



ADMINISTRATIVE RULES OF MONTANA



10.16.3513 DISCOVERY

- (1) The impartial hearing officer may compel or limit discovery prior to the hearing and/or prehearing conference.
- (2) Within the discretion of the hearing officer, the following methods of discovery are available to the parties upon the filing of a request for due process:
 - (a) depositions;
 - (b) written interrogatories;
 - (c) requests for admissions;
 - (d) production of documents or things; and
 - (e) permission to enter upon land or property, to observe educational programs and other purposes.
- (3) The time for responding to requests for production, requests for admission, and interrogatories is 20 calendar days from the date the discovery requests are served on the receiving party or such other time as set by the hearing officer.
- (4) The hearing officer shall set a date by which discovery must be completed and establish a calendar so that discovery does not delay the hearing.
- (5) The hearing officer may limit or compel discovery as necessary to balance the need for reasonable discovery with the need to not unduly delay the hearing.

Authorizing statute(s): 20-7-402, MCA

Implementing statute(s): 20-7-402, MCA

History: NEW, 1990 MAR p. 934, Eff. 5/18/90; AMD & TRANS, 2000 MAR p. 1048, Eff. 7/1/00; AMD, 2015 MAR p. 2257, Eff. 12/25/15.