

21 NCAC 22L .0109 INFORMAL PROCEDURES

(a) The presiding officer may direct the parties to conduct an informal pre-hearing conference, or the parties may request such a conference, which shall be scheduled at a time and place agreed upon by the parties. If the parties do not agree on the time and place of the pre-hearing conference, the presiding officer may set the time and place of the pre-hearing conference, giving reasonable written notice to all parties in the proceedings.

(b) At the discretion of the presiding officer, all or part of the pre-hearing conference may be conducted by telephone or other electronic means, if each party has an opportunity to participate while the conference is taking place.

(c) The parties shall conduct the pre-hearing conference to deal with, where applicable:

- (1) exploring settlement possibilities;
- (2) formulating, clarifying, and simplifying the issues to be contested at the hearing;
- (3) preparing stipulations of facts or findings;
- (4) ruling on the identity and number of witnesses;
- (5) determining the extent to which direct evidence, rebuttal evidence, or cross-examination will be presented in written form and the extent to which telephone, video tape, or other electronic means will be used as a substitute for proceedings in person;
- (6) determining what depositions, discovery orders, or subpoenas will be needed;
- (7) determining the need for consolidation of cases or joint hearing;
- (8) determining the order of presentation of evidence and cross-examination; and
- (9) considering any other matters which may promote the prompt, orderly, and efficient disposition of the case.

History Note: *Authority G.S. 93D-3; 150B-38;*
Eff. January 1, 1992;
Amended Eff. December 1, 2013; March 1, 1996;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.