



# OKLAHOMA WORKERS' COMPENSATION COMMISSION

1915 N STILES AVE STE 231 · OKC, OK · 73105 · (405) 522-3222 · WCC.OK.GOV

Tulsa office · 212 Kerr State Office Building · 440 South Houston · Tulsa, Oklahoma 74127 · (918) 295-3732

Chairman Mark Liotta · Commissioner Jordan Russell · Commissioner Megan Tilly

Executive Director Hopper Smith

## UPDATE - APRIL 24, 2020

The Administrative Law Judges continue to work on improving current procedures and on developing new ones that will help the parties resolve pending issues. As we continue to work through this difficult time together, please note the reminders and the new procedure as of April 24, 2020. Your compliance with these practices will help us better serve you. As always, should you have any questions, please send us an email.

### **\*\*REMINDERS\*\***

- PLEASE READ AND REVIEW YOUR SETTLEMENTS DOCUMENTS BEFORE SUBMITTING. BE SURE YOUR JOINT PETITION FORM IS THE CURRENT VERSION. (REVISED 11/21/19 ON THE COMMISSION WEBSITE) AND ALL RELEVANT BLANKS ARE COMPLETED. YOUR ATTACHMENT MUST BE LEGIBLE AND CAPABLE OF PRINTING.
- We are NOT issuing IME Orders at this time due to the difficulty of scheduling appointments with the various doctors. Please do not submit Form M's at this time. We continue to monitor the IME list and will advise when things change. THIS DOES NOT PREVENT the parties from agreeing to using a doctor for an "IME" type second opinion and having a letter agreement to the same. The parties can then arrange for the appointments and monitor the doctor's accessibility. **(This appears to be getting better, so we hope to change this in the next couple weeks)**
- The ALJs are available via email and telephone conference to help resolve any issue that can be decided at a traditional pre-hearing conference. You do not need a notice of a pre-hearing to contact the ALJ by email to arrange a telephonic pre-hearing conference.
- The parties may email the assigned Judge an executed **Form A Order**. You will receive an email reply that it has been received and approved. It will be processed and a filed stamped copy will be mailed to you via regular mail. The procedure is the same for **Form 100's**.
- Hearings by Document Submissions. For those parties who wish to submit a case to the assigned Judge for determination of issues based solely on documentary evidence, the ALJs have developed the attached PDF as a template guide formatted to allow efficiency for the Judges and the parties. Please follow the example form attached to this email. Send the completed form signed by the attorneys with the documentary evidence via email in PDF format to the assigned Judge. The Judge will contact the parties by phone then review the provided record and issue an order on the requested issues. Again, should you have any questions, please email the assigned Judge.



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**\*\*NEW PROCEDURE\*\***

Notices for Prehearing Conferences will be sent next week for the weeks of **May 4-8, 2020 and May 11-15, 2020**. There will be **no personal appearances** for these pre-hearings conferences. The parties are to make **joint announcements** via cc'ed email to the Judge. The emailed announcements are to be **submitted by 10:00 a.m.** or the PHC will be stricken as moot. If there is not an agreement on the announcement the parties are to announce they want a telephonic hearing with the ALJ. The ALJ will start initiating conference calls at 10:30 for all those requested.

For cases that announce a request for a trial setting, the parties must complete and submit the **attached set for trial form**.

The "Set for Trial" Form will help us evaluate cases with the most emergent need for trial when we are able to get back into the hearing rooms. WE NEED THE PARTIES HELP TO ACCURATELY EVALUATE REQUESTS FOR TRIAL. The more thorough and accurate you are on the request for trial form you are, the more efficient and responsive we can be. Once we are able, we will set cases as quickly and as many as possible. **If you submit a request for trial form and the issue subsequently becomes moot, please advise via email so we can remove the case from the pending list and move others up in line.** This will help everyone. We are all in this together.

***T. Shane Curtin***  
**Chief Administrative Law Judge**  
**Oklahoma Workers' Compensation Commission**

# REQUEST FOR TRIAL SETTING

PHC Date: \_\_\_\_\_ Respondent: \_\_\_\_\_

Claimant Name: \_\_\_\_\_ Respondent Attorney: \_\_\_\_\_

Attorney for Claimant: \_\_\_\_\_ Case No.: CM 20\_\_\_\_ - \_\_\_\_\_

ISSUES FOR TRIAL: (Be comprehensive and specific; e.g. compensability of claim, back period of TTD [provide dates], denied body parts [provide list], medical treatment [provide specifics], PPD, etc.)

1. \_\_\_\_\_

2. \_\_\_\_\_

3. \_\_\_\_\_

4. \_\_\_\_\_

DEFENSES: (Again, be comprehensive and specific. Cite to the statute when applicable.)

1. \_\_\_\_\_

2. \_\_\_\_\_

3. \_\_\_\_\_

ARE WITNESSES EXPECTED, BEYOND CLAIMANT? If so, indicate names here, and on whose behalf their testimony is expected:

1. \_\_\_\_\_ 2. \_\_\_\_\_

3. \_\_\_\_\_ 3. \_\_\_\_\_

By affixing my signature hereto (handwritten or electronic), I warrant that I have accurately completed the above form, that I have no outstanding discovery requests, that medical exams on behalf of my client are completed and there are no outstanding depositions therefor, and that the above matter is READY FOR TRIAL.

\_\_\_\_\_  
Signature of Attorney for Claimant Date: \_\_\_\_\_

\_\_\_\_\_  
Signature of Attorney for Respondent Date: \_\_\_\_\_