

Nebraska Workers' Compensation Court
Annual Caseload Report



Fiscal Year 2018

July 1, 2017 through June 30, 2018

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This Annual Caseload Report contains caseload statistics for the Nebraska Workers' Compensation Court, which has jurisdiction over claims alleged to have arisen out of and in the course of employment relationships as well as most issues ancillary to the resolution of an employee's right to workers' compensation benefits. See the Nebraska Workers' Compensation Act found at NEB. REV. STAT. §§ 48-101 through 48-1,117.

Tasks associated with litigation, such as filings of petitions, motions, and settlements are the focus of this report. The Nebraska Workers' Compensation Court submits an Annual Report to the Chief Justice describing the court's adjudication division activities as well as its regulatory and administrative functions. The Fiscal Year 2018 Annual Report for the Nebraska Workers' Compensation Court is available on its website: <https://www.wcc.ne.gov>.

Additional information about the Nebraska Workers' Compensation Court is available upon request:

Nebraska Workers' Compensation Court

P.O. Box 98908

Lincoln, NE 68509-8908

800-559-5155 or 402-471-6468

<http://www.wcc.ne.gov>.

Litigation Summary

Petitions in Fiscal Year ¹	2014*	2015*	2016*	2017*	2018
Petitions Pending at Beginning of Fiscal Year	1,351	1,364	1,331	1,370	1,357
Petitions Filed in Fiscal Year	1,151	1,085	1,103	1,053	1,013
Reopened Petitions Filed in Fiscal Year	171	139	146	121	131
Bifurcated Petitions ²	4	6	6	7	2
Total Petitions	2,677	2,594	2,586	2,551	2,503
Dispositions in Fiscal Year					
Decisions Issued	182	167	154	173	141
Stipulated Awards	30	34	31	24	30
Lump Sum Settlements Approved	258	210	173	185	189
Releases of Liability Filed	529	516	523	535	517
Voluntary or Summary Dismissals	314	336	335	277	270
Total Dispositions	1,313	1,263	1,216	1,194	1,147
Total Petitions Pending at End of Fiscal Year	1,364	1,331	1,370	1,357	1,356

Motions in Fiscal Year ¹	2014*	2015	2016*	2017*	2018
Motions Filed	3,031	3,376	3,578	3,601	3,664
Motion Dispositions	2,502	2,696	2,598	2,792	2,906
Motion Hearings	638	582	657	605	617

Appeals in Fiscal Year ^{1, 3}	2014	2015	2016	2017	2018
Appeals Pending at Beginning of Fiscal Year	38	32	27	16	22
Appeals Filed	54	46	34	37	33
Affirmances by Neb. Supreme Court / Court of Appeals	25	23	17	15	15
Summary Dismissals by Neb. Supreme Court / Court of Appeals	20	14	18	14	15
Other Opinions ⁴	15	14	10	2	6
Total Appeals Pending at End of Fiscal Year	32	27	16	22	19

