

NEW JERSEY DEPARTMENT OF LABOR AND INDUSTRY
DIVISION OF WORKMEN'S COMPENSATION



At a meeting of the Workmen's Compensation Board, held on Saturday, January 26, 1952, the following rule, applying to formal cases, was adopted:

Interrogatories, as a means of discovery in workmen's compensation practice, may be allowed to either party only upon application in writing, with at least five days notice, to the Deputy Director before whom the matter is pending, in extraordinary circumstances, to wit:

1. In fatal cases where the widow or other dependent of deceased has no personal knowledge or access to the circumstances of the accident; where respondent seeks information as to existence and degree of dependency.
2. In occupational disease cases where the harmful irritants, acids or chemicals, to which the claimant was exposed, are wholly unknown to him.
3. In cases where the injured worker is treated either by the company or insurance doctor, and where the medical information is not available to the said worker. In such event, the employer or insurance carrier may be required to furnish a statement of the medical findings, consisting of the physical findings on the initial examination, the nature and course of treatment, x-ray and laboratory findings and final diagnosis.
4. In cases of re-opening of awards by claimants, seeking further allowances of compensation on the ground of increased disability. In these circumstances, claimant may be required to disclose by interrogatories the chronology of his case from the date of the last award or judgment to the time of filing of the new petition for increased disability, setting forth in detail all the additional circumstances, complaints and medical treatment, indicating in what manner the disability has increased.

The above rule, filed in the Secretary of State's office on January 31, 1952, is supplemental to the present Rules and Regulations of the Division of Workmen's Compensation. The rule is effective as of the date of filing with the Secretary of State.

NJ/KAB
L1/W9
1952
01/26/1952
C.1

NEW JERSEY DEPARTMENT OF LABOR AND INDUSTRY

DIVISION OF WORKMEN'S COMPENSATION

At a meeting of the Workmen's Compensation Board, held on Saturday, March 1, 1952, the following rule, applying to formal cases, was adopted:

Where a case is on the peremptory trial list, and the case is not tried or adjourned for good cause, same shall be marked "not moved" and cannot be restored to the list except by the prescribed procedure, to wit, an application to the Deputy Director, on a five days' written notice, to restore the case to the list.

The above rule, filed in the Secretary of State's office on March 6, 1952, is supplemental to the present Rules and Regulations of the Division of Workmen's Compensation. The rule is effective as of the date of filing with the Secretary of State.

NYKAB
L1/W9
1952
03/01/1952
C.1



STATE OF NEW JERSEY
DEPARTMENT OF LABOR AND INDUSTRY
DIVISION OF WORKMEN'S COMPENSATION
DECLARATION OF ADMINISTRATIVE POLICY

At a meeting of the Workmen's Compensation Board held on Saturday, April 26, 1952, the following declaration of administrative policy was adopted:

1. All claims for workmen's compensation, at formal hearings, where the only issue is the extent of disability, and involving a payment of compensation not in excess of \$400.00, or claims involving permanent disability only to fingers or toes, if not first presented at informal hearing for settlement or disposition, shall, subject to the sound discretion of the Deputy Director or Referee, Formal Hearings, carry an allowance for counsel fees in favor of the attorney representing the claimant not in excess of 5% of the amount of the award or settlement.

2. In this category of cases where the question of the statute of limitations might, to the detriment of the claimant, be involved, a formal petition may be filed. After the filing of the petition the claim should be handled informally. Thereafter appropriate disposition shall be made of the formal petition. Failure to follow the above procedure shall invoke item 1 hereof.

3. The above shall apply to formal claim petitions filed on and after June 2, 1952.

The Division of Workmen's Compensation, in connection with the above declaration of policy, requests the cooperation of the Bar.

NJ/KAB
LI/W9
1952
04/26/1952
C.1