



Nebraska Workers' Compensation Court

# Annual Caseload Report

## Fiscal Year 2020

July 1, 2019 through June 30, 2020

<b>Presiding Judge</b>	<b>Daniel R. Fridrich</b>
<b>Judge</b>	<b>James R. Coe</b>
<b>Judge</b>	<b>J. Michael Fitzgerald</b>
<b>Judge</b>	<b>John R. Hoffert</b>
<b>Judge</b>	<b>Thomas E. Stine</b>
<b>Judge</b>	<b>Julie A. Martin</b>
<b>Judge</b>	<b>Dirk V. Block</b>
<b>Clerk of the Court</b>	<b>Elizabeth A. Gianunzio</b>
<b>Court Administrator</b>	<b>Jill Gradwohl Schroeder</b>

# Annual Caseload Report, FY 2020



This Annual Caseload Report contains caseload statistics for the Nebraska Workers' Compensation Court, which has jurisdiction over claims alleged to have arisen out of and in the course of employment relationships as well as most issues ancillary to the resolution of an employee's right to workers' compensation benefits. See the Nebraska Workers' Compensation Act found at NEB. REV. STAT. §§ 48-101 through 48-1,117.

Tasks associated with litigation, such as filings of petitions, motions, and settlements are the focus of this report. The Nebraska Workers' Compensation Court submits an Annual Report to the Chief Justice describing the court's adjudication division activities as well as its regulatory and administrative functions. The fiscal year 2020 Annual Report for the Nebraska Workers' Compensation Court is available on its website: <https://www.wcc.ne.gov>.

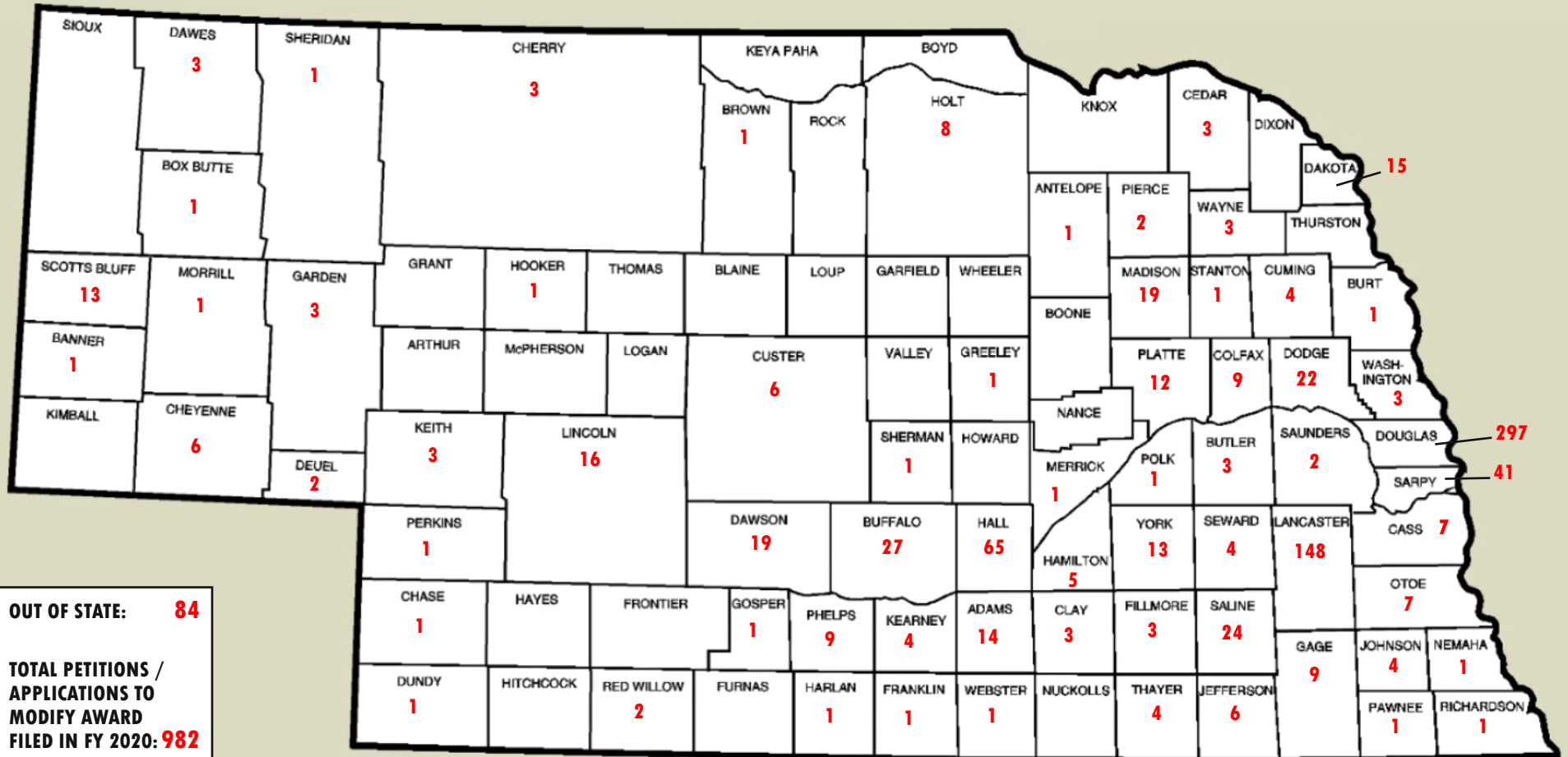
This publication has been prepared by the Nebraska Workers' Compensation Court. Please contact us with questions or comments about this report, workers' compensation in Nebraska, or any of our programs and services.

