

Nebraska Workers' Compensation Court  
**Annual Caseload Report**



**Fiscal Year 2017**

July 1, 2016 through June 30, 2017



# Litigation Summary

<b>Petitions in Fiscal Year <sup>1</sup></b>	<b>2013</b>	<b>2014*</b>	<b>2015*</b>	<b>2016*</b>	<b>2017</b>
Petitions Pending at Beginning of Fiscal Year	1,316	1,356	1,366	1,329	1,366
Petitions Filed in Fiscal Year	1,232	1,151	1,084	1,100	1,053
Reopened Petitions Filed in Fiscal Year	184	171	140	149	121
<b>Total Petitions</b>	<b>2,732</b>	<b>2,678</b>	<b>2,590</b>	<b>2,578</b>	<b>2,540</b>
<b>Dispositions in Fiscal Year</b>					
Decisions Issued	223	181	165	152	171
Stipulated Awards	50	30	34	31	22
Lump Sum Settlements Approved	251	258	210	173	185
Releases of Liability Filed	520	529	515	523	534
Voluntary or Summary Dismissals	332	314	337	333	277
<b>Total Dispositions</b>	<b>1,376</b>	<b>1,312</b>	<b>1,261</b>	<b>1,212</b>	<b>1,189</b>
<b>Total Petitions Pending at End of Fiscal Year</b>	<b>1,356</b>	<b>1,366</b>	<b>1,329</b>	<b>1,366</b>	<b>1,351</b>

<b>Motions in Fiscal Year <sup>1</sup></b>	<b>2013*</b>	<b>2014*</b>	<b>2015*</b>	<b>2016*</b>	<b>2017</b>
Motions Filed	3,080	3,031	3,376	3,580	3,600
Motion Dispositions	2,631	2,502	2,696	2,900	2,791
Motion Hearings	645	639	582	657	605

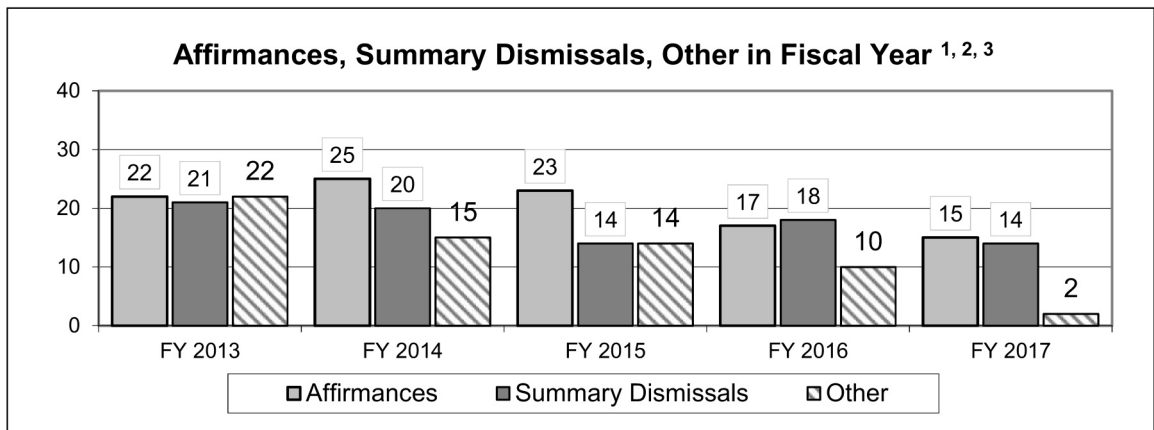
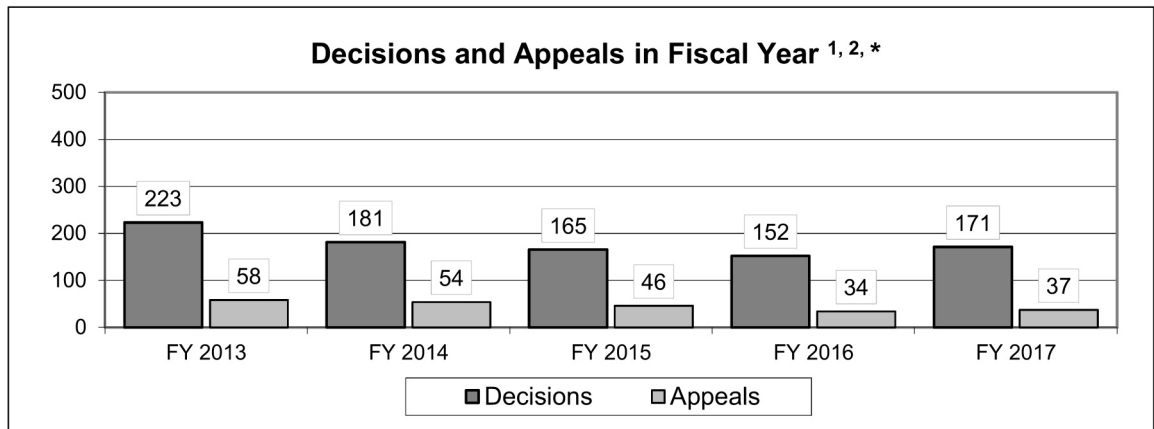
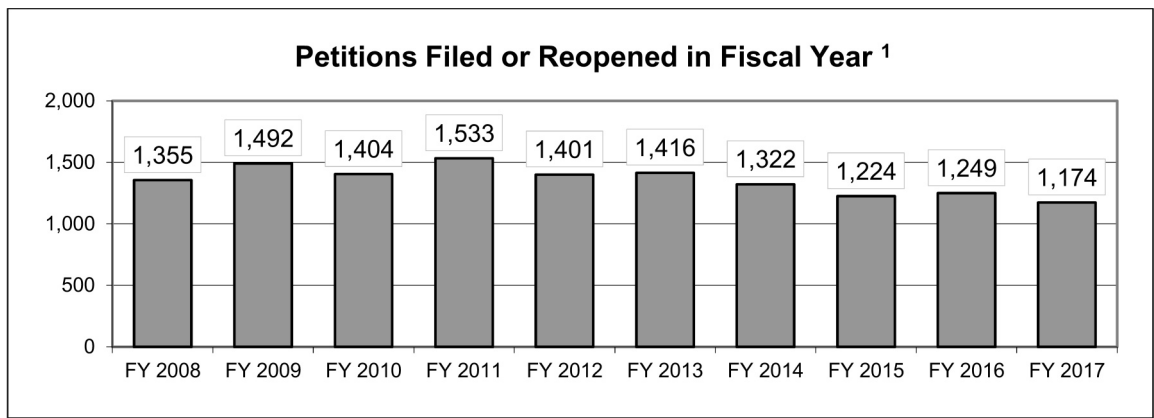
<b>Appeals in Fiscal Year <sup>1, 2</sup></b>	<b>2013</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>
Appeals Pending at Beginning of Fiscal Year	45	38	32	27	16
Appeals Filed	58	54	46	34	37
Affirmances by Neb. Supreme Court / Court of Appeals	22	25	23	17	15
Summary Dismissals by Neb. Supreme Court / Court of Appeals	21	20	14	18	14
Other Opinions <sup>3</sup>	22	15	14	10	2
<b>Total Appeals Pending at End of Fiscal Year</b>	<b>38</b>	<b>32</b>	<b>27</b>	<b>16</b>	<b>22</b>

