taken and the basis for that objection.