Nebraska Workers' Compensation Court  
P.O. Box 98908  
Lincoln, NE 68509-8908  
800-599-5155 or 402-471-6468  
<http://www.wcc.ne.gov>

# Petitions and Applications to Modify Award by County

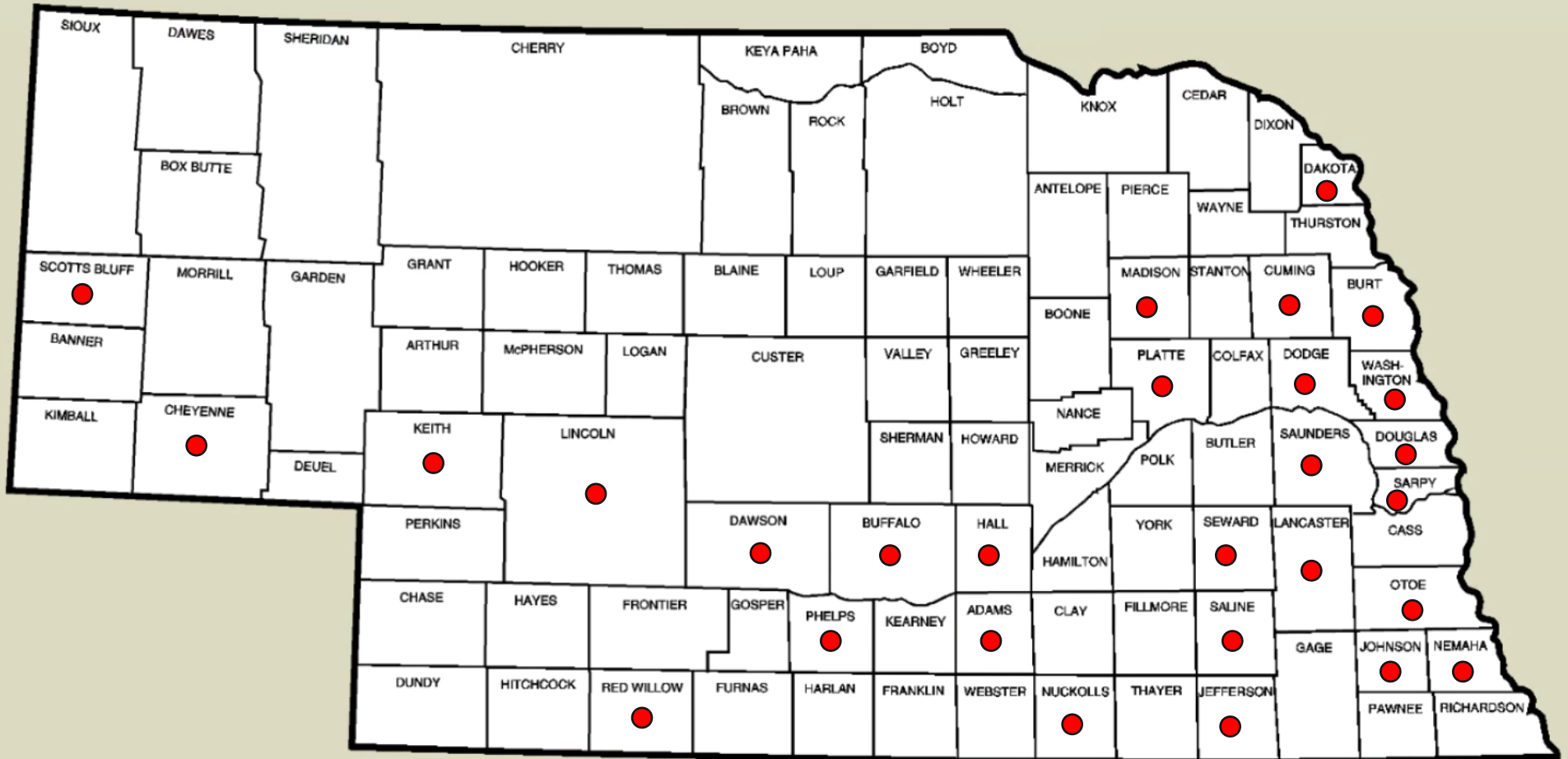
Below is a map showing the total number of Petitions and Applications to Modify Award filed with the court and allocating them to the counties where those Petitions allege the accidents occurred.

In addition to the cases shown below, allegations in an initial Petition can be litigated separately upon entry