

**63G-4-207 Procedures for formal adjudicative proceedings -- Intervention.**

- (1) Any person not a party may file a signed, written petition to intervene in a formal adjudicative proceeding with the agency. The person who wishes to intervene shall mail a copy of the petition to each party. The petition shall include:
  - (a) the agency's file number or other reference number;
  - (b) the name of the proceeding;
  - (c) a statement of facts demonstrating that the petitioner's legal rights or interests are substantially affected by the formal adjudicative proceeding, or that the petitioner qualifies as an intervenor under any provision of law; and
  - (d) a statement of the relief that the petitioner seeks from the agency.
- (2) The presiding officer shall grant a petition for intervention if the presiding officer determines that:
  - (a) the petitioner's legal interests may be substantially affected by the formal adjudicative proceeding; and
  - (b) the interests of justice and the orderly and prompt conduct of the adjudicative proceedings will not be materially impaired by allowing the intervention.
- (3)
  - (a) Any order granting or denying a petition to intervene shall be in writing and mailed to the petitioner and each party.
  - (b) An order permitting intervention may impose conditions on the intervenor's participation in the adjudicative proceeding that are necessary for a just, orderly, and prompt conduct of the adjudicative proceeding.
  - (c) The presiding officer may impose the conditions at any time after the intervention.

Renumbered and Amended by Chapter 382, 2008 General Session