



## Ohio Administrative Code

### Rule 4715-15-08 Motions.

Effective: November 10, 2000

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(A) Except as otherwise provided under Chapter 4715-15 of the Administrative Code or Chapter 119. of the Revised Code, all motions, unless made upon the record at the hearing, shall be made in writing. A written motion shall state with particularity the relief or order sought, shall be accompanied by a memorandum setting forth the grounds therefor, and shall be filed in compliance with rule 4715-15-09 of the Administrative Code. A proposed entry may accompany any motion. All motions except for motions for continuance and those motions filed subsequent to the close of the hearing shall be made no later than fourteen days before the date of hearing unless express exception is granted by the attorney hearing examiner or by this chapter.

(B) All motions, together with supporting documentation, if any, shall be served as provided in rule 4715-15-10 of the Administrative Code.

(C) Within ten days after service of a written prehearing motion, or such other time as is fixed by the attorney hearing examiner, a response to that motion may be filed. A movant may reply to a response only with the permission of the attorney hearing examiner.

(D) Before ruling upon a written motion, the attorney hearing examiner shall consider all memoranda and supporting documents filed. The attorney hearing examiner shall enter a written ruling and shall issue copies to the representatives as identified under rule 4715-15-02 of the Administrative Code. The ruling on all oral motions made at hearing shall be included in the record except where the attorney hearing examiner elects to take the motion under advisement and issue a written ruling at a later time. The attorney hearing examiner shall include in each written ruling on a motion a short statement of the reasons therefor.

(E) Except as otherwise provided in this chapter or Chapter 119. of the Revised Code, rulings on all substantive motions filed subsequent to the issuance of the report and recommendation shall be rendered by the board, and rulings on all procedural motions may be rendered by the secretary acting on its behalf.