

## Fourth Supplement to Memorandum 90-89

Subject: Study N-103 - Administrative Adjudication (ALJ Central Panel--  
further comments)

Attached to this memorandum are further comments of proponents and opponents of the central panel system.

Workers' Compensation Appeals Board

Attached is a letter from the Workers' Compensation Appeals Board describing its operations and procedures and elaborating its opposition to central panel treatment for its administrative law judges.

State of Washington Experience

Paul Wyler has forwarded to us a letter from a State of Washington central panel administrative law judge reporting that state's favorable experience with the central panel system. We apologize for the poor quality of print: the copy we have appears to be a fax of a copy of a fax.

The letter is relevant not only to the general issue of the central panel, but also to the specific issue of the Unemployment Insurance Appeals Board. The CUIAB is an agency Mr. Wyler has identified as one appropriate for central panel treatment. The Washington letter notes that, "Billing for federally-funded UI cases has not been a particular problem; each judge with a primary UI responsibility logs his or her non-UI time for separate billing, and the computer handles the rest."

Respectfully submitted,

Nathaniel Sterling  
Assistant Executive Secretary

STATE OF CALIFORNIA

GEORGE DEUKMEJIAN, GOVERNOR

DEPARTMENT OF INDUSTRIAL RELATIONS

**DIVISION OF INDUSTRIAL ACCIDENTS  
WORKERS' COMPENSATION APPEALS BOARD  
455 GOLDEN GATE AVENUE  
SAN FRANCISCO, CA 94102**



ADDRESS REPLY TO:  
APPEALS BOARD  
P.O. BOX 6788  
San Francisco, CA 94101-6788

**July 25, 1990**

**By Fax.**

**Edwin Marzec, Chairman  
California Law Revision Commission  
4000 Middlefield Road, Suite D-2  
Palo Alto, CA 94303-4739**

**Administrative Law: ALJ Central Panel**

**Dear Mr. Marzec:**

**On May 31, 1990, Richard W. Younkin, Secretary and Deputy Commissioner of the Workers' Compensation Appeals Board, advised the Law Revision Commission (LRC) that it would not be feasible to apply the central panel concept to the litigation and disposition of workers' compensation cases. The following statement is an expansion of Mr. Younkin's comments of May 31, 1990. This presentation is submitted on behalf of the Workers' Compensation Appeals Board and the Department of Industrial Relations and its Division of Workers' Compensation.**

**I**

**Constitutional Authority**

**As previously indicated in Mr. Younkin's May 31, 1990 statement, Article XIV, Section 4 of the California Constitution expressly vested the Legislature with the plenary power to create and enforce a complete system of workers' compensation by appropriate Legislation to include "... full provision for vesting power, authority and jurisdiction in an administrative body with all the requisite governmental functions to determine any dispute or matter arising under such legislation, to the end that the administration of such legislation shall accomplish substantial justice in all cases expeditiously, inexpensively, and without incumbrance of any**

character; all of which matters are expressly declared to be the social public policy of this State.... The Legislature is vested with plenary powers, to provide for the settlement of any disputes arising under such legislation by arbitration, or by an industrial accident commission [presently, the Workers' Compensation Appeals Board], by the Courts, or by either, any, or all of these agencies, either separately or in combination.... Nothing contained herein shall be taken or construed to impair or render ineffectual in any measure the creation and existence of the industrial accident commission of this State..., the creation and existence of which, with all functions vested in them, are hereby ratified and confirmed." (Emphasis added.)

With foregoing in mind, the following is a summary of the operations and procedures of the Division of Workers' Compensation and the Workers' Compensation Appeals Board in relevant part as they pertain to the proposal made by Professor Asimow and the proposal for a central corps of administrative law judges conducting all state agency hearings in California.

**II**

**Organization, Administration, and Litigation**

Workers' Compensation in California is administered under a bifurcated system. Administratively, the program is staffed and organized by the Division of Workers' Compensation (DWC) (previously, the "Division of Industrial Accidents.") The DWC is a division of the Department of Industrial Relations. Judicial powers and authority are vested in the seven-member commission called the Workers' Compensation Appeals Board (WCAB) (previously, the "Industrial Accident Commission.")

**Appeals Board**

The WCAB exercises all judicial powers vested in it under the Labor Code (Lab. Code, §111). However, the seven commissioners of the WCAB (such seven commissioners hereafter referred to as the "Appeals Board") have delegated their authority to hear cases to the approximately 130 workers' compensation judges (WCJs) dispersed throughout the State of

California in approximately 28 district (local) WCAB offices. A presiding workers' compensation judge (PWCJ) administers each district office. (See accompanying organizational chart.) The PWCJ has full responsibility for the assignment of cases for trial to the WCJs in his or her office. Any conflict which may arise between PWCJs of different offices respecting assignments of cases, venue, or priority of hearings where there is a conflict in calendar settings, is resolved by a deputy commissioner of the Appeals Board. (Cal. Admin. Code, title 8, §10346).

The Appeals Board, in accordance with its Rules of Practice and Procedure (set forth in California Administrative Code, title 8, sections 10900 - 10999), "which [rules] it shall adopt," has ordered the WCJs to try the issues in proceedings before it, including issues of fact and law, to make and file findings, orders, decisions or awards based thereon, and to issue writs or summons, warrants of attachments, warrants of commitment, and all necessary process in proceedings for direct and hybrid contempt in a like manner and to the same extent as courts of record. (Lab. Code, §§5309, 5310). The Appeals Board and WCJs may administer oaths, certify to all official acts, and issue subpoenas for the attendance of witnesses and the production of papers, books, documents, and testimony. (Lab. Code, §130).

The Appeals Board and WCJs may appoint a trustee or guardian ad litem to appear for and represent any minor or incompetent person upon the terms and conditions which the Board or the WCJ deems proper and may provide for the joinder in the same proceedings of any person interested therein, whether an employer, insurance company, employee, defendant, creditor, or other interest person or entity. (Lab. Code, §5307.5).

**Trials**

Hearings before the Appeals Board and the WCJs are initiated for pre-1990 injuries by the filing of an Application for Adjudication and a request for trial. (See the attached statistical table showing the numbers of cases filed annually since 1965, currently averaging 175,000 to 185,000 cases per year. Post 1990 forms and procedures will be different.)

Applications are filed in one of the 28 district offices according to strict rules of venue. (Cal. Admin. Code, title 8, §§10403, 10404.) Applications frequently involve multiple specific and cumulative injuries. Before a trial is set, a pre-trial or settlement conference is usually conducted, at which time, if the matter is not settled by the parties, the issues and stipulations are framed, and the witnesses and time needed for trial are established. The conference judge, ordinarily, does not try the case and therefore the conference judge can be instrumental in helping the parties resolve their differences. Most cases settle at the conference level, but if a case is not settled, the matter is set for trial. If a case is set for trial before a WCJ that is not agreeable to one of the parties, the party has the option of one free or peremptory challenge, as well as the right to challenge for cause. (Lab. Code, §5311; Cal. Admin. Code, title 8, §§10452, 10453).

Issues set for trial can include the following: industrial versus non-industrial injury; cumulative trauma to various body parts, internal organs, and systems; extent and duration of temporary disability; need for and costs of past, current, and future medical treatment; nature and extent of permanent disability and the formula rating of permanent disability; earnings; employment versus self employment and/or independent contractor status; insurance coverage; reformation of insurance contracts; multiple injuries, multiple employers, multiple insurance companies, and their respective of liabilities; statute of limitations, jurisdiction, and affirmative defenses; restitution; credit for overpayment and/or co-payments from other benefit sources; discrimination; serious and willful misconduct; civil tort value of a case and comparative negligence of the third party case for determination of credit purposes in the worker's compensation case; industrial death and the nature and extent of dependency; willful non-insurance matters; self-insurance; contribution among workers' compensation carriers; appeals from decisions and orders of the vocational Rehabilitation Bureau, which may include resolution of issues of qualified injured worker status and provision of services sufficient to return the injured worker to full employment; penalties; attorneys' fees; and liens against benefits for living expenses, burial expenses,

unemployment and state disability income insurance, and past medical treatment. One or more witnesses may be necessary at trial and such witnesses may include the injured worker, co-employees, management employees, physicians, accountants, civil experts, industrial experts, and vocational rehabilitation and permanent disability experts. The parties to the proceeding are usually represented by attorneys who specialize in workers' compensation, and in fact, workers' compensation is one of the few certified specialties established by the State Bar of California.

Trials, conferences, and discovery take place pursuant to the Labor Code; WCAB Rules of Practice and Procedure set forth in Cal. Admin. Code, title 8, §§10300 - 10999; the Rules of the Administrative Director set forth in California Administrative Code, title 8, sections 9710 - 10137; the applicable Civil and Evidence Code sections; and published case law. However, the conduct of trials and discovery matters in workers' compensation proceedings are not limited by the common law or statutory rules of evidence and procedure. (Lab. Code, §5708.) All testimony is recorded by a short-hand reporter; i.e., a court reporter.

Within 30 days after the case is submitted for decision to the WCJ, that judge makes and files findings on all facts and issues and makes an award, order, or decision which he or she submits together with a summary of evidence and an Opinion on Decision setting forth the reasons or grounds upon which the determination was made. (Lab. Code, §5313).

As noted above, approximately 130 WCJs, located throughout California, conduct the conferences and trials. Almost all cases filed involve at least one conference. The majority of cases, either with or without conferences are settled. Approximately 15% of the cases filed proceed to trial. Even cases that settle without a conference, however, are reviewed by a WCJ to determine the reasonableness and adequacy of the settlement for the protection of the injured worker. Thus, almost every case filed is, at a minimum, reviewed by a WCJ, conferenced by a WCJ, and/or tried. The attached statistical summary, when viewed in the context of the total number of WCJs, indicates that each judge handles about 1,400 conferences and 200 trials per year.

