

Position Description
Worker's Compensation Division
Administrative Law Judge

Position Summary

Under general supervision conducts quasi-judicial hearings and issues findings of fact, conclusions of law, and orders; presides at pre-hearing and settlement conferences to narrow issues and settle disputes; provides answers and opinions to legal questions by phone, in-person, and by correspondence; conducts mediations; makes public presentations to explain the Worker's Compensation Act to interested groups.

Goals and Worker Activities

- 50% A. Conduct formal and quasi-judicial worker's compensation hearings and informal pre-hearing and settlement conferences at selected locations throughout the State.**
- A1. Conduct orderly hearings, assist parties with developing essential testimony and proof for the record and confine testimony to issues in dispute.
 - A2. Direct order of witnesses and testimony, rule on admissibility of evidence, objections, and motions.
 - A3. Review compromises and settlements for approval, modification, or rejection.
 - A4. Prepare synopses after hearings which accurately summarize testimony and proceedings.
 - A5. Conduct informal interviews advising parties as to rights, procedure, and answering questions that they may have.
 - A6. Make evaluations of disfigurement disability and permanent disability of scheduled injuries on an informal basis.
- 30% B. Make independent decisions and findings on the basis of testimony, evidence, and expertise in the field of worker's compensation.**
- B1. Draft orders to clearly define the rights and obligations of the parties.
 - B2. Issue orders within 90 days of the close of record.
- 10% C. Resolve worker's compensation dispute by mediation or other informal alternative dispute resolution (ADR) techniques.**
- C1. In appropriate cases conduct mediation conferences and utilize other forms of alternative dispute resolution (ADR) to facilitate negotiated

settlements between the parties in accordance with applicable statutes, administrative rules, and Department policy.

- C2. Review case files and Department records to identify medical, legal, practical, and financial aspects of cases that will promote settlement.
- C3. Maintain a written record or report of actions taken and agreements reached through mediation or ADR of the case file.
- C4. Communicate verbally and in writing with the parties as necessary.

5% D. Answer legal questions in response to inquiries from correspondence, persons calling on the telephone, or in-person when in the office.

- D1. Answer inquiries relating to cases currently assigned.
- D2. Advise and confer with worker's compensation division staff members to assist them with performance of their assigned duties and to promote consistent administration of the Worker's Compensation Act.
- D3. Review third-party settlements submitted under Section 102.29, Wis. Stats. for approval, modification, or rejection.
- D4. Answer legal questions and rule on proposed motions in pending cases.
- D5. Evaluate medical reports.
- D6. Pass upon requests for continuance of hearing.
- D7. Issue State employee awards.
- D8. Confer when required on Petitions for Review with members of the Labor and Industry Review Commission (LIRC).

5% E. Miscellaneous.

- E1. Read professional literature, including that pertaining to worker's compensation and related legal and medical topics.
- E2. Review judicial decisions to keep abreast of legal trends.
- E3. Attend CLE opportunities when appropriate.
- E4. Prepare and give speeches and talks before various groups interested in worker's compensation including, but not limited to the State Bar of Wisconsin, and other professional organizations.

REQUIRED KNOWLEDGE, SKILLS AND ABILITIES

Knowledge:

- General knowledge of procedures in trials, or administrative hearings and litigation.
- Knowledge of and ability to correctly apply statutory and administrative laws in administrative appeals and contested evidentiary hearings.
- Knowledge of Wisconsin Rules of Evidence.
- Knowledge of medical terminology helpful.
- Knowledge of customer service methods.
- Knowledge of Wisconsin Worker's Compensation Law.

Skills

- Skill in a PC Windows environment.
- Skill in working in a team environment.
- Skill in case management and performing multiple tasks.
- Skill in negotiation and mediation in settling claim hearings.
- Skill in organization and planning.

Abilities:

- Ability to properly and effectively control party and witness behavior in hearing, including managing tension, displays of anger and other emotional outbursts.
- Ability to effectively communicate with persons of diverse social, cultural backgrounds.
- Ability to develop and maintain good working relationships with co-employees and customers.
- Ability to effectively manage and timely complete a large volume of professional work assignments.
- Ability to write clearly and succinctly.
- Ability to effectively use language, grammar, punctuation, spelling and writing style necessary for writing decisions and other legal writing.
- Ability to work together with ALJs and support staff as a team.
- Ability to research, analyze and correctly apply statutes, rules, case law and other legal authorities.
- Ability to exercise independent judgment.
- Ability to meet deadlines.
- Ability to travel statewide.

Special Requirements

This position appears as an agent, representative or attorney on behalf of the Wisconsin Department of Workforce Development. Wis. Stat. §§102.18 (2) and 757.30 requires a license to practice law as an attorney of record in Wisconsin courts. The position requires graduation from an accredited law school and must hold an active, valid Wisconsin license to practice law.