

21 NCAC 42L .0108 PRE-HEARING CONFERENCE

(a) The Board may direct the parties to conduct an informal pre-hearing conference, or the parties may request such a conference, at a time and place selected by the parties. If the parties do not agree on the time and place for the pre-hearing conference within a reasonable time, the Board may set the time and place of the pre-hearing conference, giving reasonable written notice to all parties in the proceedings. The Board may designate one or more persons from among its members and its attorneys to conduct the conference.

(b) At the discretion of the Board, 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, where applicable, with:

- (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. 90-117.5; 150B-33;
Eff. June 1, 1989;
Renumbered from 21 NCAC 42L .0007 Eff. April 1, 1993;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015.