### **Reconsideration and Appeals**

**An aggrieved person may appeal a final order, decision, or award of a WCJ by filing a Petition for Reconsideration with the Appeals Board within 20 days of the WCJ's decision. If a timely petition is not filed, the WCJ's decision is final. Specific grounds for seeking reconsideration are set forth in Labor Code section 5903, but the usual statutory ground is that the evidence does not justify the findings. Any objections, irregularities, or illegalities are waived if not raised on reconsideration. When a Petition for Reconsideration is filed, the WCJ prepares a Report and Recommendation on Petition for Reconsideration wherein he or she discusses the issues raised by the petitioner and further justifies the decision, or otherwise makes a recommendation to resolve the petitioner's complaints.**

**Upon receipt of a Petition for Reconsideration, the case is assigned to a panel of three commissioners of the Appeals Board. The commissioners review and respond to the petition. The decision of at least two of the three commissioners on the panel is the decision of the Appeals Board. The panel may re-issue the same WCJ decision or issue a new decision on the same evidentiary record, may summarily deny reconsideration based on the WCJ's report, may grant the appeal and return the case to the WCJ for further proceedings and decision at the trial level, or may grant reconsideration, direct the taking of additional evidence, and then issue a decision. The matter may also be assigned to the Appeals Board as a whole for an en banc decision if the case presents a novel issue, or if an en banc decision is appropriate to achieve uniformity of decision.**

**Any party aggrieved by the Board's decision after reconsideration may, within 45 days, file a Petition for Writ of Review with the Court of Appeal. The standard of review is the substantial evidence test. The Court of Appeal is not authorized to hold a trial de novo, take evidence, or exercise its independent judgment. The findings and the conclusions of the Appeals Board on questions of fact are conclusive and final and are not subject to review.**

**Rehearing may be requested in the Supreme Court. There is no recourse to the Superior Court in a workers' compensation case.**

#### **Division of Workers' Compensation (DWC)**

**Except as to the duties, powers, jurisdiction, responsibilities, and purposes as are specifically vested in the Appeals Board, the Administrative Director of the DWC exercises the powers of a department head. (Lab. Code, §111.) This includes the supervision of and responsibility for personnel and coordination of the work of the DWC, except the Administrative Director does not supervise or have responsibility for the personnel of the Appeals Board. (Lab. Code, §111.) Commissioners of the Appeals Board are appointed by the governor and confirmed by the state senate for six year terms. Five (5) of the commissioners must be experienced attorneys. (Lab. Code, §112.) The Chairman of the Appeals Board may appoint a secretary and assistant secretaries to perform prescribed services. The Administrative Director of DWC may employ necessary assistant, officers, experts, statisticians, actuaries, accountants, workers' compensation judges, and other employees. Workers' Compensation Judges' salaries are set by the Department of Personnel. (Lab. Code, §123.)**

**WCJs employed by the Administrative Director are taken from an eligibility list of attorneys licensed to practice law in California, who have qualifications prescribed by the State Personnel Board. WCJs are required to maintain membership in the Bar during their terms. (Lab. Code, §123.5.) (See attached copy of the most recent WCJ exam announcement, requiring WCJ applicants to have 5 years experience in the practice of law and to take a written test covering workers' compensation substantive law and procedure.) WCJs are also required to subscribe to the California Code of Judicial Conduct.**

**As indicated above, there are 28 district WCAB offices in the state, housing approximately 130 WCJs, one PWCJ for each office, rating experts, vocational rehabilitation consultants, and Information and Assistance Officers. (See the attached organizational chart.)**



### **Recent Legislation**

**Certain new procedures, functions, statutes, and rules have recently been adopted pursuant to the Margolian-Bill Greene Workers' Reform Act of 1989 (the Reform Act) for injuries occurring on and after January 1, 1990 and additional rules are currently being drafted pursuant to provisions of the Reform Act which take effect on January 1, 1991. These new statutory provisions, procedures, and rules, which apply to injuries occurring on or after January 1, 1990 and January 1, 1991, exist and/or will exist and function in addition to previously enacted statutory provisions, procedures and rules which apply to injuries that occurred prior January 1, 1990, thereby resulting in a complicated multiple track system for processing and adjudicating workers' compensation claims. Moreover, under the provisions of the Reform Act, in addition to WCJs and Appeals Board commissioners, there are now and/or will soon be referees and arbitrators to process workers' compensation cases, and investigators and auditors to monitor and enforce of the provisions of the workers' compensation law. The changes, however, do not affect or diminish the independent decision making authority of the WCJs and the Appeals Board.**

### **III**

#### **Arguments against ALJ Central Panel for Workers' Compensation**

**At the last page of his report, Professor Asimow concludes that "our aspiration must be to design a scheme of adjudicatory procedure that will provide justice to those adversely affected by government agencies but will not unduly hinder those agencies in carrying out their statutory missions." That is an admirable and appropriate goal for the multitude of state agencies involved in investigating, enforcing, and licensing, but it already exists in the adjudication of workers' compensation cases. The WCAB's judicial function is separate from any other function of the DWC. Separate, well-published rules of practice and procedure exist for practice before the WCAB; the WCJs have total judicial independence which does not lend itself to bias, inefficiency, inconsistency, and inaccuracy; and there is a separate appellate**

process. Injured workers constitute, by far, the overwhelming majority of people appearing before the WCAB. However, unlike persons compelled to appear before the licensing agencies referred by Professor Asimow, workers' compensation applicants voluntarily submit their claims to the WCAB for resolution. The grievance of a claimant in the workers' compensation system is with other persons, not with a governmental agency.

Moreover, there are 130 WCJs in 28 offices handling a high volume of extremely technical cases in a very specialized and unique area of law. To transfer the WCJs to a Central Core as suggested, would create an administrative nightmare in terms of control of files and case assignments. Cases are filed according to strict geographic venue rules. Specific numbers of WCJs are permanently assigned to each office to handle the volume of cases in that office. WCJ calendars are jam-packed with conferences and trials. (For example, see the attached calendar for the week of May 15, 1989 in San Francisco.) The WCJs already have judicial independence and issue final and binding decisions subject only to an appellate process. Rules, procedures, and workers' compensation appellate decisions are published separately. While there are certainly more than enough cases to assign to the WCJs, the WCJs quickly and efficiently handle an ever-increasing load of cases with new and expanding issues. Transferring current WCJs to the Central Core would destroy any possibility of maintaining control over thousands of conferences, trials, and files.

Assigning new circuit-riding ALJs to a workers' compensation calendar would also introduce a lack of expertise, knowledge, and ability in workers' compensation so as to dilute what efficiency currently exists. An inexperienced ALJ may not be capable of evaluating a settlement to determine its reasonableness and adequacy, thus adversely affecting the injured worker's recovery. An inexperienced ALJ would slow down an already fully extended system while he/she becomes educated in the substantive aspects of the law. A core of inexperienced ALJs would probably result in more appeals to the reconsideration level due to incorrect decisions caused by the lack of expertise and experience, and this would result in a need to increase the reconsideration staff. Additionally, it would also slow down the benefit delivery

**system. In short, no one, particularly not the injured worker claimant, would benefit by inserting another layer of bureaucracy into the workers' compensation system.**

**Finally, it is noted that even Professor Asimow recognizes that the WCAB should not be part of the Central Core concept. At page 26 of his proposal he refers to the WCAB as an independent benefit-disbursing agency that seems to work well. At pages 44 to 45 he states further in part as follows:**

**"The fundamental argument against an ALJ corps is based on the criterion of accuracy and arises out of specialization and expertise. In the case of workers compensation, for example, the judges hear a high volume of cases and must approve every settlement. Everyone whom I interviewed--judges, WCAB staff, attorneys for applicants and defense--agreed that it takes years to become a competent judge. The compensation bar is intensely specialized and it expects its judges to be equally knowledgeable. Everyone feared inexperienced judges who could not correctly evaluate settlements or the testimony of physicians, who took too long to decide cases or who rendered decisions that were out of line. So, if the independence argument is unpersuasive in the case of a benefit-dispensing agency like WCAB that is already independent of the parties who litigate before it, and if only specialized judges can hear workers comp cases, there is little to argue for changing the status quo."**

**In his report, Professor Asimow indicates that there are three criteria used in reviewing and making his recommendations. They are the accuracy or consistency in decision making, efficiency in the costs and methods of handling large volume of cases, and the acceptability of the decisions to the public. At the conclusion of part three (3) of his report, Dr. Asimow concludes as follows:**

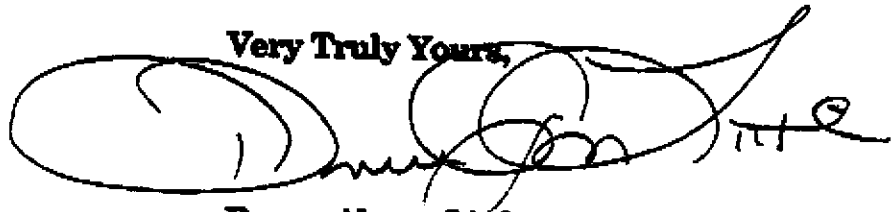
**"While I believe that the legislature should continue to transfer appropriate sorts of cases to the existing central panel, I did not find that the case was persuasive for transferring judges from the benefit-dispensing agencies, or from the PUC, DMV, SPB, Insurance Commissioner, or SBE to a central panel. The criterion of accuracy suggests that the transfer should not occur (at least not if it would diminish**

specialization), efficiency would probably not be served by a transfer, and acceptability points weakly in favor of a transfer. This is not a strong enough case for making such a fundamental change." (Emphasis added)

In summary, it appears that both Dr. Asimow and the WCAB agree that accuracy, efficiency, and acceptability will not be served by the ALJ Central Panel Concept in the workers' compensation system. For the reasons set forth above, the WCAB and the Department of Industrial Relations request that California workers' compensation system be excepted or excluded from the proposal.

Thank you for the opportunity to present the views of the WCAB and the Department of Industrial Relations to your commission. If additional information would be of assistance, please feel free to contact us.

