



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

To: Attorneys

From: Chief Administrative Law Judge T. Shane Curtin

Date: April 3, 2020

On behalf of the Administrative Law Judges, I want to first offer a word of appreciation to the bar members that have been understanding and helpful during this unprecedented time in our history. Local, State and National mandates have affected so many people in so many ways. Although we have had to strike our dockets, the Administrative Law Judges have remained readily accessible via email or telephone to help parties resolve any issue as previously posted on the WCC website:

The services the Commission will be providing until further notice include:

- **Form Filings-** Filings should be sent via mail and electronically where available. Filings should be mailed to the Commission's Oklahoma City address: 1915 North Stiles Avenue, Oklahoma City, Oklahoma, 73105. An email option will be available soon. Please include a self-addressed, stamped envelope if paper file copies are needed.
- **Approval of Joint Petition Settlements Electronically-** See Commission Alert
- **Case Issues Resolved by Email:** During this period of stricken dockets, if the parties are unable to resolve an issue by agreement, the Administrative Law Judges will be available by **email** to discuss cases involving an issue(s) which may be resolved remotely by the ALJ. Please contact the assigned Judge or Chief ALJ via **email** for further direction and the scheduling of telephonic pre-hearing conferences, if necessary. Cases will be reset on pre-hearing and trial dockets as soon as possible as we are operating in a state of emergency:

shane.curtin@wcc.ok.gov

mike.egan@wcc.ok.gov

pblair.mcmillin@wcc.ok.gov

john.blodgett@wcc.ok.gov

tara.inhofe@wcc.ok.gov

molly.lawyer@wcc.ok.gov

In effort to provide information and instruction, please consider the following:

JOINT PETITION SETTLEMENTS: Per the Alert posted to the WCC website on March 24, 2020, Joint Petition Settlements are being approved by EMAILED Interrogatories. This applies to **represented and unrepresented** claimants. The ALJs are NOT requiring a telephone conference with unrepresented claimant's, but if a claimant wants such a telephone conference, the ALJ can arrange the same. The request for Order Approving the Joint Petition Settlement shall be emailed to the assigned ALJ or if no assigned ALJ to the Chief ALJ. ALL unrepresented settlements shall be emailed to the Chief ALJ. You should receive an email reply that the settlement is approved and then at a later time you will be emailed a filed stamped copy. (Currently we are returning filed stamped copy within 24 hours, but that could change based on volume and available staff) **BE SURE YOU ARE USING THE CURRENT VERSION OF THE SETTLEMENT FORMS.** The latest JP form is the revised form of November 21, 2019 indicated at the bottom of the form. Our current forms are on the WCC website in PDF format. Now is a great time to review all your forms to insure you are current. **BE SURE YOUR ATTACHMENTS ARE LEGIBLE UPON PRINTING.** Quality can be diminished with multiple scans, but we must to be able to print a legible copy. Please check for this before sending for approval.

IME ORDERS: The medical community is in a state of crisis and it seems the doctor's offices are all handling things differently. Due to the uncertainty of many things, we are holding off on all IME orders at this time. Many are not taking appointments. This is a moving target and subject to change at any time. We will update this as time goes on, but for now we are not issuing IME orders. **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.

FORM ORDERS:

Form 93: Do not email these. Send via regular mail with appropriate number of copies and a self addressed stamped envelope if you want to receive a filed stamped copy.

Form A: You can email to the assigned ALJ who can provide you with an emailed reply that Form A Order is considered signed and it will be processed. However, **if you want a filed stamped copy**, you should send the order with appropriate copies via regular mail with a self addressed stamped envelope.

Form 100: These can be emailed to the assigned ALJ. The Order will be signed, processed and you will receive via regular mail a filed stamped copy.

OTHER ORDERS: There are many differing kinds of order request and for the sake of efficiency and judicial economy, the ALJs are working on a procedure that can be applied. We hope to have something published for use early next week so please be patient with us. A little time spent up front to establish a consistent process will allow us to move much more quickly through cases with pending issues and for you to have a consistent procedures in your office with all Judges. **Agreed Orders for Mediation are NOT being processed at this time.** If the

parties are agreeing to mediate, please contact the mediator of your choice and schedule the same. If there are extenuating circumstances why this cannot be accomplished without an order, please email the assigned ALJ.

OTHER FORMS AND PLEADINGS: For other forms and pleadings not delineated above (e.g., CC-Form-9 , CC-Form-10, etc.) the Commission is in the process of developing a standardized means to facilitate submission via email in the future. More information will be forthcoming when the Commission is prepared to implement this process.

PRE-HEARING CONFERENCES: While we are not sending out new notices of PHC at this time. However, as provided in the ALERT posted on the website, the ALJs are available via email and telephone conference to help resolve any issue that can be decided at a PHC. You do not need a notice of hearing to contact the ALJ by email to arrange a pre-hearing conference. **There is no need to make an announcement on the dockets that have been stricken.** All of those cases will be automatically reset.

TRIALS: Please know the ALJs are exploring all reasonable options for alternative methods of presentation of cases that maintain the concerns for public health and safety and the rights of due process. Again, we appreciate your help and understanding as we try to navigate all these concerns

Emergency Circumstances: If you have a case with emergency circumstances, you should email the assigned ALJ for discussing options and direction.

Cases to be submitted on Documentary Evidence Only: By early next week, we plan to have a process in place for parties who can agree to submit issues for determination on the basis of electronic submission of documents and records only.

Should you have any questions or suggestions please do not hesitate to send an email or give me a call.

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