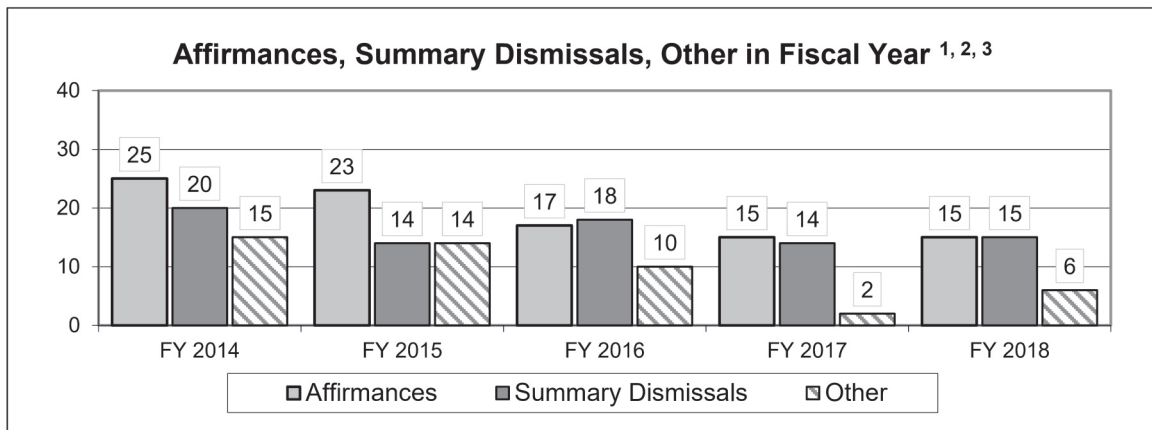
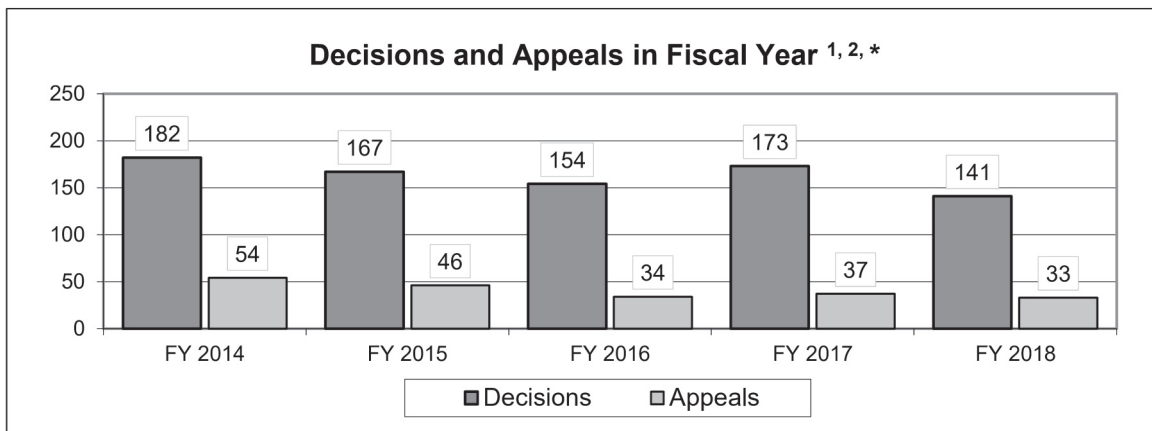
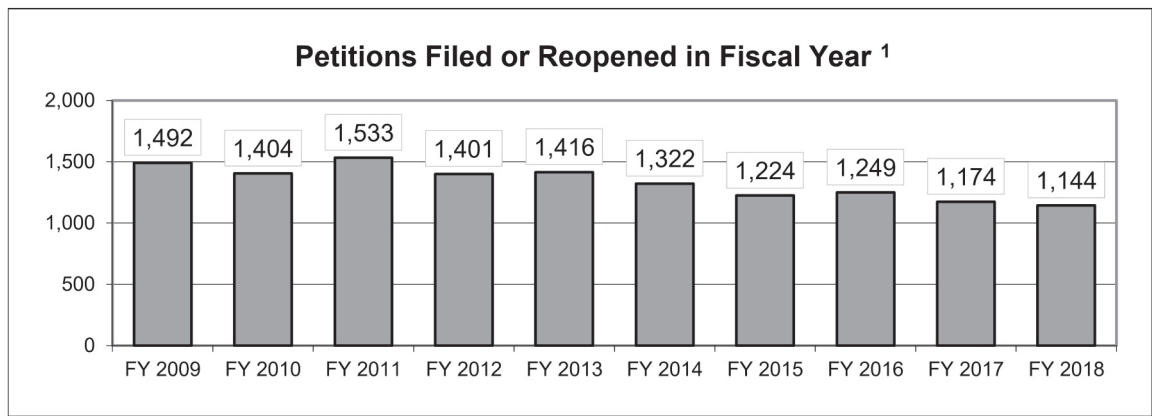
* Numbers may differ from those shown in the FY 2017 Annual Report due to adjustments to data.

¹ Fiscal years run July 1 through June 30.

² Allegations in an initial petition can be litigated separately upon entry of an order allowing such. This results in a further trial and disposition or settlement on the initial petition.