Very Truly Yours,



Donna Alyson Little  
Chairperson  
Workers' Compensation Appeals Board

Attachments:

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aal

6861 9 1 1077 RECON TRENA

WORKERS' COMPENSATION APPEALS BOARD  
MASTER CALENDAR  
RUN DATE: 05/01/89  
WCPB217

LOCATION: SAN FRANCISCO

HEARING DATE: 05/15/89 MONDAY

\*\*\*\*JUDGE: GORDON GAINES

6861 2 2 NOR

PARTY NAME	LAWFIRM	TIME LENGTH	TYPE
HAGENAH R AMERICAN MOTORIST INS. CO	JOHN BLOOM ESQ HANNA BROPHY ET AL	9:00	CONFER
MUSCAT C UNDERWRITERS ADJUSTING CO	STEVEN M BIRNBAUM ESQ ALTON CHAMBLISS LAW OFFIC	9:00	CONFER
REFVEM R UNITED AIRLINES	AIROLA WILLIAMS DIETRICH & LAUGHLIN FALBO LEVY & MOR	9:00	CONFER
WILLIAMS P APPLIED RISK	JOSEPH WAXMAN ESQ MULLEN & FILIPPI	9:00	CONFER
GALEA J HOME INSURANCE COMPANY EMPLOYEE BENEFITS INSURAN	NORBACK DURARD & GANGEMI HEALEY CAHILL BOBUS TAYLO COSTAMAGNA DRISCOLL & HUC	9:30 ONE HR	TRIAL
GRIDER S CNA INSURANCE COMPANY	ALAN RODIER MENTZ FINN CLARK ET AL	1:30	CONFER
GRAY P GAB BUSINESS SERVICES HOMELAND INSURANCE	JOHN DEVINE ESQ MULLEN & FILIPPI	1:30	CONFER
HADDAD E STATE COMPENSATION INS FU	JOHN DEVINE ESQ	1:30	CONFER
SHEERIN C HARTFORD INSURANCE COMPAN	NORBACK DURARD & GANGEMI SCHMIT MORRIS BITTNER & S	2:00 TWO HR	TRIAL

RUN DATE: 05/01/89  
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PARTY NAME	LAWFIRM	TIME LENGTH	TYPE
CAMPOS S REPUBLIC INDEMNITY CO OF	WELTIN VAN DAM & FLORES JOSEPH DANDRE LAW OFFICES	9:00	CONFER
CUNEO J STATE COMPENSATION INS FU	JOHN NASH ESQ	9:00	CONFER
FLORES R REPUBLIC INDEMNITY COMPA REPUBLIC INDEMNITY CO	JOSEPH WAXMAN ESQ	9:00	CONFER
FREDERICK K KEMPER INSURANCE GROUP CALIFORNIA COMPENSATION &	MITCHELL ELLIS ESQ DENNIS M KUBA ESQ	9:00	CONFER
IDARRA S BEAVER INSURANCE COMPANY	WATSON GARONI	9:00	CONFER
ORTEGA F STATE COMPENSATION INS FU	PASTERNAK RAZO GARCIA	9:00	CONFER
VASQUEZ D STATE COMPENSATION INS FU	WILLIAM GORDON	9:00	CONFER
DODSON B CITY & COUNTY OF SAN FRAN	JOSEPH C WAXMAN ESQ OFFICE OF CITY ATTORNEY	9:30	CONFER
DELGADO A INSURANCE COMPANY OF THE REPUBLIC INDEMNITY CO REPUBLIC INDEMNITY CO OF INSURANCE CO OF THE WEST	RINGGOLD & AYOUB DASHNER & LEE	2:00	CONFER
SCHUMACHER J UNITED AIRLINES	NORBACK DURARD & GANGEMI LAUGHLIN, FALBO, LEVY & M	2:00	CONFER
SECHSER M EUGENE SECHSER AS GUARDIA AMERICAN AUTOMOBILE INSUR	AIROLA WILLIAMS DIETRICH FINNEGAN & MARKS ESQS	2:00	CONFER
WARDALL R MARIN COUNTY OFFICE OF IN	JOHN BLOOM ESQ HANNA BROPHY ET AL	2:00	CONFER
WILSON D TRAVELERS INSURANCE CO.	WILHELM THOMPSON WENTHOLT	2:00 TWO HR	TRIAL

\*\*\*\*JUDGE: ALAN ESKENAZI

PARTY NAME	LAWFIRM	TIME LENGTH	TYPE
CASEY A TRAVELERS INSURANCE COMPA	CASE FORD & ATKINSON ESQ	9:00 ONE HR	TRIAL
GERENDACI E FREMONT COMPENSATION INSU	JACK RIORDAN	9:00	CONFER
MAY A CO COUNSEL AETNA LIFE AND CASUALTY KEMPER INSURANCE CO. AETNA CASUALTY & SURETY C AETNA TECHNICAL SERVICES, LIBERTY MUTUAL FIRE INSUR PACIFIC EMPLOYERS INS CO TRAVELERS INSURANCE COMPA STATE COMPENSATION INSURA INDUSTRIAL INDEMNITY	STEPHEN SPRENKLE ESQ KAZAN & MCCLAIN ESQS CRYMES HARDIE & HEER	9:00	CONFER
SILAS J INSURANCE COMPANY OF NO A HARTFORD ACCIDENT & INDEM CALIFORNIA STEVEDORE & BA HARTFORD ACCIDENT & INDEM	JAMES LAZAR PARRISH & ASSOCIATES	9:30 ONE HR	TRIAL
JUAREZ H AUDREY K JUAREZ CLAIMS ADMINISTRATION SYS	HANNA BROPHY ET AL SCHMIT MORRIS BITTNER & S	1:30	CONFER
RAMIREZ R REPUBLIC INDEMNITY COMPA NORCAL SOLID WASTE SYSTEM	BOCCARDO LAW FIRM RICHARD FRYE ESQ	1:30	CONFER
FLORES T TONY FLORES CALIFORNIA INSURANCE GUAR	WILLIAM BREMER ESQ FINNEGAN & MARKS ESQS	2:00 TWO HR	TRIAL
	ANATOLE ZACHS ANATOLE ZACHS RICHARD FRYE ESQ		

RUN DATE: 05/01/89  
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WORKERS' COMPENSATION APPEALS BOARD  
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\*\*\*\*JUDGE: ALVIN BARRETT

PARTY NAME	LAWFIRM	TIME LENGTH	TYPE
TELEB M REPUBLIC INDEMNITY CO	TED HENDRICKSON JOSEPH DANDRE LAW OFFICES	9:00	CONFER
BLANKENHEIM E AMERICAN INTERNATIONAL AD FIREMANS FUND INSURANCE C	MICHAEL MILLER ESQ JOHN PARENTE	1:30 4 HOUR	TRIAL
JORDAN B GAB BUSINESS SERVICES	MILTON JACOBS LAUGHLIN FALBO LEVY & MOR	1:30	CONFER



HEARING DATE: 05/16/89 TUESDAY

LOCATION: SAN FRANCISCO

\*\*\*\*JUDGE: ALFRED WILLIAMS

PARTY NAME	LAWFIRM	TIME LENGTH	TYPE
CARR D ROYAL INSURANCE COMPANY O ROYAL INSURANCE COMPANY	WILLIAM GORDON LAUGHLIN FALBO LEVY & MOR	9:00	CONFER
CATUDIO A LIBERTY MUTUAL INSURANCE	ROBERT HERSH HANNA BROPHY ET AL	9:00	CONFER
GUPELLERT J MRS VIJA GUPELLERT ALEXIS RISK MANAGEMENT	WRIGHT & STEVENS ESQS LAUGHLIN FALBO LEVY & MOR	9:00	CONFER
HYKE L INSURANCE COMPANY OF NO A	JOEL SIEGAL ESQ HANNA BROPHY ET AL	9:00	CONFER
NOWLIN J NATIONWIDE MUTUAL INSURAN CENTRA FREIGHT SERVICES	ARTHUR LEVY ESQ ANDRESEN & LAMBORN ESQS	9:00	CONFER
RITTELL J ZURICH AMERICAN INSURANCE	ROBERT BLUMENTHAL ESQ LAUGHLIN FALBO LEVY & MOR	9:00	CONFER
RUIZ B UNINSURED EMPLOYERS FUND	JORGE C DEQUESADA ESQ	9:00	CONFER
SCOTT R ADJUSTING AGENT UNITED AIRLINES	NORBACK DURARD & GANGEMI HANNA BROPHY ET AL	9:00	CONFER

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PARTY NAME	LAWFIRM	TIME LENGTH	TYPE
DEITERS T CLAIMS ADMINISTRATION SYS ZURICH AMERICAN INSURANCE NORDSTROM INC INDUSTRIAL INDEMNITY COMP CRUM & FORSTER UNDERWRITE CLAIMS ADMINISTRATION SYS	JONES BROWN CLIFFORD & MCD ED CECIL LAUGHLIN FALBO LEVY & MOR JOSEPH DANDRE LAW OFFICES SCHMIDT HERLIHY COCKLE ET FALK REGNELL HAMBLIN & BO	9:00	CONFER
FORTIER D STATE COMPENSATION INS FU	ANATOLE ZACHS	9:00	CONFER
GHANEN S AMERICAN BUILDING MAINTEN	ANATOLE ZACHS	9:00	CONFER
HARRISON C ADVANCE CLAIMS TECHNOLOGI ACT	BREWER KLEIMAN & GALINE E RONALD LUTTRINGER RONALD LUTTRINGER ESQ	9:00 ONE HR	TRIAL
PRINDEVILLE J GATES McDONALD	JOHN DEVINE ESQ	9:00	CONFER

WCPB217  
RUN DATE: 05/01/89

WORKERS' COMPENSATION APPEALS BOARD  
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\*\*\*\*JUDGE: PHILIP MIYAMOTO

