

RULE 71 ADMINISTRATIVE REVIEWS

(1) This rule shall apply to all proceedings for judicial review of final agency decisions except those involving suspension or revocation of drivers' licenses and as otherwise provided by law of Supreme Court Rule. Nothing contained in this rule shall be deemed to affect the time within which a proceeding for judicial review must or may be commenced, or the time within which the agency record must or may be filed.

(2) Within thirty (30) days after the record on appeal has been filed in the Court, plaintiff or relator may file a copy of his brief and, if properly requested or required by the Court, proposed findings of fact with the Court and shall deliver or mail one copy thereof to each of opposing counsel. Within twenty (20) days thereafter, defendant or respondent may file a copy of his brief and, if properly requested or required by the court, proposed findings of fact with the Court and shall deliver or mail one copy thereof to each of opposing counsel. Within ten (10) days after defendant or respondent has filed a brief, plaintiff or relator may file a copy of a reply brief with the Court and shall deliver or mail one copy to each of opposing counsel. Service upon opposing counsel may be shown in any manner permitted by Supreme Court Rule.

(3) Thereafter, all parties shall notify the clerk of the division hearing the cause that it is ready for submission. By leave of court, oral argument may be granted; and each counsel will be notified of the date and time by the clerk at least fourteen (14) days in advance. The Court will entertain requests for specific dates and times, provided there is a consensus of all parties intending to present argument.

(4) Except for motions for stay or for temporary relief where authorized by law, the Court will not entertain requests for argument or other review proceedings unless and until all briefs and proposed findings of fact have been filed with the Court as above described.

(5) When the parties waive the filing of, or within the time prescribed in this rule fail to file, a brief, the matter shall be considered as

taken under submission by the Court.

(6) Waivers of this rule will be granted only in extreme and unusual circumstances and only then upon a proper showing of good cause. Hence, failure to file briefs in accordance with this rule will ordinarily result in forfeiture of the right to file.

April 16, 1993