of an order allowing such. This happened in seven cases during fiscal year 2020.



# Trials and Evidentiary Hearings by County

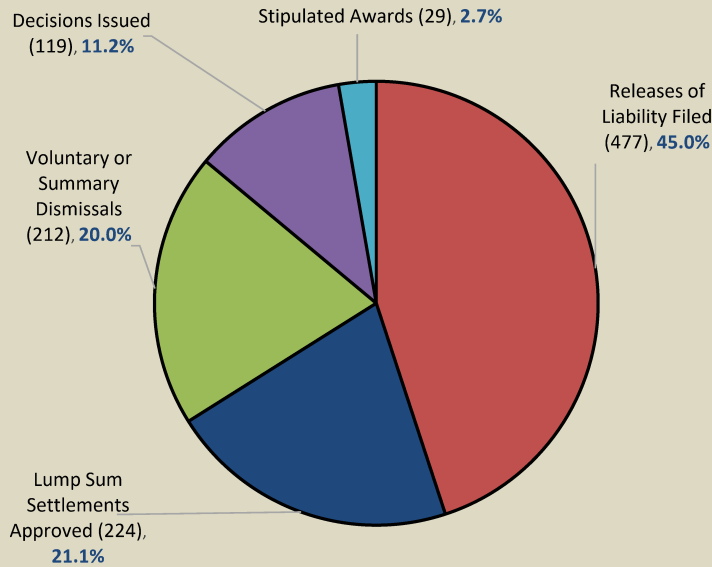
Generally, trials and evidentiary hearings are conducted in the county in which the accident occurred unless the litigants agree to a different location (see NEB. REV. STAT. § 48-177). For that reason, the venue for workers' compensation cases could be in any county in Nebraska. In fiscal year 2020, trials were conducted in the 28 Nebraska counties marked below.