PARTY NAME	LAWFIRM	TIME	LENGTH	TYPE
CAMARGO D AETNA CASUALTY & SURETY C	JOSEPH WAXMAN ESQ MENTZ FINN CLARK ET AL	9:00	ONE HR	TRIAL
GHO LIKELY P CITATION INSURANCE COMPAN	NORBACK DURARD & GANGEMI CRYMES HARDIE & HEER	9:30	TWO HR	TRIAL
BAUTISTA E CRAWFORD AND COMPANY	JOHN BLOOM ESQ LAUGHLIN FALBO LEVY & MOR	1:30	ONE HR	TRIAL
STARKEY E SCOTT WETZEL SERVICES	BREWER KLEIMAN & GALINE E MULLEN & FILIPPI	1:30	ONE HR	TRIAL

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PARTY NAME	LAWFIRM	TIME LENGTH	TYPE
ALVES M HARTFORD INSURANCE COMPAN	BREWER KLEIMAN & GALINE E LAUGHLIN FALBO LEVY & MOR	9:00	CONFER
FALLO W INDUSTRIAL INDEMNITY PACIFIC COMPENSATION INSU	NEYHART ANDERSON NUSSBAUM	9:00	CONFER
RODRIGUEZ M STATE COMP INSURANCE FUND UNINSURED EMPLOYERS FUND	STEVEN BIRNBAUM ESQ	9:00	CONFER
SANDERS J APPLIED RISK MANAGEMENT	DONALD M BROWN MULLEN & FILIPPI	9:30 TWO HR	TRIAL
BYRNE K LIBERTY MUTUAL INS CO LIBERTY MUTUAL INSURANCE	JOSEPH WAXMAN ESQ	2:00	CONFER
HOKANO P INA INSURANCE CO	WILLIAM VEEN MULLEN & FILIPPI	2:00 TWO HR	TRIAL
KLEINHEINZ G REPUBLIC INDEMNITY COMPA	STANLEY BELL ESQ JOSEPH DANDRE LAW OFFICES	2:00	CONFER
STRATTA M CITATION INSURANCE COMPAN GENERAL ADJUSTING BUREAU	STEVEN M BIRNBAUM ESQ	2:00	CONFER

RUN DATE: 05/01/89  
WCPB217

WORKERS' COMPENSATION APPEALS BOARD  
MASTER CALENDAR

HEARING DATE: 05/16/89 TUESDAY

LOCATION: SAN FRANCISCO

\*\*\*\*JUDGE: ALVIN BARRETT

PARTY NAME	LAWFIRM	TIME	LENGTH	TYPE
FAZZIO C CITY & COUNTY OF SAN FRAN	JONES BROWN CLIFFORD & MCD OFFICE OF THE CITY ATTORN	1:30	ONE HR	TRIAL
RIDGWAY T MARIN COUNTY OFFICE OF IN	BOXER ELKIND & GERSON ESQ HANNA BROPHY ET AL	1:30	ONE HR	TRIAL
MELANI J INSURANCE COMPANY OF THE INSURANCE CO OF THE WEST	KLEIMAN & GALINE ESQS MENTZ FINN CLARK ET AL MENTZ FINN CLARK ET AL	2:00	ONE HR	TRIAL

RUN DATE: 05/01/89  
WCPB217

WORKERS' COMPENSATION APPEALS BOARD  
MASTER CALENDAR

HEARING DATE: 05/17/89 WEDNESDAY

LOCATION: SAN FRANCISCO

\*\*\*\*JUDGE: ALFRED WILLIAMS

PARTY NAME	LAWFIRM	TIME LENGTH	TYPE
ALTERMAN P AETNA CASUALTY & SURETY C NATIONAL SURETY CORPORATI	BOXER ELKIND & GERSON ESQ DREVLOW MURRAY & PAYNE DREVLOW MURRAY & PAYNE	9:00	CONFER
AZARI-RAD B ALEXIS RISK MANAGEMENT	JOSEPH WAXMAN ESQ HANNA BROPHY ET AL	9:00	CONFER
DOW C STATE COMPENSATION INS FU	ARTHUR LEVY ESQ	9:00	CONFER
EADES S ALEXIS RISK MANAGEMENT	JOHN BLOOM ESQ LAUGHLIN FALBO LEVY & MOR	9:00	CONFER
FORSMANN L STATE COMP INSURANCE FUND AMERICAN MOTORIST INS. CO	JONES BROWN CLIFFORD & MCD HANNA BROPHY ET AL	9:00	CONFER
GAVRILIS V ASSOC CLAIM MANAGEMENT ASSOCIATED CLAIMS	NORBACK DURARD & GANGEMI	9:00	CONFER
ROCHE D GREAT AMERICAN WEST	JOHN BLOOM	9:00	CONFER

RUN DATE: 05/01/89  
WCPB217

WORKERS' COMPENSATION APPEALS BOARD  
MASTER CALENDAR

PAGE 2

HEARING DATE: 05/17/89 WEDNESDAY

LOCATION: SAN FRANCISCO

\*\*\*\*JUDGE: GORDON GAINES

PARTY NAME	LAWFIRM	TIME LENGTH	TYPE
KING L FIREMANS FUND INSURANCE C	ARTHUR A LEVY ESQ DREVLOW MURRAY & PAYNE	9:00	CONFER
LEE L HOME INSURANCE CO SCOTT WETZEL SERVICES	WONG, CHAN AU HANNA BROPHY ET AL	9:00	CONFER
OHERN J CALIFORNIA CASUALTY INSUR	JONES BROWN CLIFFORD & MCD LAUGHLIN FALBO LEVY & MOR	9:00	CONFER
PARKER S GATES MCDONALD	RINGGOLD & AYOOB JOHN PARENTE	9:00	CONFER
JONES P ATLANTIC MUTUAL INSURANCE	ROSEMARY ACKERMAN ESQ WILLIAM JONES ESQ	9:30	CONFER
MONTGOMERY M UNITED PACIFIC LUMBERMENS MUTUAL CASUALT	PATRICIA MILLS-NDLELA ESQ LUTTRINGER & BRASS ESQS HANNA BROPHY ET AL	9:30 ONE HR	TRIAL

RUN DATE: 05/01/89  
WCPB217

WORKERS' COMPENSATION APPEALS BOARD  
MASTER CALENDAR

PAGE 3

HEARING DATE: 05/17/89 WEDNESDAY

LOCATION: SAN FRANCISCO

\*\*\*JUDGE: PHILIP MIYAMOTO

PARTY NAME	LAWFIRM	TIME LENGTH	TYPE
BALARD E NATIONAL SURETY CORPORATI	ANATOLE ZACHS DREVLOW MURRAY & PAYNE E	9:00	CONFER
DIAS A	KATE DIXON ESQ	9:00	CONFER
GONZALES J STATE COMPENSATION INS FU	ROBERT HERSH	9:00 ONE HR	TRIAL
LAFLEUR J APPLIED RISK MANAGEMENT	JOSEPH WAXMAN ESQ MULLEN & FILIPPI	9:30 TWO HR	TRIAL



RUN DATE: 05/01/89  
WCP8217

WORKERS' COMPENSATION APPEALS BOARD  
MASTER CALENDAR

PAGE 4

HEARING DATE: 05/17/89 WEDNESDAY

LOCATION: SAN FRANCISCO

\*\*\*JUDGE: JOHN MERRILL

PARTY NAME	LAWFIRM	TIME LENGTH	TYPE
COLINA B REPUBLIC INDEMNITY CO NORDSTROMS ASSOCIATED CLAIMS MANAGEM	THOMAS BUTTS J PATRICK GOODWIN ESQ HANNA BROPHY ET AL JOSEPH DANDRE LAW OFFICES	9:00	CONFER
GARCIA P FIREMANS FUND INS CO	ANATOLE ZACHS	9:00	CONFER
GERUSA J CITY & COUNTY OF SAN FRAN	MICHAEL MILLER ESQ OFFICE OF CITY ATTORNEY	9:00	CONFER
MINENNA V PACIFIC GAS & ELECTRIC CO PACIFIC GAS & ELECTRIC CO	AIROLA WILLIAMS DIETRICH & DOUGLAS HARELSON	9:00	CONFER
PAIZ J INSURANCE CO OF THE WEST	WILLIAM GORDON ESQ LAUGHLIN FALBO LEVY & MOR	9:00	CONFER
GIN S STATE COMP INSURANCE FUND STATE OF CALIFORNIA	JONES BROWN CLIFFORD & MCD	9:30 1/2 HR	TRIAL

HEARING DATE: 05/17/89 WEDNESDAY

LOCATION: SAN FRANCISCO

\*\*\*JUDGE: ALVIN BARRETT

PARTY NAME	LAWFIRM	TIME LENGTH	TYPE
JOHNSON A NORTHWESTERN NATIONAL INS	MCDONNELL & WEAVER MENTZ FINN CLARK ET AL	1:30 ONE HR	TRIAL
PETROCCHI R CITY & COUNTY OF SAN FRAN	JOSEPH WAXMAN ESQ OFFICE OF CITY ATTORNEY	1:30 ONE HR	TRIAL
CALLAN M TRAVELERS INDEMNITY CO	NORBACK DURARD & GANGEMI	2:00 ONE HR	TRIAL

