

BEFORE THE IOWA WORKERS' COMPENSATION COMMISSIONER

IN THE MATTER OF CERTAIN
DEADLINES FOR ELECTRONIC
FILING ON THE WORKERS'
COMPENSATION ELECTRONIC
SYSTEM (WCES)

ORDER

FILED
JUL 15 2019
WORKERS' COMPENSATION

1. Effective July 22, 2019, the Iowa Division of Workers' Compensation (DWC) is transitioning to mandatory electronic filing (eFiling) in contested cases on the Workers' Compensation Electronic System (WCES).

2. To implement the transition to eFiling on WCES, the Iowa Workers' Compensation Commissioner has made changes to administrative rules in Chapter 876 of the Iowa Administrative Code (IAC).

3. The changes to Chapter 876 of the IAC are in ARC 4472C, online at: <https://www.legis.iowa.gov/docs/publications/aco/06052019/pdf/ruleMaking/4472C.pdf> (last viewed July 15, 2019).

4. The changes to Chapter 876 of the IAC include, but are not limited to, the following mandatory eFiling deadlines:

a. At least 14 days before hearing, counsel of record and pro se litigants must file a joint proposed hearing report in Microsoft Word format. 876 IAC 4.19(3)(f).

b. At least 14 days before hearing, counsel of record and pro se litigants must file proposed exhibits in WCES. 876 IAC 4.19(3)(d), as amended.

c. At least 7 days before hearing, counsel of record and pro se litigants must file all written objections and motions to exclude evidence in WCES. *Id.*

5. WCES will not be available to the public to use for mandatory eFiling until July 22, 2019. Consequently, counsel of record and pro se litigants in certain cases will not be able to satisfy the mandatory eFiling deadlines in 876 IAC 4.19(3) (d) and (f) described above in Paragraph No. 4.

6. Under 876 IAC 2.9, this order shall govern the transition to mandatory eFiling on WCES for cases in which counsel of record and pro se litigants could not meet the deadlines in 876 IAC 4.19(3) (d) and (f) described above in Paragraph No. 4 because WCES was not available to the public to use.

7. The deadlines in rules 876 IAC 4.19(3) (d) and (f) described above in Paragraph 4 shall apply to all cases that go to hearing on or after September 1, 2019.

8. For all cases that to go to hearing on or after July 22, 2019, and on or before August 31, 2019, the eFiling deadlines in rules 876 IAC 4.19(3) (d) and (f) described above in Paragraph No. 4 shall not apply. The current pre-hearing procedural requirements shall apply in those cases. At hearing, the presiding deputy commissioner will issue an order on the eFiling of exhibits and documents on WCES.

Signed and filed on this 15th day of July, 2019.

Joseph S. Cortese II

JOSEPH S. CORTESE II
WORKERS' COMPENSATION
COMMISSIONER