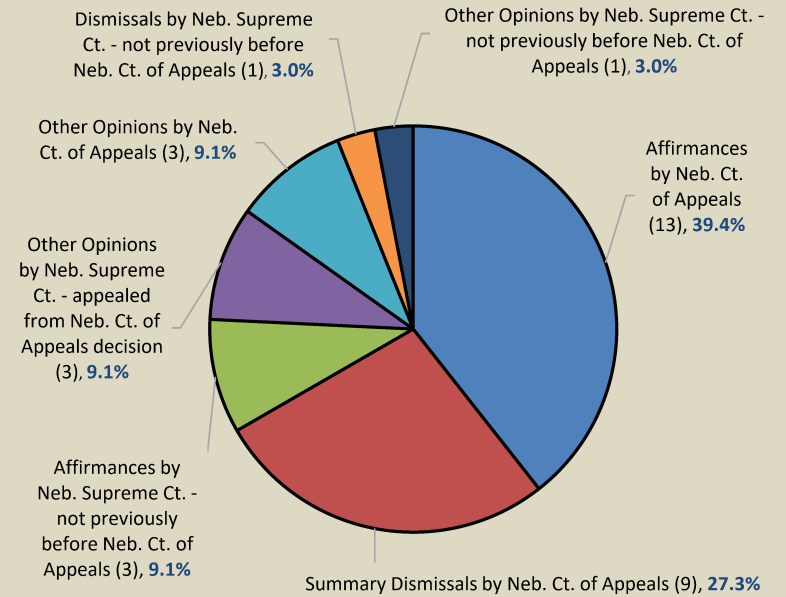
# Litigation Summary — Dispositions

The charts on this page summarize Nebraska Workers' Compensation Court and appellate court dispositions of workers' compensation cases during fiscal year 2020. Sixteen appeals were filed from decisions of the Nebraska Workers' Compensation Court during the fiscal year.

