

Title 40
LABOR AND EMPLOYMENT
Part I. Workers' Compensation Administration
Subpart 2. Hearing Rules

INDEX

	<u>PAGE</u>
CHAPTER 55. GENERAL PROVISIONS	
SUBCHAPTER A. DEFINITIONS	
Section 5501. Purpose; Definitions	1
SUBCHAPTER B. JURISDICTION	
Section 5503. Jurisdiction Authority.....	2
Section 5505. Jurisdiction over Subject Matter and Persons.....	2
SUBCHAPTER C. COMMENCEMENT	
Section 5507. Commencement of a Claim	2
Section 5509. Delay for Answering.....	3
Section 5511. Service.....	3
SUBCHAPTER D. VENUE	
Section 5515. Proper Venue.....	3
SUBCHAPTER E. RECUSAL	
Section 5525. Procedure for Recusal of a Workers' Compensation Judge	3
Section 5529. Repealed.....	4
SUBCHAPTER F. POWER AND AUTHORITY	
Section 5533. General.....	4
Section 5535. Contempt.....	5
Section 5537. Procedure.....	5
SUBCHAPTER G. CLERKS	
Section 5539. District Clerk; Pleadings Filed; Docket Books.....	5
SUBCHAPTER H. BAILIFFS	
Section 5541. Security.....	6

SUBCHAPTER I. ATTORNEYS AND OTHER PERSONS BEFORE THE COURT

Section 5543. Workers' Compensation Courtroom Decorum.....	6
Section 5545. Attorneys.....	7
Section 5547. Withdrawal of Counsel.....	7

CHAPTER 57. ACTIONS

SUBCHAPTER A. GENERAL PROVISIONS

Section 5701. Prescription; Filing Procedure.....	7
Section 5703. Prematurity.....	8
Section 5705. Abandonment.....	8
Section 5707. Class Actions.....	9

SUBCHAPTER B. SETTLEMENT

Section 5709. Joint Petition Settlements.....	9
--	----------

CHAPTER 58. PLEADINGS

SUBCHAPTER A. GENERAL

Section 5801. Pleadings Allowed.....	10
---	-----------

SUBCHAPTER B. SUPPLEMENTAL/AMENDED PLEADINGS

Section 5805. Amendment of Claim and Answer.....	10
---	-----------

SUBCHAPTER C. FORMS

Section 5809. Forms.....	10
Section 5811. Format of Documents.....	10

SUBCHAPTER D. MEDIATION

Section 5813. Mediation Conference	11
Section 5815. Repealed.....	12
Section 5817. Conclusion of Mediation Conference held by an Office of Workers' Compensation Mediator.....	12
Section 5819. Failure to Attend; Sanctions.....	13

SUBCHAPTER E. PETITION

Section 5821. Required Elements.....	13
---	-----------

SUBCHAPTER F. EXCEPTIONS

Section 5823. Kinds of Exceptions; Time for Pleading.....	13
Section 5824. Rule to Show Cause; Time for Filing Memoranda.....	13

SUBCHAPTER G. MOTIONS

Section 5831. Motion or Rule Day.....	13
Section 5833. Written Motion Required; Exception.....	14
Section 5835. Ex Parte and Contradictory Motions; Rule to Show Cause Favored.....	14

CHAPTER 59. PRODUCTION OF EVIDENCE

SUBCHAPTER A. GENERAL

Section 5901. Discovery and Attendance of Witnesses.....	14
Section 5903. Objections to Evidence.....	14
Section 5905. Protective Orders.....	15

SUBCHAPTER B. SUBPOENA

Section 5909. Issuance; Service.....	15
Section 5911. Exceptions.....	15
Section 5913. Subpoena of Confidential Records.....	16

SUBCHAPTER C. DISCOVERY

Section 5915. Scope of Discovery.....	16
--	-----------

SUBCHAPTER D. DEPOSITIONS

Section 5921. General; When Taken.....	16
Section 5925. Depositions in Advance of Hearing; Perpetuation of Testimony.....	16
Section 5927. Expert Witness Fee.....	16

