

Prepayment In Lieu of Appearance

For some offenses, the Village provides an option to pay fines in lieu of an appearance at an administrative adjudication hearing. Prepayment of any fine shall constitute an admission of liability to the code violation alleged.

All fines are made payable to the Village of Homewood; payments can be made at the Homewood Police Department located at 17950 Dixie Highway.

Parking and Compliance Tickets

In some cases, your ticket will give you an option to request a hearing. If you choose to request a hearing, return your hearing request form with your name and address. This indicates that you wish to contest the charges at a hearing. This will generate a notice of hearing you will receive in the mail.

Written Appeals for Parking Tickets

Illinois law and local ordinance allows parking tickets to be contested in writing. Written appeals should include all evidence you wish to be considered, such as photographs and documents. The appeal must be received prior to your scheduled court date. You will be notified of the judgment in writing.

Alternative Dispute Resolution

The Village also offers mediation services for those seeking alternate dispute resolution with a neighbor, landlord, tenant, or business where there has been no law or Homewood Municipal Code violation.

Mediation works best when the participants want to continue or heal a pre-existing relationship with one another. The mediator is a trained, impartial third-party who helps the participants find common ground, asks clarifying questions, takes extensive notes, and ultimately prepares a document reflecting the participants' decisions in the matter.

Mediation is powerless to deal with criminal acts or anything else which would be the province of the courts. It is equally unable to deal with situations in which child, spousal or elder abuse is involved. In these cases, matter what the participants might wish, another form of dispute resolution must respond to any infraction of the law.

If you are interested in learning more about Homewood's Mediation Program, contact the Village Manager's Office at (708) 206-3375.

The Homewood Mediation Program is a service of the Community Relations Commission.

The information in this brochure merely summarizes procedures. Regulations, together with the Village of Homewood Municipal Code, control the conduct of the hearings. For more information about the adjudication program, please contact:

**Village of Homewood
Police Department
Records Division
17950 Dixie Highway
Homewood, IL 60430
(708) 206-3442
(708) 206-3443**

**For General Inquiries
(708) 206-3420
homesweethomewood.com**

ADMINISTRATIVE ADJUDICATION



CITIZEN'S GUIDE

*a summary of the process to
an administrative civil hearing
at Homewood Village Hall*

Introduction

The Village of Homewood's Office of Administrative Adjudication hears a wide range of cases involving violations of municipal ordinances. These cases used to only be heard in the Cook County Circuit Court (Markham, IL). Having hearings at Village Hall expedites resolutions, reduces litigation expenses, and allows the Circuit Court to focus on more serious offenses. Hearings at Village Hall are also more convenient for residents who wish to contest a ticket or other citation.

An administrative hearing is a civil, not a criminal proceeding. Cases filed in adjudication are punishable by fines and a variety of other penalties, excluding jail time.

Under the administrative hearing system, an administrative law judge hears cases, not the Village entity that issued the ticket, complaint or notice of violation. Law judges, all of whom are experienced attorneys, are required to undergo State-mandated training to be professional, fair, and courteous.

The Office of Administrative Adjudication hears, or may hear in the future, the following types of cases:

- Police issued tickets
- Fire Code violations
- Public passenger vehicle violations
- Building Code violations
- Property maintenance violations, such as weeds, tall grass, peeling paint, etc.
- Zoning violations
- Animal violations
- Bicycle tickets

The Procedure

A Village inspector, community service officer, investigator or police officer may issue a ticket, notice of violation, or file a complaint. A case may also be initiated following a citizen or community complaint.

If you receive a ticket ordering your appearance at a hearing before the Office of Administrative Adjudication, you will subsequently receive a summons via US mail specifying the date and time of the hearing. You or your representative must appear at the hearing. If English is not your first language, you must bring someone to assist you.

Who Must Appear

As the individual that has been charged, you may represent yourself, hire an attorney to represent you at your own expense, or in some instances, have an authorized representative attend the hearing on your behalf. Your representative may be an employee or agent.

In police cases, such as drinking on a public way or disorderly conduct, the accused must appear in person, without exception. A continuance is not allowed unless the administrative law judge finds good cause. Lack of preparation is not considered good cause. If you or your representative fail to appear for the scheduled hearing, you are in default, and the administrative law judge will conduct the hearing in your absence. You will still be subject to any fines or penalties.

If you are in default due to illness or emergency, you have until the next hearing date (approximately 30 days) to request a new hearing.

To request a new hearing, call (708) 206-3443 or (708) 206-3442 and a clerk will assist you. At the time of filing your request, you will be scheduled for a hearing.

Your Scheduled Hearing

Review the schedule and location information on your summons. A clerk inside the hearing room will have a list of hearings scheduled for that day. All hearings start promptly at the time indicated on the notice. Therefore, it is recommended that you arrive in the hearing room a few minutes early. Once you enter the hearing room and check in with the clerk, sit down until your case is called. Audio and video equipment, newspapers, magazines, food, drink and chewing gum are not allowed in the hearing room. Proper conduct must be maintained at all times. Disruptive people will be removed from the hearing room and will have their cases heard without them.

The Hearing Process

When the administrative law judge enters the hearing room, he or she will make an opening statement identifying their role, expectations of a hearing, and the order in which cases will be called. When your case is called, you should acknowledge and step to the front of the administrative law judge's bench. The hearing will begin immediately and both sides will be given an opportunity to present testimony and evidence. All live testimony is given under oath and recorded.

The ticket, complaint or notice of violation written against you may be enough evidence to prove or disprove the Village's case. By law, the Village representative who issued the ticket, complaint or notice of violation does not normally have to appear in court.

The ticket, complaint or notice of violation must properly cite several pieces of information. This includes date, time, and location of offense, ordinance violated, and identity of the person named. It also must give specific details to support the allegation.

You have the right to tell the administrative law judge your side of the story. This includes using witnesses and physical evidence such as bills, receipts or photos. Your presentation must deal specifically with the violation before the court. All documents presented may be retained by the Homewood Police Department as evidence. There are no public defenders and no right to a jury in these administrative hearings.

The Decision

After both sides have been heard, the administrative law judge will make a determination based on the evidence presented. If you are found liable, fines, penalties and costs may be imposed according to the guidelines set forth in the Village Code. All fines are made payable to the Village of Homewood; payments can be made at the Homewood Police Department located at 17950 Dixie Highway. If you disagree with the administrative law judge's decision, you have 35 days to appeal to the Circuit Court of Cook County in Markham (IL).