**Dispositions of Pending Cases in Fiscal Year**  
(Total Dispositions: 1,061)



**Appellate Dispositions in Fiscal Year <sup>1,2</sup>**  
(Total Dispositions: 33)



## Motions in FY 2020

**3,365**  
Filed

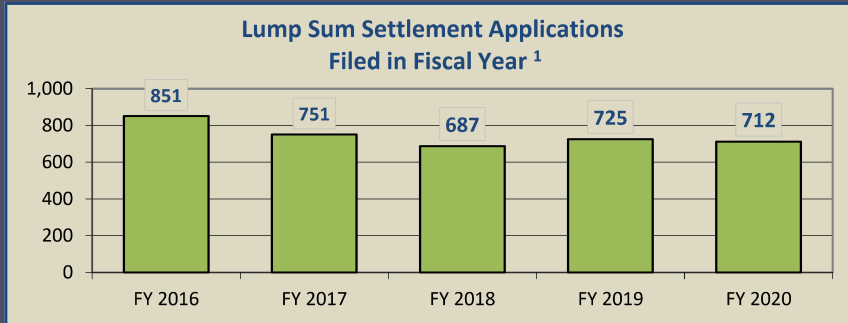
**636**  
Hearings

**2,665**  
Dispositions

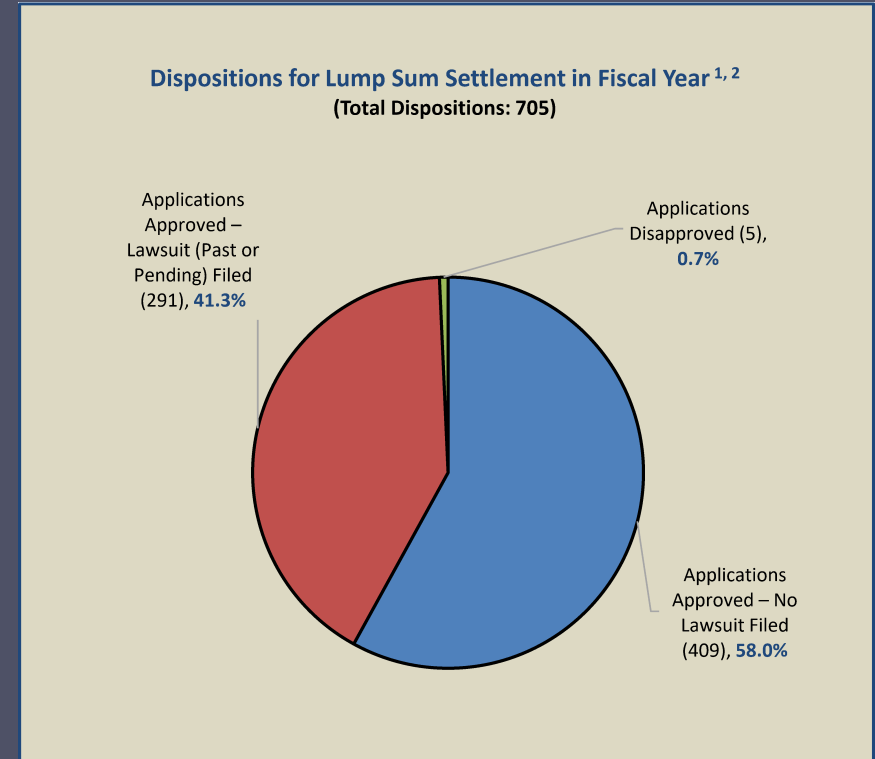
- <sup>1</sup> Regarding appeals, a decision of a judge of the Nebraska Workers' Compensation Court may be appealed to the Nebraska Court of Appeals. A limited number of appeals may also be heard by the Nebraska Supreme Court, either directly or by further review of a decision by the Nebraska Court of 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 NEB. REV. STAT. §§ 48-182 and 48-185.
- <sup>2</sup> Regarding "other opinions," these are 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.

# Settlement Summary — Lump Sum Settlement Applications and Dispositions in Fiscal Year

The charts on this page summarize Lump Sum Settlement applications and dispositions made during fiscal year 2020.