HEARING DATE: 05/17/89 WEDNESDAY

LOCATION: BURLINGAME

\*\*\*\*JUDGE: ALAN ESKENAZI

PARTY NAME	LAWFIRM	TIME	LENGTH	TYPE
ANDERSON J BEAVER INSURANCE COMPANY	BREWER KLEIMAN & GALINE	E	9:00	CONFER
ARMSTRONG P AMERICAN HOME INSURANCE	NORBACK DURARD & GANGEMI PARRISH & ASSOCIATES		9:00	CONFER
BARVELS R HARTFORD INSURANCE COMPAN	BREWER KLEIMAN & GALINE LAUGHLIN FALBO LEVY & MOR	E	9:00	RATING
CASTRO R FIREMANS FUND INSURANCE C	NORBACK DURARD & GANGEMI MENTZ FINN CLARK ET AL		9:00	CONFER
CHANDLER G NORTHBROOK INSURANCE COMP STATE COMPENSATION INS FU NORTHBROOK PROPERTY & CAS NORTHBROOK INSURANCE UNITED PACIFIC INS. CO. RELIANCE INSURANCE COMPAN	BREWER KLEIMAN & GALINE IRENE N FUJITOMI  IRENE N. FUJITOMI IRENE N FUJITOMI IRENE N. FUJITOMI	E	9:00	RATING
CONTRERAS A ADJUSTCO	NORBACK DURARD & GANGEMI GASSETT PERRY & FRANK		9:00	CONFER
COX M HARTFORD ACCIDENT & INDEM HARTFORD INSURANCE COMPAN	NORBACK DURARD & GANGEMI LAUGHLIN FALBO LEVY & MOR		9:00	CONFER
DAVIDSON C ROYAL INSURANCE COMPANY	NORBACK DURARD & GANGEMI SEDEWICK DETERT ET AL		9:00	CONFER
DICESARE L UNIVERSAL UNDERWRITERS IN ZURICH INSURANCE COMPANY AMERICAN GUARANTEE AND LI REPUBLIC INDEMINITY COMPA	NORBACK DURARD & GANGEMI KORAB CLARK CANDEE WICKLE LORETTA NORRIS LORETTA NORRIS		9:00	CONFER
GALINDO I SCOTT WETZEL SERVICES	GEORGE BREWER HANNA BROPHY ET AL	ESQ	9:00	CONFER
GOSS D STATE COMPENSATION INS FU INDUSTRIAL INDEMNITY	BREWER KLEIMAN & GALINE SCHMIDT HERLIHY COCKLE ET	E	9:00	CONFER
GROGAN J MRS ARLENE GROGAN ELECTRIC MUTUAL LIABILITY	BARRY WALLY LAUGHLIN FALBO LEVY & MOR	ESQ	9:00	CONFER

HEARING DATE: 05/17/89 WEDNESDAY

LOCATION: BURLINGAME

\*\*\*\*JUDGE: ALAN ESKENAZI

PARTY NAME	LAWFIRM	TIME	LENGTH	TYPE
KUTNER S AETNA LIFE & CASUALTY INS	BREWER KLEIMAN & GALINE	E	9:00	CONFER
LARSON E UNIGARD INSURANCE COMPANY AETNA CASUALTY & SURETY C	GEORGE BREWER ESQ JERALD GRAINGER ESQ LAUGHLIN FALBO LEVY & MOR		9:00	CONFER
LOVENBURY L LIBERTY MUTUAL	BREWER KLEIMAN & GALINE	E	9:00	RATING
LUNA L LIBERTY MUTUAL LIBERTY MUTUAL LIBERTY MUTUAL INSURANCE	GEORGE BREWER ESQ GOSHKIN POLLATSEK MEREDIT GOSHKIN POLLATSEK MEREDIT		9:00	CONFER
MACKAY J BEAVER INSURANCE COMPANY	NORBACK DURARD & GANGEMI ANDRESON AND LAMBORN		9:00	CONFER
MONTANO R CNA	JOSEPH CARCIONE		9:00	CONFER
MOORE B ST PAUL FIRE & MARINE INS ST PAUL FIRE & MARINE INS	NORBACK DURARD & GANGEMI JOSEPH DANDRE LAW OFFICES		9:00	CONFER
REIGNER E STATE COMPENSATION INS FU	NORBACK DURARD & GANGEMI		9:00	CONFER
SHAH L INSURANCE COMPANY OF NO A	JOSEPH CARCIONE JR LAW OF		9:00	RATING
SPIEGEL C TRAVELERS INDEMNITY CO	BREWER KLEIMAN & GALINE	E	9:00	CONFER
WILLIAMS S CHUBB PACIFIC INDEMNITY C	BREWER KLEIMAN & GALINE MENTZ FINN CLARK ET AL	E	9:00	CONFER

RUN DATE: 05/01/89  
WCPB217

WORKERS' COMPENSATION APPEALS BOARD  
MASTER CALENDAR

HEARING DATE: 05/18/89 THURSDAY

LOCATION: SAN FRANCISCO

\*\*\*\*JUDGE: GORDON GAINES

PARTY NAME	LAWFIRM	TIME LENGTH	TYPE
GARCIA G EASTMAN KODAK COMPANY	ERIC H WERNER ESQ MORIARTY & SHETLER ESQ	9:00	CONFER
GRANADOS S GREAT AMERICAN INSURANCE GREAT AMERICAN INSURANCE INSURANCE COMPANY OF NO A	BREWER KLEIMAN & GALINE E DARRELL HUSETH - HEARING HANNA BROPHY ET AL	9:00	CONFER
MCDONALD L INA INS CO	JOHN DEVINE ESQ	9:00	CONFER
MORA J TRANSAMERICA INSURANCE CO RELIANCE INSURANCE COMPAN	MARTIN RESENDEZ GUAJARDO LAUGHLIN FALBO LEVY & MOR MENTZ FINN CLARK ET AL	9:00	CONFER
SCOURBYS E TRAVELERS INDEMNITY CO	ARTHUR A LEVY ESQ	9:30 ONE HR	TRIAL
ALABANZA R AMERICAN NATIONAL SECURIT	RINGGOLD & AYOOB	1:30	CONFER
BISSIG R INDUSTRIAL INDEMNITY	STEVEN BIRNBAUM ESQ LAUGHLIN FALBO LEVY & MOR	1:30	CONFER
WELDON J FREMONT INDEMNITY COMPANY FREMONT INDEMNITY COMPANY	ANATOLE ZACHS MENTZ FINN CLARK ET AL	1:30	CONFER

RUN DATE: 05/01/89  
WCPB217

WORKERS' COMPENSATION APPEALS BOARD  
MASTER CALENDAR

HEARING DATE: 05/18/89 THURSDAY

LOCATION: SAN FRANCISCO

\*\*\*JUDGE: PHILIP MIYAMOTO

PARTY NAME	LAWFIRM	TIME	LENGTH	TYPE
DAVIS L UNDERWRITERS ADJUSTING CO	JOHN BLOOM ESQ MULLEN & FILIPPI	9:00		CONFER
HUNTER T CITY & COUNTY OF SAN FRAN	MICHAEL HEBEL OFFICE OF THE CITY ATTORN	9:00	ONE HR	TRIAL
GOTAUTAS D FEDERAL INSURANCE COMPANY	ROSEMARY ACKERMAN ESQ JOSEPH SANDELL ESQ	1:30		CONFER
JUVERA S STATE COMP INSURANCE FUND	NEYHART ANDERSON NUSSBAUM	1:30		CONFER
PETERSON J GREENFIELD THOMPSON ASSOC ADVANCE CLAIMS TECHNOLOGI	NORBACK DURARD & GANGEMI MULLEN & FILIPPI ESQS MULLEN & FILIPPI	1:30	ONE HR	TRIAL
FRANKLIN H AMERICAN AUTOMOBILE INSUR	DANSE & REICH LOUIS PELLIGRINI	2:00	ONE HR	TRIAL
SOFA F SCOTT WETZEL SERVICES	BREWER KLEIMAN & GALINE E GRAY & PROUTY ESQS/IRENE	2:00	ONE HR	TRIAL

HEARING DATE: 05/18/89 THURSDAY

LOCATION: SAN FRANCISCO

\*\*\*\*JUDGE: JOHN MERRILL

<u>PARTY NAME</u>	<u>LAWFIRM</u>	<u>TIME LENGTH</u>	<u>TYPE</u>
BACA A SAFECO	GERALD TIERNAN	2:00	CONFER
CARPENTER B EMPLOYERS INSURANCE OF WA	MASTAGNI HOLSTEDT ET AL LAUGHLIN FALBO LEVY & MOR	2:00	CONFER
LARATTA T STATE COMPENSATION INS FU	NORBACK DURARD & GANGEMI	2:00	CONFER
MARTIN B ST MARYS HOSPITAL & MEDIC	KURLANDER & BURTON MULLEN & FILIPPI	2:00	CONFER
PITTMAN A MARSH & MCLENNAN KEENAN & ASSOCIATES	MITCHELL ELLIS ESQ JOHN PARENTE	2:00 ONE HR	TRIAL
WEAVER W SCOTT WETZEL CARTER HAWLEY HALE STORES	FRANKLIN W KING ESQ KORTE CRAIN & OLSEN KORTE CRAIN & OLSEN	2:00	CONFER

HEARING DATE: 05/18/89 THURSDAY

LOCATION: SAN FRANCISCO

\*\*\*\*JUDGE: ALAN ESKENAZI

PARTY NAME	LAWFIRM	TIME LENGTH	TYPE
ANDERSON E ASSOCIATED CLAIMS MANAGEM	BOCCARDO LAW FIRM MENTZ FINN CLARK ET AL	9:00	CONFER
CESAREO M CALIFORNIA INSURANCE COMM HOLLAND-AMERICAN INSURANC FIREMANS FUND INSURANCE C	STEVEN KAZAN EDWARD CECIL ESQ HANNA BROPHY ET AL MULLEN & FILIPPI	9:00	CONFER
JONES C UNDERWRITERS ADJUSTING CO	ROBERT MERSH	9:00	CONFER
LAKEY B INA - AETNA INS CO	AIROLA WILLIAMS DIETRICH & HANNA BROPHY ET AL	9:00	CONFER
KRINGEN G HOMELAND INSURANCE COMPAN REPUBLIC INDEMNITY CO	AIROLA WILLIAMS DIETRICH & LAUGHLIN FALBO LEVY & MOR DOUGLAS DASHNER	9:30 ONE HR	TRIAL
BACKUS A CALIFORNIA CASUALTY	STEVEN KAZAN LAUGHLIN FALBO LEVY & MOR	1:30	CONFER
FAIRLEY D FIREMANS FUND INSURANCE C	JAMES LAZAR DREVLOW MURRAY & PAYNE	1:30	CONFER
MUNDEN J RELIANCE INSURANCE COMPAN	NANCY AYOOB ESQ LUTTRINGER & BRASS ESQS	1:30	CONFER
PETERSON O STATE COMPENSATION INS FU	J A MORALES	1:30	CONFER



