

Worker's Compensation
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Worker's Compensation Insurance Letter

INS #	489
Date	November 28, 2011
Program	Hearings
Type	Procedural
Replaces	None

To: Claims Handling Offices for Insurance Carriers and Self Insured Employers, and Attorneys Representing Parties in WC Disputes
From: John Metcalf, Division Administrator
Subject: Weapons in Hearing Rooms

Purpose: To advise insurance carriers, self-insured employers and attorneys that weapons are banned in hearing rooms during contested case hearings.

Background: Wisconsin Act 35 allows an individual with a valid permit to carry concealed weapons. The Department of Administration is charged with implementing the new law with respect to state facilities. The Department of Administration has determined that weapons will be barred during contested case administrative hearings. Notices of hearings, prehearing conferences and settlement conferences will contain the following instructive language: "In order to preserve the decorum of the hearing no weapons of any kind will be allowed in the hearing room. You, and any person accompanying you, must either not bring a weapon to the building, or be prepared to store the weapon outside the building in a secure manner. The agency will not store the weapon for you. Failure to comply with this request may result in the issuance of a citation." In addition, signs will be posted outside of the hearing rooms and the presiding administrative law judge may announce at the beginning of the proceeding that weapons are prohibited.

Action Requested: Insurance carriers, self-insured employers and attorneys are requested to comply with the policy and to advise their clients, witnesses and others attending hearings, prehearings, and settlement conferences with their clients, to comply with the prohibition against weapons in hearing rooms. Failure to comply with the prohibition against weapons may result in the issuance of a citation and/or adjournment of the proceeding.

Inquiries: For questions, contact Jim O'Malley, Director of Legal Services, Worker's Compensation Division at 608-267-6704.

Enclosure: None