³ A decision of a judge of the Nebraska Workers' Compensation Court may be appealed to the Nebraska Court of Appeals. A limited number of appeals may also be heard by the Nebraska Supreme Court, either directly or by further review of a decision by the Nebraska Court of Appeals. Appeals from an order, award, or judgment of the compensation court in any such case are made in accordance with the procedures regulating appeals in actions at law from the district courts, except as otherwise provided in NEB. REV. STAT. §§ 48-182 and 48-185.

⁴ Other opinions from the Nebraska Supreme Court or Court of Appeals such as: reversed and remanded; reversed; affirmed in part, reversed in part, and in part remanded; affirmed in part, and in part reversed, and any other variations thereof.



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³ Other opinions from the Nebraska Supreme Court or Court of Appeals such as: reversed and remanded; reversed; affirmed in part, reversed in part, and in part remanded; affirmed in part, and in part reversed, and any other variations thereof.

Petitions and Applications to Modify Award by County

Generally, a petition or application to modify is heard in the county in which the accident occurred unless the litigants agree to a different location for the hearing (see NEB. REV. STAT. § 48-177). For that reason, the venue for workers' compensation cases could be in any county in Nebraska.

County	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018
Adams	29	28	32	23	28
Antelope	1	3	1	3	1
Arthur	0	0	0	0	0
Banner	0	0	1	2	0
Blaine	0	0	0	1	1
Boone	3	4	2	3	1
Box Butte	8	7	7	7	8
Boyd	1	0	0	1	0
Brown	1	1	2	1	2
Buffalo	22	33	44	30	25
Burt	1	0	1	1	4
Butler	2	7	6	2	1
Cass	8	10	5	8	9
Cedar	1	2	1	1	1
Chase	3	3	2	2	1
Cherry	4	4	1	2	0
Cheyenne	6	8	4	10	4
Clay	3	4	1	3	4
Colfax	8	12	10	6	11
Cumming	4	2	3	3	8
Custer	7	4	4	8	2
Dakota	12	7	8	12	7
Dawes	0	3	1	1	4
Dawson	26	20	22	35	28
Deuel	5	2	4	4	3
Dixon	2	0	3	0	2
Dodge	25	25	39	34	25
Douglas	362	359	352	351	340
Dundy	0	0	3	1	1
Fillmore	4	4	1	3	2
Franklin	4	3	1	1	1
Frontier	1	0	2	0	1
Furnas	5	5	3	4	1
Gage	17	10	19	15	23
Garden	1	0	0	1	3
Garfield	0	2	0	0	0
Gosper	1	0	0	0	0
Grant	0	0	0	0	1
Greeley	0	0	3	0	0
Hall	102	86	89	66	73
Hamilton	2	5	6	3	4
Harlan	1	2	0	0	0
Hayes	0	1	0	0	0
Hitchcock	3	0	3	0	4
Holt	6	1	4	3	5
Hooker	1	1	1	0	0
Howard	2	1	3	0	0
Jefferson	4	6	6	4	3
Johnson	2	2	1	4	5
Kearney	6	2	3	3	2

Petitions and Applications to Modify Award by County, Continued

County	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018
Keith	10	6	7	3	2
Keya Paha	0	0	0	2	0
Kimball	4	1	3	1	2
Knox	3	4	2	1	1
Lancaster	202	151	158	154	148
Lincoln	25	30	25	24	19
Logan	0	0	1	0	1
Loup	0	0	0	2	0
Madison	24	20	29	31	29
McPherson	0	0	0	0	0
Merrick	1	1	2	2	0
Morrill	4	1	1	4	4
Nance	0	3	1	2	0
Nemaha	2	5	2	3	1
Nuckolls	0	0	1	2	1
Otoe	9	16	11	7	16
Pawnee	1	1	1	1	2
Perkins	2	2	0	2	2
Phelps	3	5	12	9	8
Pierce	1	0	2	0	1
Platte	15	20	19	16	17
Polk	0	5	3	1	0
Red Willow	5	5	3	3	4
Richardson	3	5	4	1	0
Rock	0	0	0	0	0
Saline	17	9	9	15	12
Sarpy	29	43	39	49	44
Saunders	5	8	11	4	2
Scottsbluff	37	30	23	26	36
Seward	5	7	3	5	3
Sheridan	2	1	4	1	2
Sherman	3	1	0	1	1
Sioux	0	0	0	0	0
Stanton	1	3	0	1	0
Thayer	4	1	5	3	1
Thomas	0	0	0	1	0
Thurston	1	2	0	0	2
Valley	7	2	1	2	3
Washington	10	14	15	6	8
Wayne	3	3	2	7	6
Webster	2	1	3	0	0
Wheeler	0	0	0	0	1
York	14	6	7	7	8
Out of State	162	133	136	113	108
TOTAL	1,322	1,224	1,249	1,174	1,144

