

Presentation Guidelines to Attorneys for Evidentiary Hearings (Other Than Alternate Care Hearings) Conducted by Deputy Workers' Compensation Commissioner, Steve Beasley, Phone: 515-242-5040 Email: steven.beasley@iwd.iowa.gov

**Enforcement of Allotted Hearing Time:**

I expect the parties to complete their case presentations within the time provided to them in the hearing assignment order. I expect that a party who wishes more time than what is allowed in the assignment order to request more time from the hearing administrator in advance of hearing.

Each party's time will be counted when they are asking questions. Your total allotted time includes your cross examination of the other party's witnesses. I will keep track of each side's allotted time.

**Hearing Reports:**

I expect hearing reports to be completed prior to the time set for hearing. Time expended to properly complete a report after the time set for start of the hearing shall be assessed against both parties equally and reduce the overall length of time allowed for the receipt of evidence.

**Hearing Exhibits:**

1. I expect the parties to meet well in advance of hearing to review proposed exhibits and eliminate duplication and extraneous material.

2. When only the extent of permanent disability is at issue, medical treatment records contained in exhibit package (except those containing a permanency assessment) shall be presumed irrelevant and inadmissible unless it is shown otherwise at hearing, whether or not there is an objection to that exhibit by the opposing party. Time expended in making this determination will be assessed against the party offering the treatment exhibits.

3. Claimant's shall mark exhibits numerically and defendants shall mark their exhibits alphabetically. Joint exhibits or exhibits from multiple defendants shall be marked differently as needed. Medical treatment records must be organized in accordance with the hearing assignment order.

4. Video evidence is to be in DVD format only.

5. Time expended by a party or parties at hearing to comply with these exhibit requirements will be deducted from their allotted hearing time.

**Oral Argument: & Opening Statements:**

Unless otherwise ordered, oral argument on the merits of a claim shall not be allowed at hearing. All argument must be submitted in writing after hearing within parameters set by me at hearing. Opening statements by counsel to explain the nature of the claim or defense are permitted in complicated or unusual cases but they shall not exceed three minutes in length.

**Settlement notification:**

**Each** party shall call the normal agency notification telephone number to advise if the case has settled immediately upon settling the case.

**Procedure for Requesting Continuances**

All such motions are to be made in writing.

**Post-hearing Briefs**

A party's request for a post-hearing brief will be granted. Unless otherwise agreed to, two weeks will be given for submission of the brief. Additional time will be allowed on showing of unusual circumstances. Briefs are to be submitted simultaneously either in person, by fax, or through the mail on the date set for submission. Reply briefs will not be allowed. Parties should limit their briefs to 20 pages or less.