\* Numbers may differ from those shown in the FY 2016 Annual Report due to adjustments to data.

<sup>1</sup> Fiscal years run July 1 through June 30.

<sup>2</sup> A decision of a judge of the Nebraska Workers' Compensation Court may be appealed to the Nebraska Court of Appeals. A limited number of appeals may also be heard by the Nebraska Supreme Court, either directly or by further review of a decision by the Nebraska Court of Appeals. Appeals from an order, award, or judgment of the compensation court in any such case are made in accordance with the procedures regulating appeals in actions at law from the district courts, except as otherwise provided in §§ 48-182 and 48-185.

<sup>3</sup> Other opinions from the Nebraska Supreme Court or Court of Appeals such as: reversed and remanded; reversed; affirmed in part, reversed in part, and in part remanded; affirmed in part, and in part reversed, and any other variations thereof.



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<sup>3</sup> Other opinions from the Nebraska Supreme Court or Court of Appeals such as: reversed and remanded; reversed; affirmed in part, reversed in part, and in part remanded; affirmed in part, and in part reversed, and any other variations thereof.

## Petitions and Applications to Modify Award by County

County	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017
Adams	32	29	28	32	23
Antelope	1	1	3	1	3
Arthur	0	0	0	0	0
Banner	1	0	0	1	2
Blaine	0	0	0	0	1
Boone	4	3	4	2	3
Box Butte	7	8	7	7	7
Boyd	1	1	0	0	1
Brown	1	1	1	2	1
Buffalo	27	22	33	44	30
Burt	2	1	0	1	1
Butler	3	2	7	6	2
Cass	2	8	10	5	8
Cedar	3	1	2	1	1
Chase	2	3	3	2	2
Cherry	4	4	4	1	2
Cheyenne	12	6	8	4	10
Clay	6	3	4	1	3
Colfax	13	8	12	10	6
Cumming	1	4	2	3	3
Custer	6	7	4	4	8
Dakota	13	12	7	8	12
Dawes	4	0	3	1	1
Dawson	25	26	20	22	35
Deuel	1	5	2	4	4
Dixon	4	2	0	3	0
Dodge	30	25	25	39	34
Douglas	351	362	359	352	351
Dundy	3	0	0	3	1
Fillmore	9	4	4	1	3
Franklin	1	4	3	1	1
Frontier	0	1	0	2	0
Furnas	2	5	5	3	4
Gage	15	17	10	19	15
Garden	2	1	0	0	1
Garfield	0	0	2	0	0
Gosper	2	1	0	0	0
Grant	0	0	0	0	0
Greeley	1	0	0	3	0
Hall	118	102	86	89	66
Hamilton	8	2	5	6	3
Harlan	1	1	2	0	0
Hayes	0	0	1	0	0
Hitchcock	1	3	0	3	0
Holt	7	6	1	4	3
Hooker	0	1	1	1	0
Howard	5	2	1	3	0
Jefferson	4	4	6	6	4
Johnson	5	2	2	1	4
Kearney	10	6	2	3	3

