

**1400.6000 DEFAULT.**

The agency or the judge, where authorized, may dispose of a contested case adverse to a party which defaults. Upon default, the allegations of or the issues set out in the notice of and order for hearing or other pleading may be taken as true or deemed proved without further evidence. A default occurs when a party fails to appear without the prior consent of the judge at a prehearing conference, settlement conference, or a hearing or fails to comply with any interlocutory orders of the judge.

**Statutory Authority:** *MS s 14.06; 14.131; 14.51; 116C.66; 216E.16; 363.06; 363A.28*

**History:** *9 SR 2276; 15 SR 1595*

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