RUN DATE: 05/01/89  
WCPB217

WORKERS' COMPENSATION APPEALS BOARD  
MASTER CALENDAR

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HEARING DATE: 05/18/89 THURSDAY

LOCATION: SAN FRANCISCO

\*\*\*\*JUDGE: ALVIN BARRETT

PARTY NAME	LAWFIRM	TIME LENGTH	TYPE
SIMPSON K DAMARK SERVICE CO NEW HAMPSHIRE INS CO	BREWER KLEIMAN & GALINE HANNA BROPHY ET AL HANNA BROPHY ET AL	E 9:00 4 HOUR	TRIAL
REYNOLDS C EAGLE INSURANCE GROUP PACIFIC MARINE INSURANCE STATE COMPENSATION INS FU	ANATOLE ZACHS PARRISH & ASSOCIATES FINNEGAN & MARKS ESQS	9:30	CONFER

RUN DATE: 05/01/89  
MCPB217

WORKERS' COMPENSATION APPEALS BOARD  
MASTER CALENDAR

HEARING DATE: 05/19/89 FRIDAY

LOCATION: SAN FRANCISCO

\*\*\*\*\*JUDGE: ALFRED WILLIAMS

PARTY NAME	LAWFIRM	TIME	LENGTH	TYPE
BANKHEAD C CITY & COUNTY OF SAN FRAN	OFFICE OF CITY ATTORNEY	9:00		CONFER
BOUCHARD R INSURANCE COMPANY OF NORT CALIFORNIA COMPENSATION & STATE COMPENSATION INS FU CONTINENTAL CASUALTY COMP	STEVEN KAZAN MULLEN & FILIPPI	9:00		RATING
FRENCH P NORTHBROOK INSURANCE COMP	EDWARD SOLOMON IRENE N. FUJITOMI	9:00		RATING
GASKINS G CITY & COUNTY OF SAN FRAN CITY AND COUNTY OF SAN FR	MICHAEL HEBEL OFFICE OF CITY ATTORNEY OFFICE OF CITY ATTORNEY	9:00		RATING
GUERRA M ARGONAUT INSURANCE CO	KURLANDER & BURTON JAMES FURMAN INC	9:00		RATING
HART C CITY & COUNTY OF SAN FRAN	RINGGOLD & AYOOB ESQS OFFICE OF CITY ATTORNEY	9:00		RATING
KYLES D CITY AND COUNTY OF SAN FR	AIROLA WILLIAMS DIETRICH & OFFICE OF CITY ATTORNEY	9:00		RATING
LEE T CITY & COUNTY OF SAN FRAN	ARTHUR A LEVY ESQ OFFICE OF CITY ATTORNEY	9:00		RATING
MANALO A CALIFORNIA CASUALTY INDUSTRIAL INDEMNITY	ANATOLE ZACHS LAUGHLIN FALBO LEVY & MOR SCHMIDT HERLIHY COCKLE ET	9:00		RATING
MANN D UNDERWRITERS ADJUSTING CO	ARTHUR LEVY ESQ MULLEN & FILIPPI	9:00		RATING
MCCARTHY J COUNTY OF MARIN	ROSEMARY ACKERMAN ESQ LAUGHLIN FALBO LEVY & MOR	9:00		RATING
MURRAY R STATE COMPENSATION INS FU	JOSEPH MURRAY	9:00		CONFER
POAT L MARRIOTT CASUALTY	RINGGOLD & AYOOB HANNA BROPHY ET AL	9:00		RATING
RICHARDSON D APPLIED RISK MANAGEMENT SELF INSURANCE SERVICES	WILLIAM HEALY ESQ MULLEN & FILIPPI	9:00		CONFER

RUN DATE: 05/01/89 WORKERS' COMPENSATION APPEALS BOARD  
WCPB217 MASTER CALENDAR

HEARING DATE: 05/19/89 FRIDAY

LOCATION: SAN FRANCISCO

\*\*\*\*JUDGE: ALFRED WILLIAMS

PARTY NAME	LAWFIRM	TIME LENGTH	TYPE
RODRIGUEZ R ZENITH INSURANCE COMPANY	ARTHUR A LEVY ESQ	9:00	RATING
SANTANA F CALIFORNIA CASUALTY CALIFORNIA CASUALTY	RICHARD RODRIGUEZ-IVANHOE MENTZ FINN CLARK ET AL	9:00	CONFER
SMIRL B HARTFORD ACCIDENT & INDEM	ARTHUR A LEVY ESQ LAUGHLIN FALBO LEVY & MOR	9:00	RATING
THAYER V STATE COMPENSATION INS FU	JOHN RIORDAN ESQ	9:00	CONFER
CHRISTENSON G STATE COMPENSATION INS FU	JOSEPH WAXMAN	9:30	RATING
COLLINS D STATE COMP INSURANCE FUND	NANCY AYOUB ESQ	9:30	RATING
FRANCOEUR G STATE COMPENSATION INS FU	JOSEPH WAXMAN ESQ	9:30	RATING
GARCIA R RALTSON PURINA CO./SELF I	WILLIAM RHETTA ESQ	9:30	RATING
MULKERRIN J AIM INSURANCE CO	STEVEN M BIRNBAUM ESQ	9:30	RATING
SANCHEZ A GATES MCDONALD	EDWARD SOLOMON LAUGHLIN FALBO LEVY & MOR	9:30	RATING
STRYKER J STATE COMPENSATION INS FU	DANSE & REICH	9:30	RATING

HEARING DATE: 05/19/89 FRIDAY

LOCATION: SAN FRANCISCO

\*\*\*\*JUDGE: GORDON GAINES

PARTY NAME	LAWFIRM	TIME LENGTH	TYPE
ABSHIRE L REPUBLIC INDEMNITY CO ZENITH INSURANCE COMPANY LIBERTY MUTUAL INSURANCE HARTFORD ZENITH INSURANCE CO	DANIEL WHITE  THOMAS MARPLE	9:00	CONFER
DRAYDEN E APPLIED RISK MANAGEMENT	ALICE W OSULLIVAN ESQ MULLEN & FILIPPI	9:00	CONFER
JELENIC S FAIRMONT INSURANCE COMPAN FAIRMONT INSURANCE COMPAN	JOHN BLOOM ESQ DAVID KLINGER & ASSOCIATE LINDA LEES & ASSOCIATES	9:00	CONFER
KING T TRANSAMERICA INSURANCE TRANSAMERICA INSURANCE CO TRANSAMERICA CORPORATION	JOSEPH WAXMAN	9:00	CONFER
LISHEAR N ASSOCIATED CLAIMS MANAGEM	ERIC WERNER JOSEPH DANDRE LAW OFFICES	9:00	CONFER
PETERSON R COMCO MANAGEMENT INC CALIFORNIA COMPENSATION & COMCO MANAGEMENT INC	JONES BROWN CLIFFORD & MCD LAUGHLIN FALBO LEVY & MOR	9:00	CONFER
PHILLIPS C GENERAL ACCIDENT INSURANC	JOHN BLOOM ESQ	9:00	CONFER
RIDGENAL M BIERLY & ASSOC	DUDA RAHIM & RATTO	9:00	CONFER
RIOS A STATE COMPENSATION INS FU	JONES BROWN CLIFFORD	9:00	CONFER

RUN DATE: 05/01/89 WORKERS' COMPENSATION APPEALS BOARD  
WCPB217 MASTER CALENDAR

HEARING DATE: 05/19/89 FRIDAY

LOCATION: SAN FRANCISCO

\*\*\*\*JUDGE: PHILIP MIYAMOTO

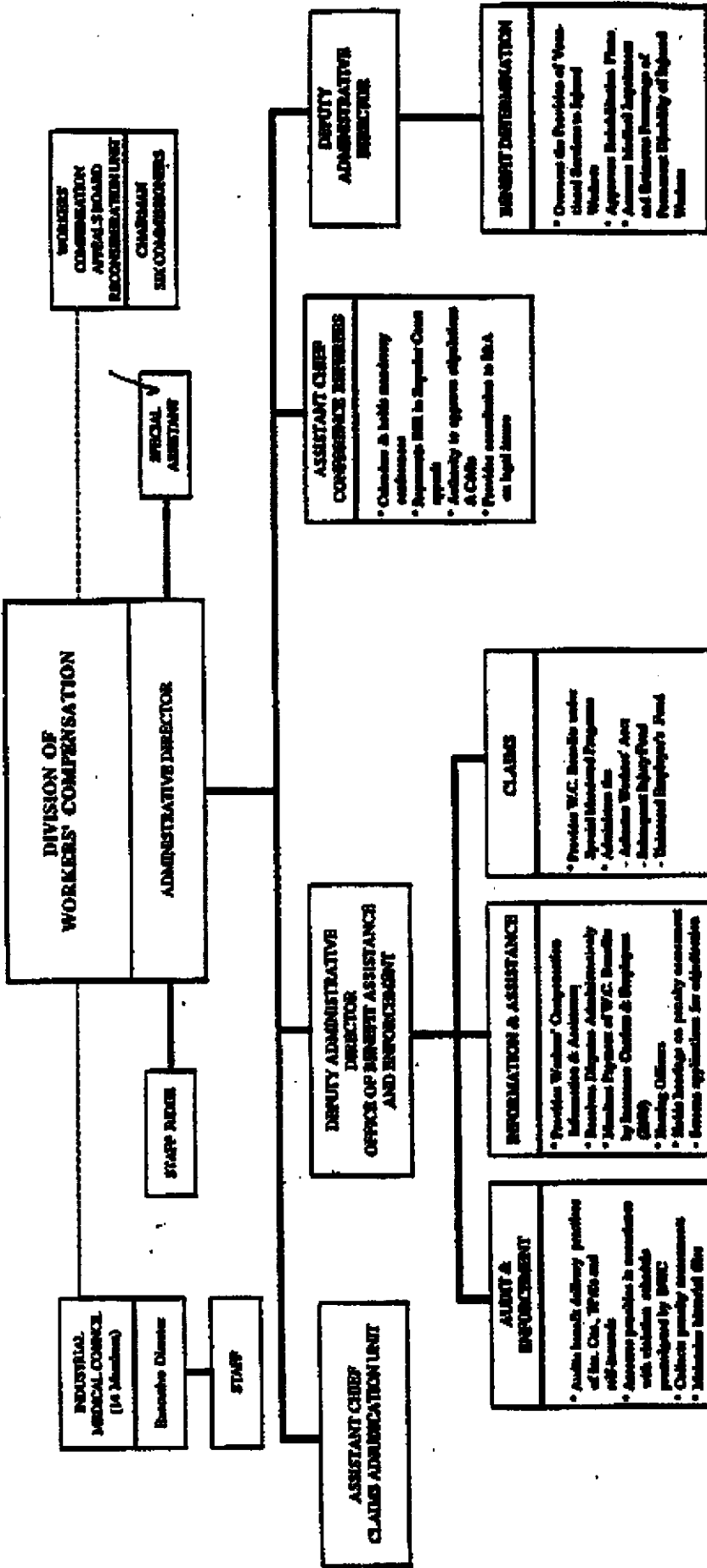
PARTY NAME	LAWFIRM	TIME LENGTH	TYPE
PAPPAS M CITY & COUNTY OF SAN FRAN	MICHAEL S HEBEL ESQ OFFICE OF CITY ATTORNEY	9:00 ONE HR	TRIAL
THIBEAUX D GATES MCDONALD	RICHARD POWERS LAUGHLIN FALBO LEVY & MOR	9:00 ONE HR	TRIAL
BERRO E CRAWFORD AND COMPANY	JOSEPH WAXMAN MENTZ FINN CLARK ET AL	9:30 ONE HR	TRIAL

