

## Court Statistics: Fiscal Years 2003 through 2012

<b><u>PROCEEDINGS</u></b>	<b>FY03</b>	<b>FY04</b>	<b>FY05</b>	<b>FY06</b>	<b>FY07</b>	<b>FY08</b>	<b>FY09</b>	<b>FY10</b>	<b>FY11</b>	<b>FY12</b>
Special Settlement Proceedings NOT Filed	3	6	5	0	0	0	0	0	0	0
<b>Total Petitions Received</b>	<b>226</b>	<b>255</b>	<b>262</b>	<b>307</b>	<b>240</b>	<b>206</b>	<b>203</b>	<b>227</b>	<b>226</b>	<b>202</b>
<b>Total Cases</b>	<b>229</b>	<b>261</b>	<b>267</b>	<b>307</b>	<b>240</b>	<b>206</b>	<b>203</b>	<b>227</b>	<b>226</b>	<b>202</b>

### **PETITIONS BY PLAN TYPE\*\*\***

Plan Type 1 - Self Insured	34	28*	40	34*	18*	8	25	22	12	8
Plan Type 2 - Private Insurance	139*	144*	124	150*	122*	115	90	112	103	97
Plan Type 3 - Montana State Fund	53*	75*	96	108*	81*	66	83	78	103	92
Plan Type 4 - Subsequent Injury Fund	1*	0	0	0	1*	0	0	0	1	0
Plan Type 5 - Uninsured Employers Fund**	9	14*	18	12*	4*	14	7	11	14	7
Plan Type 6 - ICCU	0	0	0	19	21*	7	3	5	0	3
Plan Type 7 - DLI	0	0	0	1	0	0	0	1	0	0
<b>Total Petitions by Plan Type</b>	<b>236*</b>	<b>261*</b>	<b>278*</b>	<b>324*</b>	<b>247*</b>	<b>210</b>	<b>208</b>	<b>229</b>	<b>233</b>	<b>207</b>

\* Petitions with more than one Plan Type account for higher totals.

\*\* 4/23/00 - HB592 Petitions began

\*\*\* The Workers' Compensation Act provides for three separate Plan Types, i.e., Self-Insureds, Private Insurers, and the State Compensation Insurance Fund. The court breaks down its Plan Types further for statistical purposes, i.e., Self-Insureds, Private Insurers, Montana State Fund (State Compensation Insurance Fund), Subsequent Injury Fund, Uninsured Employers' Fund, ICCU (Independent Contractor Compensation Unit), and DLI (Department of Labor & Industry).

<b><u>JURISDICTION OF CASES</u></b>	<b>FY03</b>	<b>FY04</b>	<b>FY05</b>	<b>FY06</b>	<b>FY07</b>	<b>FY08</b>	<b>FY09</b>	<b>FY10</b>	<b>FY11</b>	<b>FY12</b>
Appeals from DLI	0	1	1	1	0	0	0	1	0	0
Original Jurisdiction	226	254	261	306	240	206	203	226	226	202
<b>Total Cases</b>	<b>226</b>	<b>255</b>	<b>262</b>	<b>307</b>	<b>240</b>	<b>206</b>	<b>203</b>	<b>227</b>	<b>226</b>	<b>202</b>

### **SETTLEMENT CONFERENCES HELD**

SC1 - Settled	28	37	60	45	2	2	14	12	0	2
SC2 - No Settlement	3	4	5	5	0	0	2	3	1	2
Resolved - Dismissed	1	1	0	0	0	0	0	0	0	0
Still working on resolution	0	1	1	0	0	0	0	0	0	0
Special Settlement Proceedings Petition NOT Filed	3	6	5	0	0	0	0	0	0	0
SC Arbitrations	0	2	0	1	0	0	0	0	0	0
<b><u>Total Settlement Conferences Held</u></b>	<b>32</b>	<b>51</b>	<b>71</b>	<b>51</b>	<b>2</b>	<b>2</b>	<b>16</b>	<b>15</b>	<b>1</b>	<b>4</b>

**TRIALS HELD**

Hearings including Attorney Fee	42	56	39	27	47	28	36	34	39	69
Oral Arguments w/Court Reporter/ Evidentiary Hearing	3	1	4	9	13	2	7	5	18	17
Conferences w/Court Reporter	13	11	12	5	23	17	25	42	42	36
<b>Total Trials &amp; Hearings</b>	<b>58</b>	<b>68</b>	<b>55</b>	<b>41</b>	<b>83</b>	<b>47</b>	<b>68</b>	<b>81</b>	<b>99</b>	<b>122</b>
Cases involving multiple days of trial	15	5	5	3	2	1	4	3	6	12
Conference Calls w/o Court Reporter	0	66	82	67	55	46	66	19	18	7

**DECISIONS ISSUED**

Telephone Conf. Resulting in Disposition	0	0	0	0	0	0	0	0	0	0
Bench Rulings ( <u>w/o</u> written decision)	0	1	3	1	0	0	2	0	1	0
Decisions (FFCL, Order on Remand, Declaratory Judgments, Summary Judgment, Miscellaneous Judgments***)	145	158	161	182	166	170	143	181	167	170
Orders on Appeal (from DLI)	0	0	1	1	0	0	0	1	0	0
Substantive Orders (Interlocutory or Substantive, New Trial or Reconsideration, DWP*, DWPM)	32	30	41	27	19	68	43	26	28	13
Attorney Fee Orders	5	7	2	2	2	2	0	3	1	0
Orders on Costs	15	4	2	2	5	6	3	6	3	4
<b>Subtotals</b>	<b>197</b>	<b>200</b>	<b>210</b>	<b>215</b>	<b>192</b>	<b>246</b>	<b>191</b>	<b>217</b>	<b>200</b>	<b>187</b>
Petitions Dismissed <u>by</u> <u>Agreement</u> (Coded BR-3, DWP, DWOPA)	72	88	83	96	80	46	51	46	41	42
<b>Totals Decisions</b>	<b>269</b>	<b>288</b>	<b>293</b>	<b>311</b>	<b>272</b>	<b>292</b>	<b>242</b>	<b>263</b>	<b>241</b>	<b>229</b>

\*\*\* MJ (Miscellaneous Judgments may include stipulated settlements.)

\*\*\*\* Docketing in Paradox started 6/27/94 and this count was not kept prior to that time.

**APPEALED TO SC**

	<b>FY03</b>	<b>FY04</b>	<b>FY05</b>	<b>FY06</b>	<b>FY07</b>	<b>FY08</b>	<b>FY09</b>	<b>FY10</b>	<b>FY11</b>	<b>FY12</b>
*Only McCarter's/Shea's Decisions Counted	11	23	10	12	18	25	17	7	12	8

**FULL & FINAL COMPROMISE  
SETTLEMENTS**

Plan Type 1 - Self-Insured	5	7	1	1	7	2	2	5	2	4
Plan Type 2 - Private Insurers	12	13	6	6	8	6	5	9	4	4
Plan Type 3 - Montana State Fund	24	17	10	15	7	12	12	8	2	5

Plan Type 4 - Subsequent Injury Fund	0	0	0	0	0	0	0	0	0	0
Plan Type 5 - Uninsured Employers Fund	0	0	0	0	0	0	0	0	0	0
<b>FFCS Totals</b>	<b>41</b>	<b>37</b>	<b>17</b>	<b>22</b>	<b>22</b>	<b>20</b>	<b>19</b>	<b>22</b>	<b>8</b>	<b>13</b>
FFCS Cases Requiring Further Correspondence	0	4	2	0	0	0	0	0	0	0