

CITY OF GALESBURG

Administrative Adjudication



Administrative Adjudication

To address City ordinance violations in an efficient manner, the City of Galesburg utilizes an administrative adjudication system. Through this system, when a City employee issues a citation, or notice of violation of the City Code, an administrative hearing officer will hear the case.

Typical Cases:

- Building code violations
- Zoning code violations
- Animal control citations
- Vehicle impoundment hearings
- Police issued tickets, such as:
 - Disorderly Conduct
 - Public Intoxication
 - Underage Drinking
 - Truancy

The Hearing Process

A citation issued for violation of the Galesburg Municipal Code will include the date, time, and location of the offense; the ordinance violated; and the hearing date.

The recipient of the citation has the right to present their case to the administrative hearing officer. The hearing date allows the respondent to show any evidence they may wish to present, such as bills, receipts, witnesses, photographs, etc. All evidence will be kept by the court in the court file.

Administrative Hearing Officer

The hearing officer for administrative hearings is an outside attorney, appointed to preside over the cases. The hearing officer is not a City employee, and is required to remain impartial.

The Courtroom

Hearings are held at Galesburg City Hall, 55 West Tompkins Street, Galesburg, IL. All hearings start promptly at 9:00 a.m. Defendants are required to arrive a minimum of 15 minutes prior to the scheduled court time to allow for parking and checking in with the clerk. Failure to be checked in and present in the courtroom before the established hearing time may result in a failure to appear ruling. All cases will be called in the order deemed appropriate by the hearing officer.

Conduct

Appropriate conduct is required in the courtroom and will be strictly enforced. All parties are requested to conduct themselves in an orderly and appropriate manner, including but not limited to, addressing the hearing officer in a clear, respectful manner, and not disrupting proceedings with talking, comments, or noise from electronic devices. Cell phones must be silenced prior to entrance, and all audio, video, food, beverages, and gum are prohibited in the courtroom. Disorderly behavior will result in immediate removal from the courtroom, and a failure to hear verdict in the case.



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Proceedings

The City will be represented by the City's attorney or City staff. They are responsible for presenting the City's case, and will proceed first. The defendant may cross-examine any witnesses who testify.

The defendant will proceed second. They may be self-represented or represented by an attorney. The defendant may present any evidence or testimony at this time. The City may cross-examine any witnesses or contest any evidence submitted to the hearing officer.

Evidence may include documents, photographs, sworn testimony, a sworn affidavit or other admissible evidence. The hearing officer will make all decisions regarding the admissibility of evidence.

After both sides have concluded their testimony, the hearing officer will make a judgement based on the evidence presented. The standard of proof utilized is *preponderance of evidence*—whether it is more likely than not a violation occurred. If the hearing officer rules in favor of the City, the defendant will be found liable and the case will go forward regarding compliance, fines, and other related issues. If the hearing officer rules in favor of the defendant, the case will be dismissed.

All judgements are final and enforceable by law. A judgement from the administrative adjudication hearing officer may be appealed in the Circuit Court of Knox County under the Illinois Administrative Review Act (735ILCS 5/3-101, et. seq.), which allows either party 35 days to appeal a ruling.

Failure to Appear

If the defendant fails to appear for the hearing, the hearing officer will conduct the hearing in their absence and any fines and penalties will be levied.

Trial Process

- If you have received a citation from any department other than the Police Department, your trial is the date of the first appearance.
- If you are charged by the Police Department and would like a trial, you may schedule it during the first appearance. This trial date will be approximately two weeks after the first appearance.

Additional Information

- Administrative adjudication hearings will be held at Galesburg City Hall, 55 West Tompkins Street, Galesburg, IL. Defendants are required to arrive at Galesburg City Hall a minimum of 15 minutes before the scheduled hearing.
- The City of Galesburg does not provide language services for administrative adjudication hearings. Defendants who need an interpreter must provide their own. All interpreters are required to be at least 18 years old.

For more information, including dockets, please visit the
City of Galesburg website, www.ci.galesburg.il.us.

Info located under:
Our Government
Administration
Administrative Adjudication

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