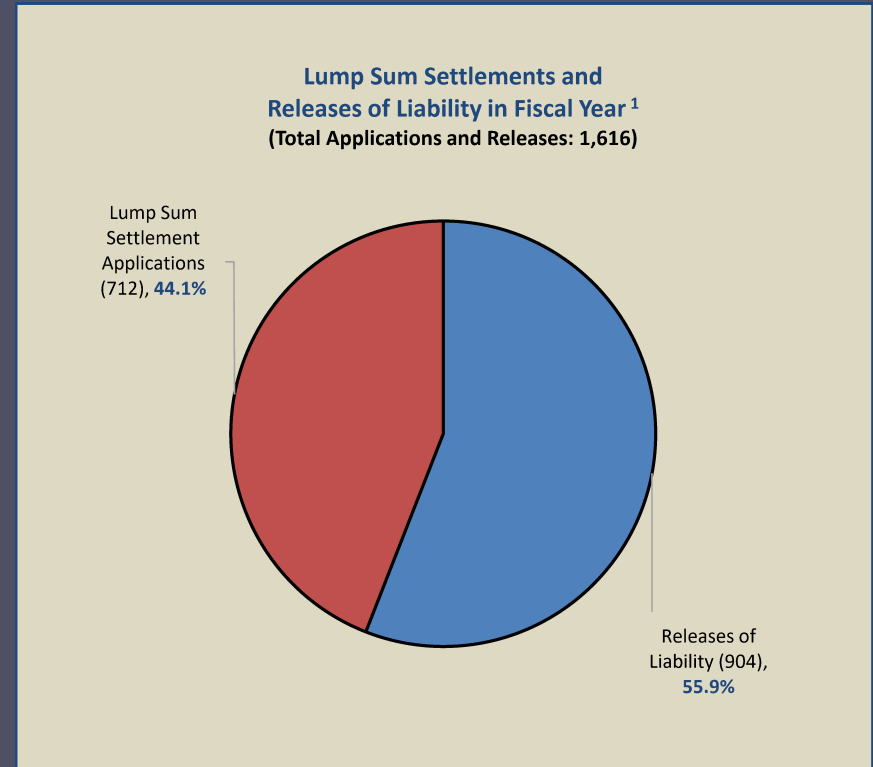
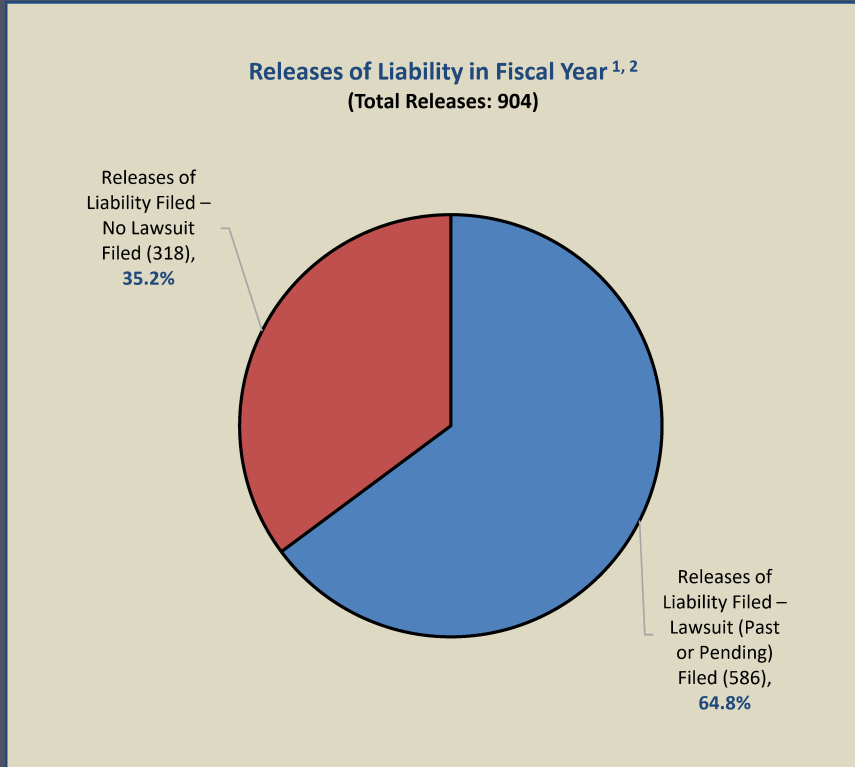


- <sup>1</sup> Pursuant to NEB. REV. STAT. § 48-139, lump sum settlement agreements require court approval. In 2009, the Nebraska Legislature amended this statute to eliminate mandatory court approval of certain settlement agreements and to require the filing of a release of liability for those settlements no longer requiring court approval.
- <sup>2</sup> “Applications Approved — Lawsuit (Past or Pending) Filed” includes Applications for Lump Sum Settlement accounted for in the “Litigation Summary” as to *pending* cases in addition to settlements in cases *previously* litigated.



# Settlement Summary — Releases of Liability Filed in Fiscal Year

The charts on this page summarize Releases of Liability filed during fiscal year 2020 and compare the number of Lump Sum Settlement applications with the number of Releases of Liability filed during fiscal year 2020.



<sup>1</sup> Pursuant to NEB. REV. STAT. § 48-139, lump sum settlement agreements require court approval. In 2009, the Nebraska Legislature amended this statute to eliminate mandatory court approval of certain settlement agreements and to require the filing of a release of liability for those settlements no longer requiring court approval.

<sup>2</sup> “Releases of Liability Filed — Lawsuit (Past or Pending) Filed” includes Releases of Liability accounted for in the “Litigation Summary” as to *pending* cases in addition to settlements in cases *previously* litigated.

## Contact Us



Please contact us with questions or comments about this report, workers' compensation in Nebraska, or any of our programs and services.

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