## Petitions and Applications to Modify Award by County, Continued

County	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017
Keith	4	10	6	7	3
Keya Paha	0	0	0	0	2
Kimball	2	4	1	3	1
Knox	1	3	4	2	1
Lancaster	204	202	151	158	154
Lincoln	20	25	30	25	24
Logan	1	0	0	1	0
Loup	0	0	0	0	2
Madison	36	24	20	29	31
McPherson	0	0	0	0	0
Merrick	4	1	1	2	2
Morrill	4	4	1	1	4
Nance	2	0	3	1	2
Nemaha	5	2	5	2	3
Nuckolls	0	0	0	1	2
Otoe	19	9	16	11	7
Pawnee	3	1	1	1	1
Perkins	5	2	2	0	2
Phelps	9	3	5	12	9
Pierce	1	1	0	2	0
Platte	23	15	20	19	16
Polk	1	0	5	3	1
Red Willow	7	5	5	3	3
Richardson	3	3	5	4	1
Rock	0	0	0	0	0
Saline	13	17	9	9	15
Sarpy	37	29	43	39	49
Saunders	8	5	8	11	4
Scottsbluff	26	37	30	23	26
Seward	11	5	7	3	5
Sheridan	0	2	1	4	1
Sherman	1	3	1	0	1
Sioux	0	0	0	0	0
Stanton	2	1	3	0	1
Thayer	2	4	1	5	3
Thomas	0	0	0	0	1
Thurston	4	1	2	0	0
Valley	3	7	2	1	2
Washington	8	10	14	15	6
Wayne	7	3	3	2	7
Webster	3	2	1	3	0
Wheeler	0	0	0	0	0
York	14	14	6	7	7
Out of State	173	162	133	136	113
<b>TOTAL</b>	<b>1,416</b>	<b>1,322</b>	<b>1,224</b>	<b>1,249</b>	<b>1,174</b>

