

RULE 099.19 JOINT PETITION SETTLEMENTS

#099.19

The Joint Petition must set forth in detail the reasons its approval will be in the claimant's best interest as required by A.C.A. 11-9-805(b).

Joint Petition settlements under A.C.A. 11-9-805(a) will be heard by an Administrative Law Judge in the county in which the accident occurred or at a location convenient to the parties involved.

No Joint Petition will be heard by an Administrative Law Judge until five (5) days after the petition or a copy of the petition has been filed with the Commission.

It shall be necessary for the claimant to appear and testify at a Joint Petition hearing. Petitions shall be signed by all parties, including the claimant, and must be verified.

Under certain circumstances, the Commission may designate or direct the parties to take claimant's testimony by deposition or interrogatories.

In all Joint Petitions where the claimant is represented by an attorney, the amount of agreed attorney's fees shall be set out in the petition. No attorney's fee shall be approved if it exceeds the limitations provided for in A.C.A. 11-9-715. If costs are claimed by a claimant's attorney, the amount of the costs must be set forth in the Joint Petition, and the reasonableness and necessity of the costs must be proved at the hearing. An Administrative Law Judge who declines to approve a proposed settlement by Joint Petition may disqualify himself from further action in that docket and related dockets. (Effective date April 1, 1989)