SUBCHAPTER E. INTERROGATORIES

Section 5931. General.....	16
-----------------------------------	-----------

SUBCHAPTER F. PRODUCTION OF DOCUMENTS

Section 5933. Production of Documents; General; Medical Evidence.....	16
--	-----------

SUBCHAPTER G. ADMISSIONS

Section 5941. Requests for Admission.....	17
--	-----------

SUBCHAPTER H. MEDICAL EXAMINATIONS

Section 5943. Independent Medical Examinations; Report; Deposition of Examiner; Objections.....	17
--	-----------

Section 5953. Right of an Employee to Written Report of Medical Examination.....	17
SUBCHAPTER I. MOTION TO COMPEL	
Section 5955. Motion for Order Compelling Discovery.....	17
SUBCHAPTER J. SANCTIONS	
Section 5961. Refusal to Obey Subpoena.....	18
Section 5963. Failure to Comply with Order Compelling Discovery.....	18
CHAPTER 60. PRETRIAL PROCEDURE	
Section 6001. Scheduling Conferences.....	18
Section 6003. Repealed.....	19
Section 6005. Pretrial Conference.....	19
Section 6007. Pretrial Order.....	19
Section 6009. Repealed.....	20
CHAPTER 61, HEARINGS	
SUBCHAPTER A. EXPEDITED HEARINGS	
Section 6101. Examination of an Injured Employee.....	20
SUBCHAPTER B. CONTINUANCE AND STAYS	
Section 6103. General.....	20
Section 6104. Stays.....	21
CHAPTER 62. TRIAL	
SUBCHAPTER A. TRIAL PROCEDURE	
Section 6201. Repealed.....	21
Section 6203. Trial on the Merits.....	21
Section 6205. Cumulative Medical Testimony.....	21
Section 6209. Testimony of Medical Personnel.....	22
SUBCHAPTER B. DISMISSAL	
Section 6211. Dismissal.....	22
SUBCHAPTER C. ASSESSMENT OF COSTS	
Section 6215. Assessment of Costs.....	22

CHAPTER 63. JUDGMENTS

SUBCHAPTER A. GENERAL

Section 6301. Submission of Evidence; Submission for judgment/decision; Post hearing briefs..... 22

Section 6303. Completion of Trial; Pronouncement of Judgment; Time for Judgments or Orders; Written Reasons..... 23

SUBCHAPTER B. DEFAULT

Section 6305. Default; General Provisions; Scope of Judgment..... 23

SUBCHAPTER C. MODIFICATION

Section 6311. General..... 23

Section 6313. Amendment of Judgment..... 23

Section 6315. Request for Modification 24

Section 6317. Exception..... 24

CHAPTER 64. APPELLATE PROCEDURIE

SUBCHAPTER A. GENERAL

Section 6401. General..... 24

Section 6405. Payment of Appellate Costs..... 24

CHAPTER 65. SPECIAL DISPUTES

SUBCHAPTER A. ATTORNEY FEES

Section 6501. Disputed Attorney Fees..... 24

Section 6503. Attorney Fees; Application; Review and Approval..... 24

Section 6505. Reserved..... 25

SUBCHAPTER B. SOCIAL SECURITY OFFSET

Section 6507. Offset..... 25

Section 6508. Reserved..... 26

SUBCHAPTION C. FINANCIAL AND COMPLIANCE HEARINGS

Section 6509. Financial and Compliance Hearings..... 26

CHAPTER 66. MISCELLANEOUS

SUBCHAPTER A. GENERAL

Section 6601. Other Applicable Rules.....26

Section 6603. Local Rules Prohibited..... 26

Section 6605. Fees..... 26

Section 6607. Posting of Docket.....	27
SUBCHAPTER B. COSTS	
Section 6609. General.....	27
Section 6611. Medical Costs.....	27
SUBCHAPTER C. WAIVER OF COSTS FOR INDIGENT PARTY	
Section 6613. General.....	27
SUBCHAPTER D. SEVERABILITY OF SECTIONS	
Section 6627. General.....	28