

ADR Motions

ADR's Tips for Motions

- (1) Place the Board ICMS Claim Number on motions, objections, briefs, and any supplemental responses.
- (2) Use the correct Board form. If filing a change of physician request or a request for additional medical treatment, use a Form WC-200b. For all other motions, use a Form WC-102d. For objections and supplemental responses, use the corresponding and appropriate Board Form. Fill in the information requested in all spaces provided.
- (3) For all motions and objections, you may attach a brief in support of your request. Focus on the arguments and evidence in the record that supports your case.
- (4) For all motions, objections, and supplemental responses, attach a certificate of service.
- (5) Attach appropriate evidence in support of your motion. This includes medical evidence, affidavits, etc. Do not use tabs to separate and divide your exhibits. Use an identifying cover page for exhibits (i.e. Employer/Insurer Exhibits, and a table of contents), and label all of your exhibits, e.g. C-1, p. 1, or D-1, p. 1, etc. Failure to attach supporting evidence may result in the denial of the relief requested.
- (6) Cite relevant legal authority—e.g. code sections, board rules, and cases.
- (7) Objections are due within 15 days from the date of the certificate of service on the motion.
- (8) If requesting an extension of time to file a response, first ask opposing counsel, and if permissible with opposing counsel, immediately inform the Board, by telephone and in writing, of such requested extension.
- (9) It is permissible to file supplemental responses. However, notify the Board, by telephone and in writing, that you intend to file a supplemental response.
- (10) Do not fax any motions, objections, or other responses to the Board unless specifically permitted by a Board employee, or to an ICMS designated fax number.

- (11) Clearly identify and state the relief you are requesting in your motion.
- (12) Try to stipulate to facts.
- (13) If the issues presented in a motion is resolved or a ruling is deferred between the parties, immediately notify the Board, by telephone first, and then follow up with a letter.
- (14) After a reasonable period of time, it is permissible to contact the judge's staff to check on the status of a motion.
- (15) Do not use motions for alternative purposes.
- (16) Be familiar with Board Rule 102 and Board Rule 200.