

## FAQ

# Filing a Document When You Can't eFile on WCES

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## Overview

- The Iowa Division of Workers' Compensation (DWC) requires electronic filing (eFiling) of documents in contested case proceedings on the Workers' Compensation Electronic System (WCES).
- This document contains information about filing a document with the DWC when you can't eFile on WCES.
- The information in this document does not apply to you if the DWC has granted you an eFiling exception.
- Nothing in this document supersedes the Iowa Code, Iowa Administrative Code (IAC), orders or decisions of the Iowa Workers' Compensation Commissioner, or decisions of Iowa courts. The rules that govern filing with the DWC are in Chapter 876 of the IAC. To view, download, or print administrative rules, click [here](#).
- For more information about eFiling on WCES, go to [www.IowaWorkComp.gov](http://www.IowaWorkComp.gov).

## Whose responsibility is it to ensure that a document is filed timely?

It is the filer's responsibility to ensure that a document is filed timely.

## When can you file a document by means other than eFiling?

If the DWC has not granted you an eFiling exception, you may file a document by means other than eFiling when:

- 1) Filing the document by means other than eFiling is necessary to prevent you from missing a jurisdictional or nonjurisdictional deadline; and
- 2) There is a technical failure in WCES or problem attributable to the filer (such as telephone line problems, problems with your internet service provider, hardware problems, software problems, etc.) that prevents you from timely eFiling the document under a deadline.

## How can you file a document by means other than eFiling?

If you can't timely eFile a document because of a technical failure or problem attributable to the filer, you should file the document using the earliest available electronic or nonelectronic means.

## Electronic Means

Electronic means of filing when you can't timely eFile are:

- Facsimile to: 515-281-6501

- Email to the appropriate DWC docket clerk. To view DWC docket clerk contact information, click [here](#).

## Nonelectronic Means

Nonelectronic means of filing when you can't timely eFile are:

- Hand-delivery to the DWC to: 150 Des Moines St., Des Moines, IA 50309
- U.S. Mail to the DWC to: Iowa Division of Workers' Compensation, 1000 E. Grand Ave., Des Moines, IA 50319

## Can you be excused for missing a jurisdictional deadline?

No, you are not excused from missing a jurisdictional deadline because of:

1. A technical failure, including a failure of WCES; or
2. Problems attributable to the filer (such as telephone line problems, problems with your internet service provider, hardware problems, software problems, etc.).

## Can a jurisdictional deadline be extended?

No, jurisdictional deadlines, including but not limited to any applicable statute of limitations, can't be extended.

## Can you be excused for missing a nonjurisdictional deadline?

### Technical Failure in WCES

If you're unable to meet a nonjurisdictional deadline because of a technical failure in WCES, you must file the document using the earliest available electronic or nonelectronic means.

The DWC will accept the filing of the document as timely unless the Iowa Workers' Compensation Commissioner or a deputy commissioner determines that the untimely filing of the document should not be excused.

### Problems Attributable to the Filer

You are not excused from missing a nonjurisdictional filing deadline because of problems attributable to the filer (such as telephone line problems, problems with your internet service provider, hardware problems, software problems, etc.).

## What is an eFiling exception?

An eFiling exception allows you to file documents in a case by means other than eFiling.

The DWC may grant an eFiling exception for good cause, such as a power outage at your home or office.

An eFiling exception may be for part or all of the duration of a case for good cause.

## How do you request an eFiling exception?

You may request an eFiling exception by completing and filing with the DWC an Application for eFiling Exception (Form 14-0177). To view and download the form, click [here](#).

The DWC encourages you to download the form and save it so that you can access it regardless of any issues with the DWC website, your internet connection, your computer, etc.

## Should you file a document by means other than eFiling if you will not miss a deadline by waiting to file?

You should not file a document by means other than eFiling if:

- 1) You will not miss a deadline by waiting to file a document; and
- 2) The DWC has not granted you an eFiling exception.

## What should you do to be prepared for a situation when you can't eFile?

The DWC encourages filers to be prepared for situations in which you're unable to eFile by taking the following steps:

- 1) Download and/or print the Application for eFiling Exception (Form 14-0177) so you have access to it when you have problems with your computer or internet. To view and download the form, click [here](#).
- 2) Download and/or print Chapter 876 of the Iowa Administrative Code so you can reference them even if you don't have internet access or experience other computer-related issues. To view, download, or print administrative rules, click [here](#).
- 3) Have a plan for filing by means other than eFiling based on your office's technology and location.
- 4) Conduct periodic training on the plan so that all attorneys and staff know what to do.
- 5) If possible, don't wait until the day of a jurisdictional or nonjurisdictional deadline to eFile a document on WCES.

## Hypotheticals

### No. 1

An attorney's internet is not working because of an outage in service relating to the internet provider. The attorney has a brief due that day.

Using the earliest available electronic or nonelectronic means, the attorney should file the brief. The attorney can also file an Application for eFiling Exception with the DWC. If granted, the exception would allow the attorney to file documents not subject to a jurisdictional or nonjurisdictional deadline with the DWC by means other than eFiling until the issue with the attorney's internet provider is resolved.

### No. 2

A natural disaster hits the town in which an attorney's office is located, knocking out internet service for the attorney. The attorney had planned to file an answer to a Form 100 Original Notice and Petition that day.

The attorney may file an Application for eFiling Exception with the DWC until the attorney's internet provider restores internet service to the attorney's office. Because the answer is not subject to a jurisdictional or nonjurisdictional deadline, the DWC will not accept the answer if it is not eFiled on WCES and an exception to eFiling has not been granted. Therefore, the attorney should not file the answer until after receiving an exception to eFiling or until the attorney is able to eFile the answer on WCES.

### No. 3

A power outage makes it so that an attorney can't eFile documents on WCES. The attorney wants to file settlement documents with the DWC for approval.

The settlement documents are not subject to a jurisdictional or nonjurisdictional deadline. Therefore, the DWC will not accept them if they are not eFiled on WCES. The attorney should not file the settlement documents using the earliest available electronic or nonelectronic means. The attorney should see if opposing counsel can eFile the settlement documents on WCES or wait until the utility company restores power to the attorney's office and eFile the settlement documents on WCES then.

### No. 4

A self-represented party's computer becomes infected by a virus, so the self-represented party can't eFile on WCES. The self-represented party had planned to eFile a resistance to a motion. The resistance is subject to a nonjurisdictional deadline that the self-represented party will miss.

Using the earliest available electronic or nonelectronic means, the self-represented party should file the resistance. The self-represented party can also file an Application for eFiling Exception with the DWC, requesting an exception until the virus situation is resolved. If granted, the exception would allow the self-represented party to file documents not subject to a jurisdictional or nonjurisdictional deadline with the DWC by means other than eFiling until the virus issue is resolved.

### No. 5

The IT person at a law firm forgets to update the firm's computers with the latest version of software. The lack of updated software prevents an attorney from being able to eFile on WCES. The attorney had intended to eFile a motion to amend a pleading before the software problem. The hearing is not for 12 months.

The motion is not subject to a jurisdictional or nonjurisdictional deadline at the time of the software problem. Therefore, the DWC will not accept the motion if it is filed by the earliest available electronic or nonelectronic means other than eFiling on WCES.

The attorney should file an Application for eFiling Exception. If the DWC grants the attorney's Application for eFiling Exception, the attorney may then file the motion by means other than eFiling on WCES. The attorney can also wait until the software problem is resolved and then eFile the motion on WCES.