HEARING DATE: 05/19/89 FRIDAY

LOCATION: SAN FRANCISCO

\*\*\*JUDGE: ALAN ESKENAZI

PARTY NAME	LAWFIRM	TIME LENGTH	TYPE
DAVIS R HARTFORD INSURANCE COMPAN	DENNIS CUNNANE	9:00	CONFER
NEAL J PACIFIC INDEMNITY COMPANY STATE COMPENSATION INS FU	JAMES LAZAR	9:00	CONFER
SLEEPER R MRS RUTH SLEEPER STATE COMPENSATION INS FU MISSION INSURANCE COMPANY ZENITH INSURANCE COMPANY INDUSTRIAL INDEMNITY ARGONAUT INSURANCE COMPAN EMPLOYERS LIABILITY ASSUR CIGNA/INSURANCE CO OF NOR ARGONAUT INSURANCE CO EMPLOYERS INSURANCE OF WA SAFEWAY STORES INC	MCCARTHY JOHNSON & MILLER  SCHMIDT HERLIHY COCKLE ET YOUNG DAVIS & TOYODA ESQ  PARRISH & ASSOCIATES	9:00	CONFER
STEINBERG A CHUBB GROUP OF INSURANCE	RINGGOLD & AYOUB	9:00	CONFER
VILLARETE D MARYLAND CASUALTY MARYLAND CASUALTY COMPANY	BARRY WALLY ESQ	9:00	CONFER



DISTRICT OFFICERS		
Anaheim CA, SD, I, CE	Long Beach CA, SD, I, CE	San Bernardino CA, SD, I, CE
Bakersfield CA, SD, I, CE	Los Angeles CA, SD, A, I, CE, CM	San Diego CA, SD, A, I, CE, CM
San Gabriel CA, SD, I, CE	Dulheda CA, SD, I, CE	San Francisco CA, SD, A, I, CE, C, M
Merced CA, I, CE	Fresno CA, SD, I, CE	San Jose CA, SD, A, I, CE
Fresno CA, SD, A, I, CE, M	Stockton CA, SD, I, CE	San Mateo CA, SD, A, I, CE
Glendale/Pasadena CA, SD, I, CE	San Bernardino CA, SD, A, I, CE	San Mateo CA, SD, I, CE
Greater City CA, SD, I, CE	San Diego CA, SD, I, CE	San Bernardino CA, SD, A, I, CE
		Walnut Creek CA, SD, I, CE

**Services Provided:**  
 CA - Claims Adjudication  
 SD - Benefit Determination  
 I - Information & Assistance  
 CE - Conference Business  
 A - Adult  
 C - Children  
 M - Industrial Medical Council

**STATISTICAL TABLE**

<b>Fiscal Year Ending June 30</b>	<b>Petitions for Reconsideration</b>	<b>Total Case Filings</b>
1965	3,974	49,704
1966 (1)	4,025	50,784
1967	4,045	55,611
1968	4,056	54,711
1969	3,849	56,180
1970	3,652	61,741
1971	3,711	63,711
1972	3,645	65,803
1973	3,358	69,657
1974	3,480	79,881
1975 (2)	3,157	87,245
1976	3,499	94,555
1977	3,802	104,068
1978	3,774	118,106
1979	3,935	114,426
1980	4,012	119,221
1981	3,959	123,382
1982	4,266	119,637
1983	4,314	137,947
1984	4,134	153,460
1985	3,668	175,235
1986	3,678	186,150
1987	3,637/4,769 (3)	185,292
1988	3,730/5,029	172,884
1989	4,233/5,407	172,598

- (1) Reorganization which created WCAB became effective January 15, 1966.
- (2) Method of counting petitions was changed so that consolidated cases were only counted as one rather than as several as had been done in the past.
- (3) Petitions for Reconsideration counted by petitioner and by number of cases in which petitions are filed.



# WORKERS' COMPENSATION JUDGE

—Open/Nonpromotional—



Testing Office: 525 Golden Gate Avenue, 7th Floor, San Francisco, CA 94102-3284 (415) 557-3420

## —OPEN/NONPROMOTIONAL—

**NONPROMOTIONAL**—Applications will not be accepted on a promotional basis.

Career credits will be added to the final score of all competitors in this examination who qualify for the credits and successfully complete all part(s) of the examination. (See reverse of this bulletin for information regarding career credits.) Competitors eligible to receive career credits must indicate this in Section 5 of Application Form 100-67E.

### HOW TO APPLY

Applications are available and may be filed in person or by mail with:

Department of Industrial Relations  
Personnel Office  
525 Golden Gate Avenue, 7th Floor  
San Francisco, CA 94102-3284

Submit applications only to the address indicated above.

**DO NOT SUBMIT APPLICATIONS TO THE STATE PERSONNEL BOARD.**

**FINAL FILING DATE: October 19, 1989**

Application (form 67E) must be **POSTMARKED** no later than the final filing date. Applications postmarked, personally delivered or received via inter-office mail after the final filing date will not be accepted for any reason.

If you have a disability and need special testing arrangements, mark the appropriate box in Part 2 of the "Application for Examination (Form 67E)." You will be contacted to make specific arrangements.

**NOTE:** Accepted applicants are required to bring either a photo identification card or two forms of signed identification to the interview.

### EXAMINATION DATE

**Written Test: November 18, 1989**

**Qualifications Appraisal:** It is anticipated that interviews will be held during January/February 1990.

**Salary Range:** \$4996—\$8043

\* 4% salary increase to be effective January 1, 1990.

### REQUIREMENTS FOR ADMITTANCE TO THE EXAMINATION

**NOTE:** All applicants must meet the education and or experience requirements for this examination by November 18, 1989 the written test date.

Qualifying experience may be combined on a proportionate basis if the requirements stated below include more than one pattern and are distinguished as "Either" I, "or" II, "or" III, etc. For example, candidates possessing qualifying experience amounting to 50% of the required time of Pattern I, and additional experience amounting to 50% of the required time of Pattern II, may be admitted to an examination as meeting 100% of the overall experience requirement.

Membership (active or inactive) in The State Bar of California.

Experience: Either

- Two years as an attorney serving on the staff of the Division of Industrial Accidents or Workers' Compensation Appeals Board in a class with a level of responsibility not less than that of Industrial Relations Counsel I; or

- Five years of experience in the active practice of law\* in litigation before a trial court or quasi-judicial body involving the interests of adverse parties; or
- Three years as presiding officer in a judicial or quasi-judicial body; or as a member of a court conducting judicial proceedings; or an administrative body conducting quasi-judicial proceedings; or
- Three years as a hearing officer.

\* Experience in the "practice of law" is defined as only that legal experience acquired after admission to The Bar.

**NOTE:** Applicants must show their membership number, title, and expiration on their application.

**Special Personal Characteristics**—Willingness to travel; impartiality; judicial temperament; clear enunciation; and normal hearing.

### THE POSITION

A Workers' Compensation Judge conducts judicial proceedings at which evidence, oral and written, is produced by adverse parties to disputed claims arising under the Labor Code provisions pertaining to workers' compensation insurance and safety, and makes decisions upon the evidence presented.

**POSITIONS EXIST STATEWIDE**

### EXAMINATION INFORMATION

This examination will consist of a written test weighted pass/fail and a qualifications appraisal interview weighted 100.00%. In order to obtain a position on the eligible list, a minimum rating of 70.00% must be attained.

### WRITTEN TEST—Pass/Fail

**Scope:**

- Workers' compensation law and procedure.
- Medical, physiological, anatomical, and occupational terminology relating to cases of industrial injury.
- California evidence and procedure.
- Analysis of data, facts, and laws.
- Ability to write effectively.

**Written Test Waiver:** The written test will be waived for applicants who possess a Certification of Specialization in Workers' Compensation from the California State Bar Association Board of Specialization.

**NOTE:** Applicants must attach a copy of their Certification which shows their membership number, title, and expiration date to their application.

