

Administrative Adjudication

The Village of Lemont's administrative hearing process is designed to adjudicate, or settle, a wide range of cases involving violations of Village ordinances that were once heard in the Cook, Dupage & Will County Circuit Court. Hearings are conducted at the Lemont Police Department to provide a convenient location and method of contesting certain tickets, citations, or notices of violation. The goal of the administrative hearing process is to expedite the resolution of these violations.

An administrative hearing is a civil, not a criminal, proceeding. Cases are punishable by fines and a variety of other penalties, but not by jail time. Under the Village's Administrative Adjudication System, cases are heard by an Administrative Hearing Officer who is required to be an experienced attorney and has completed state-mandated training to impartially render case decisions in a professional, courteous, and fair manner. The Administrative Hearing Officer hears, or may hear in the future, certain types (but not all) of cases in each of the following categories:

- Police-issued citations (non-moving)
- Parking tickets
- Village Code violations
- Animal control violations
- Administrative Tows and Impounds

Administrative Hearing Procedures

Certain employees of the Village, such as a Village inspector, code enforcement officer, investigator or police officer, are authorized to act as an enforcement officer for the Village for the purpose of issuing administrative tickets, citations, or notices of violation. A case also may be initiated following a citizen complaint. If you receive a ticket, citation, or notice of violation ordering you to appear at an administrative hearing, you and/or your representative must be present on the date and time specified, otherwise a default judgment and penalty may be entered against you. If you have difficulty understanding the English language, you must bring with you to the administrative hearing someone who understands the English language in order to assist you; interpreters are not provided at administrative hearings.

Who Must Appear

An individual contesting a violation must appear on the date and at the time scheduled for the administrative hearing as indicated on the ticket, citation, or notice of violation and may represent themselves, hire an attorney to represent them at their own expense or, in some instances, have an authorized representative attend the hearing on their behalf. Your representative may be an employee of yours or an agent such as a relative or friend, or your attorney. Public defenders are not present at such hearings and are not provided by the Village.

In cases involving a vehicle tow or impound hearing, the registered owner of the vehicle must appear at the scheduled hearing, unless a notarized affidavit permitting a representative to appear is submitted to the Administrative Hearing Officer.

In certain police cases, when marked on the notice of violation, the defendant must appear in person. Minors must always be accompanied by a parent or legal guardian.

A continuance of an administrative hearing is not allowed unless the Administrative Hearing Officer finds good cause for the requested continuance. Lack of preparation is not considered good cause. If you or your representative fail to appear for a scheduled administrative hearing, or if you do not respond to a parking ticket issued to after a second notice is issued, you are in default. A default judgment may be entered against you as a result of your failure to appear, which will subject you to the fines and/or penalties imposed by the Village's Administrative Hearing Officer.

If you miss your scheduled hearing date and are in default on a matter other than a parking ticket, you have 28 days from the date of the missed hearing to request a new hearing. To request a new hearing, you must file a motion to vacate form. The form must be filed in person during normal business hours at the Lemont Police Department, 14600 127th Street, Lemont, Illinois, 60439. At the time of filing your request, you will be scheduled for a hearing. If you are in default on a parking ticket as a result of missing your initial hearing, you do not need to request a new hearing date. You will automatically receive a second hearing date when you MUST appear if you wish to challenge the default judgment. If you fail to attend the second hearing, a final hearing will be assigned automatically informing you the citation will be subject to Collection Status and a penalty of \$250.00 will be imposed.

Attending the Hearing

Hearings are conducted at the Lemont Police Department, 14600 127th Street, Lemont, Illinois. You must check-in with a clerk at the hearing who will have a list of hearings scheduled for that day. All hearings start promptly at the time indicated on the notice. It is recommended that you arrive a few minutes early. Once you enter the hearing room, please sit down until your case is called.

Use of cell phones, audio and video equipment, and the bringing of newspapers, magazines, food, drink and chewing gum are prohibited in the hearing room. Proper conduct must be maintained at all times. Disruptive persons will be removed from the hearing room and risk having their cases heard without them.

The Hearing Process

When the Administrative Hearing Officer enters the hearing room, he or she will make an opening statement identifying him or herself, their role, the expectations of the defendant, and the process for the hearing. When your case is called, you should acknowledge by answering here and step to the podium in front of the Administrative Hearing Officer's bench. The hearing will begin immediately and you will be given an opportunity to present testimony and evidence. All testimony is given under oath and recorded. There is no right to a jury in an administrative hearing.

By law, the Village representative who issued the ticket, citation, or notice of violation is not required to appear at an administrative hearing. The Administrative Hearing Officer may decide that the ticket, citation, or notice of violation is legally sufficient to stand on its own in the absence of the Village representative.

At the administrative hearing, you will be given the opportunity to present your side of the matter before the Administrative Hearing Officer, including presenting witnesses and physical evidence such as bills, receipts and photos on your behalf. Your presentation must deal specifically with the violation before the court. All documents presented may be retained by the Administrative Hearing Officer as evidence.

The Decision

After the case has been heard and all evidence presented, the Administrative Hearing Officer will determine whether you are liable based on the evidence presented. If you are found liable, penalties in the form of fines and costs may be imposed upon you pursuant to the provisions set forth in the Lemont Village Code. The Administrative Hearing Officer's decision will be rendered in the form of a written document which you will receive at the end of your hearing. Please be sure you receive a copy of the decision at the end of your hearing. All fines are payable to the Village of Lemont within the prescribed time frame and can be made at the Lemont Police Department or Village Hall after the hearing. If you disagree with the Administrative Hearing Officer's decision, you have 35 days from the date of that decision to appeal that decision by seeking administrative review in the Circuit Court of Cook County.

For more information about the adjudication program call (630) 257-2229.