

Minnesota Workers' Compensation Court of Appeals
REQUEST FOR COMMENTS

Proposed Permanent Rules Governing Workers' Compensation Court of Appeals Rules of Procedure, *Minnesota Rules*, Chapter 9800; Revisor's ID Number R-04804

Subject of Rules. The Minnesota Workers' Compensation Court of Appeals (WCCA) requests comments on its proposal to amend the rules governing workers' compensation appeals and petitions to vacate. The WCCA is considering rule amendments that will conform the existing rule to amendments to Minnesota Statutes, chapter 176, the Worker's Compensation Act, including those authorizing electronic filing and service through the CAMPUS system managed by the Minnesota Department of Labor and Industry. The rules are intended to make filing and service easier for all persons involved in matters before the WCCA. Additionally, the WCCA seeks to update its rules, which were last amended in 1994.

Persons Affected. The amendments to the rules will affect all persons participating in litigation before the WCCA.

Statutory Authority. *Minnesota Statutes*, section 175A.07, subd. 4, provides that "The Workers' Compensation Court of Appeals shall prescribe rules of practice before it in appellate matters." *Minnesota Statutes*, section 176.2611, subd. 7, authorizes the WCCA to amend its rules to permit electronic filing using the procedures in *Minnesota Statutes*, section 14.389. *Minnesota Statutes*, section 176.285. subd. 2a, authorizes the WCCA to adopt rules for the certification of signatures. *Minnesota Statutes*, section 176.361, subd. 1, authorizes the WCCA to adopt rules governing intervention in proceedings before the court.

Public Comment. Interested persons or groups may submit comments or information on these possible rules in writing until further notice is published in the State Register that the Department intends to adopt or to withdraw the rules. The WCA will not publish a notice of intent to adopt the rules until more than 60 days have elapsed from the date of this request for comments. The WCCA does not intend to appoint an advisory committee to comment on the possible rules.

Rules Drafts. When ready, a draft of the proposed rule amendments will be available from the agency contact person listed below and on the WCCA's website at <https://mn.gov/workcomp/rulemaking/>.

Agency Contact Person. Written comments, questions, requests to receive a draft of the rules, and requests for more information on these possible rules should be directed to:

Michael Lewis, Compensation Attorney Principal
Workers' Compensation Court of Appeals
25 Rev. Dr. Martin Luther King, Jr. Blvd.
St. Paul, MN 55155
Phone: (651) 539-1206; Fax: (651) 539-1212
Email: Michael.Lewis@state.mn.us or wcca.rule.comments@state.mn.us

Alternative Format. Upon request, this information can be made available in an alternative format, such as large print, braille, or audio. To make such a request, please contact the agency contact person at the address or telephone number listed above.

NOTE: Comments received in response to this notice will not necessarily be included in the formal rulemaking record submitted to the administrative law judge if and when a proceeding to adopt rules is started. The agency is required to submit to the judge only those written comments received in response to the rules after they are proposed. If you submitted comments during the development of the rules and you want to ensure that the Administrative Law Judge reviews the comments, you should resubmit the comments after the rules are formally proposed.

Dated: September 19, 2023

Patricia J. Milun, Chief Judge
MN Workers' Compensation Court of Appeals