### QUALIFICATIONS APPRAISAL—Weighted 100%

**Scope:**

- Knowledge of:
  - Principles and provisions of the Labor Code pertaining to workers, compensation insurance, and safety.
  - Leading court decisions in California and the United States Supreme Court on the subject of California Workers' Compensation law and related laws.

## QUALIFICATIONS APPLICABLE TO ALL POSITIONS (Continued)

## Section:

## A. Knowledge of:

3. Conduct of proceedings in a trial court, rules of evidence governing such proceedings, and laws related to serving notices, taking depositions, and issuing subpoenas.
4. Purposes and organization of the Workers' Compensation Appeals Board and Division of Industrial Accidents.
5. Procedure before the Workers' Compensation Appeals Board.
6. Legal research methods and performing such research.
7. Underlying philosophy of workers' compensation legislation.
8. Workers' Compensation Appeals Board affirmative action program.
9. A manager's role in the affirmative action program and the processes available to meet affirmative action objectives.

## B. Ability:

1. Conduct hearings in a manner that will obtain all pertinent evidence and secure the confidence and respect of all parties.
2. Analyze situations accurately and adopt an effective course of action.
3. Speak and write effectively.
4. Effectively contribute to the Workers' Compensation Appeals Board affirmative action objectives.

**Eligible List:** The list will be abolished 24 months after it is established unless the needs of the service and conditions of the list warrant a change in this period.

**Career Credits** will be granted in this examination. Veterans preference credit will not be granted.

## GENERAL INFORMATION

It is the candidate's responsibility to contact the the Personnel Office at (415) 557-3420 three days prior to the written test date if he/she has not received his/her notice.

If a candidate's notice of oral interview or performance test fails to reach him/her prior to the day of the interview due to a verified postal error, he/she will be rescheduled upon written request.

Applications are available at State Personnel Board offices, local offices of the Employment Development Department and the Department noted on the front.

If you meet the requirements stated on the reverse, you may take this examination, which is competitive. Possession of the entrance requirement does not assure a place on the eligible list. Your performance in the examination described on the other side of this bulletin will be compared with the performance of the others who take this test, and all candidates who pass will be ranked according to their scores.

The Department reserves the right to revise the examination plan to better meet the needs of the service if the circumstances under which this examination was planned change. Such revision will be in accordance with civil service law and rules and all competitors will be notified.

**Examination Locations:** When a written test is part of the examination, it will be given in such places in California as the number of candidates and conditions warrant. Similarly, oral interviews are scheduled in Sacramento, San Francisco, and Los Angeles. However, locations of interviews may be limited or extended as conditions warrant.

**Eligible Lists:** Eligible lists for competitive examinations are classified by type of State position in the following order: 1) subdivisional promotional; 2) departmental promotional; 3) multidepartmental promotional; 4) non-promotional; 5) departmental open; and 6) open. When there are two lists of the same kind, the older must be used first. Eligible lists will expire in from one to four years unless otherwise stated in this bulletin.

**General Qualifications:** Candidates must possess essential personal qualifications including integrity, initiative, dependability, good judgment, and ability to work cooperatively with others; and a state of health consistent with the ability to perform the assigned duties of the class. A medical examination may be required. In open examinations, investigation may be made of employment records and personal history and fingerprinting may be required.

**Interview Scope:** If an interview is conducted, in addition to the scope described on the other side of this bulletin, the panel will consider education, experience, personal development, personal traits, and fitness. In appraising experience, more weight will be given to the breadth and recency of pertinent experience and evidence of the candidate's ability to accept and fulfill increasing responsibilities than to the length of his/her experience. Evaluation of a candidate's personal development will include consideration of his/her recognition of his/her own training needs; his/her plans for self-development; and the progress he/she has made in his/her efforts toward self-development.

**High School Equivalence:** Equivalence to completion of the 12th grade may be demonstrated in any one of the following ways: 1) passing the General Education Development (GED) Test; 2) completion of 12 semester units of college-level work; 3) certification from the State Department of Education, a local school board, or high school authorities that the candidate is considered to have education equivalent to graduation from high school; or 4) technical and accounting classes, substitution of business college work in place of high school on a year-for-year basis.

**Career Credits:** In open, non-promotional examinations, career credits are granted to: 1) State employees with permanent civil service status; 2) full-time employees of the State who are exempt from State civil service pursuant to the provisions of Section 4 of Article VII of the California Constitution, and who meet all qualification requirements specified by the Board and have 12 consecutive months of service in an exempt position; and 3) individuals who have served one full year in, or are graduates of, the California Conservation Corps (eligibility shall expire 24 months after graduation from the California Conservation Corps). Three points are added to the final test score of those candidates who meet the above criteria, and who are successful in the examination. Such examinations cannot be for managerial positions described in Government Code Section 3513. Competitors not currently employed in State civil service who have mandatory reinstatement rights may also be eligible for career credits, but they must explain their civil service status in the appropriate section of the application Form 100-678. (Section 4 of Article VII of the California Constitution is posted at the State Personnel Board, 801 Capitol Mall, Sacramento.)

HEARINGS LAKER

FROM: ADMIN HEARINGS LAKERIDGE TO:

1 213 744 2911

JUL 24, 1990 10:39AM P.02



STATE OF WASHINGTON

OFFICE OF ADMINISTRATIVE HEARINGS

921 Lakeridge Way, Suite C  
Mail Stop FW-22  
Olympia, WA 98504  
(206) 753-7328  
SCAN 234-7328

July 24, 1990

Paul Wylor  
1100 West Olympic Blvd 5th Floor  
Los Angeles CA 90015

Dear Mr. Wylor:

Attached is the information you requested. I hope that it will be of some use to you. Good luck in your endeavor.

A handwritten signature in cursive script that reads "William L. Britton".

William L. Britton  
Administrative Law Judge  
Office of Administrative Hearings

HEARINGS LAKER

JUL 24, 1998 10:40AM P.03

ADMIN HEARINGS LAKERIDGF TO: 1 213 744 2911

In 1981 Washington enacted Ch. 34.12 RCW, creating the Office of Administrative Hearings (hereinafter referred to as OAH), effective 7/1/82. The Bill passed over the opposition of several state agencies, with the active support of the State Bar Association and the Washington Administrative Law Judges' Association. Stimulus for the Act arose from the action of one state agency's policy of determining the competence of its hearing officers, based on the percentage of cases in which the hearing officer affirmed the initial agency decision, and in firing a hearing officer who had overturned the agency's initial determination too frequently. The Bar Association offered an argument by way of analogy: Suppose the referees in a football game were in the employ of one of the teams playing, and could be fired by the team employing them. No matter how fair and correct the referees' calls, their calls would never be believed to be fair by the public. Similarly, no matter how fair and correct the decisions of hearings officers employed by the agencies whose decisions they review may be, those decisions will never be believed fair and correct without providing judicial independence. The agencies argued that they needed to have the power to fire and discipline hearings officers in order to maintain continuity and uniformity in administering their programs, and that the existing system provided adequate fairness to the parties. They also argued that a single agency would cause the loss of the expertise of judges assigned to a single type of hearing. The legislature viewed the expressed agency need to retain the power to discipline and fire judges as a demonstration of the need to enact the Bill. The Bill provides that the Chief ALJ will assign judges to take advantage of each judge's area of expertise, nullifying the second objection.

Creation of the OAH has resulted in a variety of advantages to the state. First, judges have been cross-trained, to be able to handle efficiently a major area caseload, and also handle cases arising from agencies which need an administrative law judge (hereinafter referred to as ALJ) on an occasional basis. Those agencies had, in the past, hired private practitioners to serve as temporary ALJs, who were unfamiliar both with the area of law and with administrative procedure. The OAH serves those agencies at a cost of about one-fourth the cost of the prior practice. Cross-training of ALJs has enabled the OAH to provide judges for different agencies whose caseloads tend to peak at different seasons, for an additional cost savings to the state. Cross-training has also enabled the OAH to establish new offices in various areas, greatly reducing the travel time of ALJs. Once, the Olympia office served all of south-western Washington and most of central Washington. Now, the Olympia office serves a much smaller area, eliminating the need for (and expense of) overnight travel.

In the eight years of its operation, the OAH is now fully accepted by the agencies served. Initial agency concerns have proven groundless. Per judge caseloads have increased, with no problem of meeting federal deadlines. The same procedure for exchange of documentation between the ALJ and the agencies has continued. By eliminating much of the wasteful travel time, scheduling has been improved. The greater geographic dispersion of the judges has also improved the speed at which information and documentation can be exchanged. Cross-training has permitted judges to have some relief from the steady diet of cases of a single type, stimulating the judge, and eliminating the

HEARINGS LAKER

FROM: ADMIN HEARINGS LAKERIDGF TO: 1 213 744 2911 JUL 24, 1990 10:40AM P.04

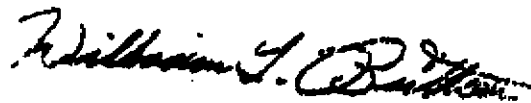
glassy-eyed stare, often seen in days of yore, yet full use of the judges' expertise has been retained. Billing for federally-funded UI cases has not been a particular problem; each judge with a primary UI responsibility logs his or her non-UI time for separate billing, and the computer handles the rest.

Under OAH, judges have the opportunity to change to new fields when they wish to do so and an opening is available, without loss of seniority and job security. The judges are able to share a variety of facilities for support staff and workspace, to greatly improve the utilization of both.

The single, most satisfying element of the central panel is to provide to each judge both the appearance of independence and fairness, and the reality of both. In the past, newly-appointed agency heads have, from time to time, attempted to invade the independence of the administrative adjudication process, sometimes in very inappropriate ways. The insulation of the OAH protects the ALJ from inappropriate interference.

Under the prior system, each adjudicator, belonging to a particular agency, felt more bureaucrat than judge. Under OAH, that feeling is gone, and each judge feels the full professional status of that position, and assumes the full professional burden of that status. The state, the public, the judges, and the agencies have all benefited from this transition.

Sincerely,



William L. Britton  
Administrative Law Judge  
Office of Administrative Hearings