# Settlement Summary

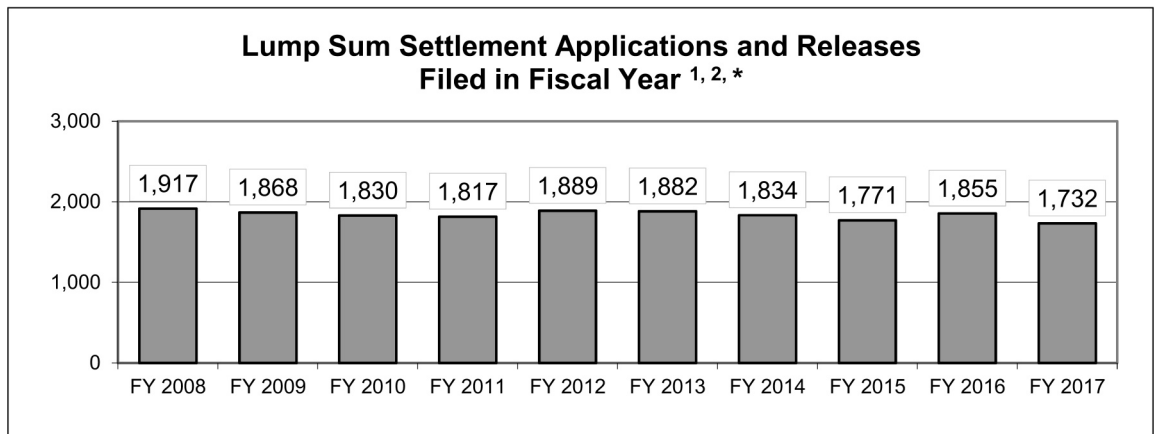
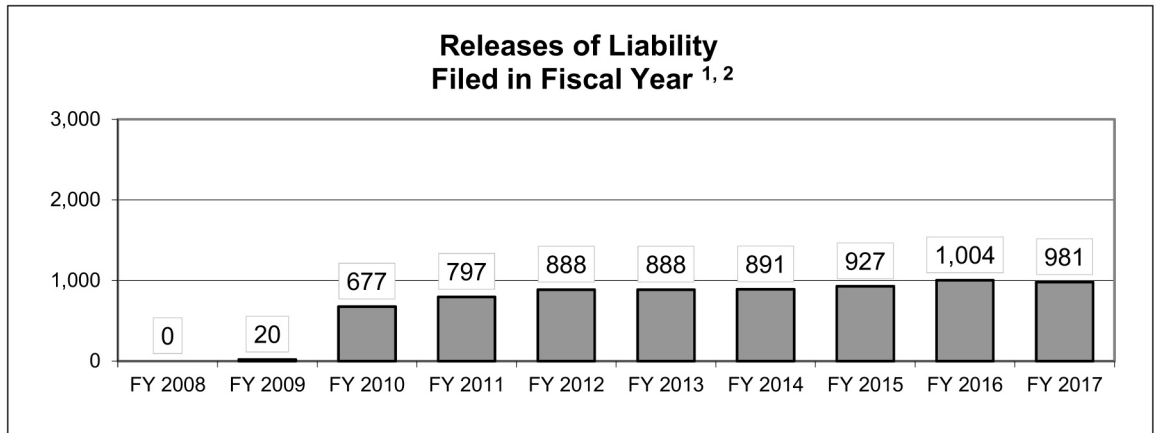
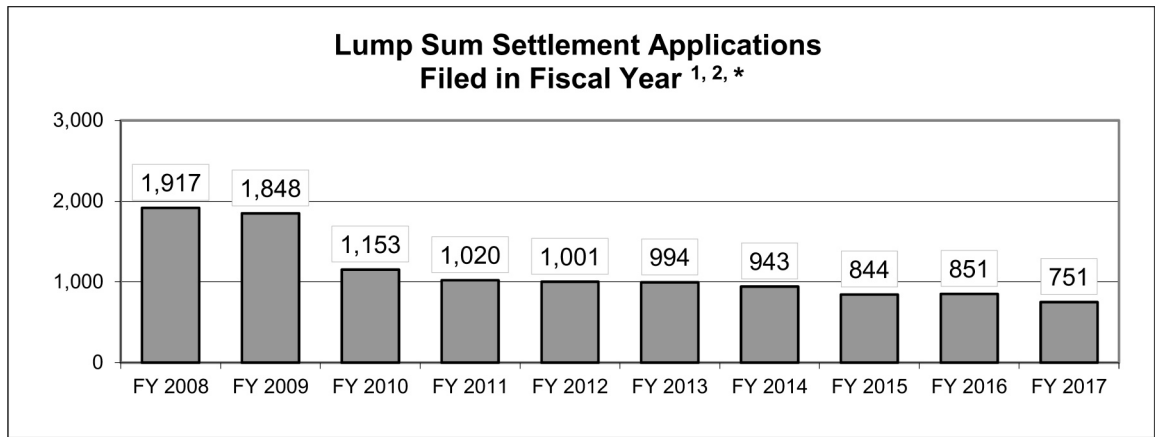
<b>Applications for Lump Sum Settlement in Fiscal Year<sup>1, 2</sup></b>	<b>2013</b>	<b>2014</b>	<b>2015*</b>	<b>2016*</b>	<b>2017</b>
Applications Pending at Beginning of Fiscal Year	48	54	55	31	57
Applications Filed in Fiscal Year	994	943	844	851	751
<b>Total Applications</b>	<b>1,042</b>	<b>997</b>	<b>899</b>	<b>882</b>	<b>808</b>
<b>Dispositions in Fiscal Year</b>					
Applications Approved – No Litigation	570	534	529	539	459
Applications Approved – Litigation	390	368	308	254	253
Applications – Total Approved	960	902	837	793	712
Applications – Total Disapproved	28	39	31	31	29
<b>Total Dispositions</b>	<b>988</b>	<b>941</b>	<b>868</b>	<b>824</b>	<b>741</b>
<b>Total Applications Pending at End of Fiscal Year</b>	<b>54</b>	<b>55</b>	<b>31</b>	<b>57</b>	<b>67</b>

<b>Releases of Liability in Fiscal Year<sup>1, 2</sup></b>	<b>2013*</b>	<b>2014</b>	<b>2015*</b>	<b>2016*</b>	<b>2017</b>
Releases Filed – No Litigation	269	261	285	333	350
Releases Filed – Litigation	619	630	642	671	631
<b>Total Releases Filed</b>	<b>888</b>	<b>891</b>	<b>927</b>	<b>1,004</b>	<b>981</b>

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<sup>2</sup> LB 630, which became effective May 27, 2009, amended § 48-139 to eliminate mandatory court approval of some settlement agreements and to require the filing of a release for those settlements no longer requiring court approval.



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