Settlement Summary

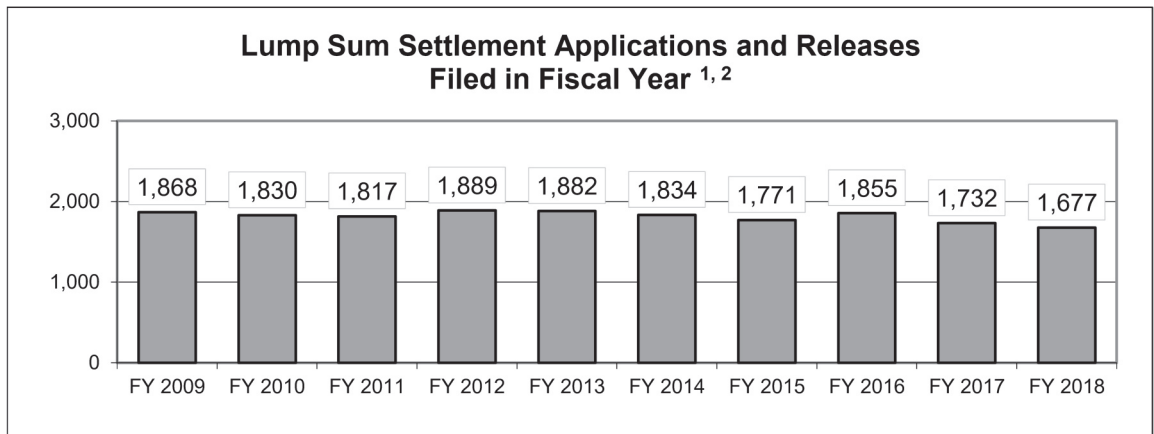
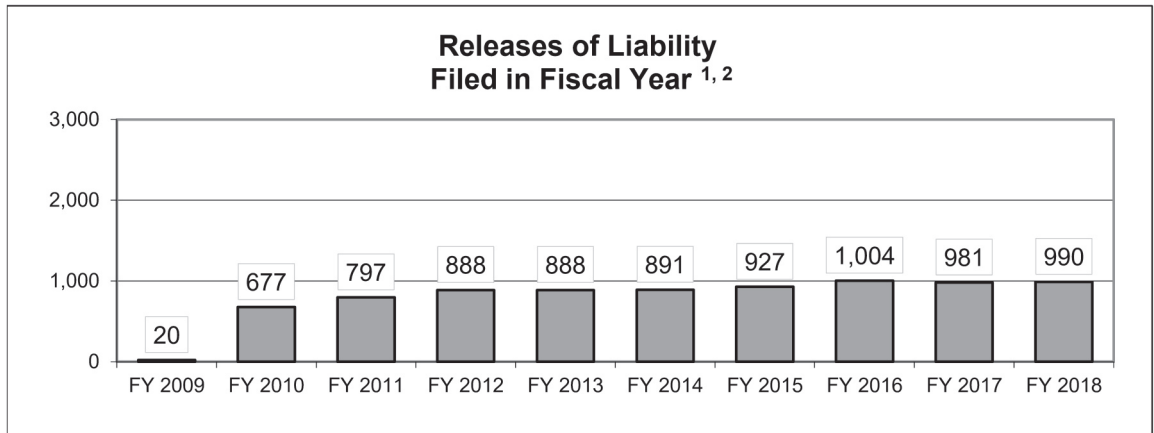
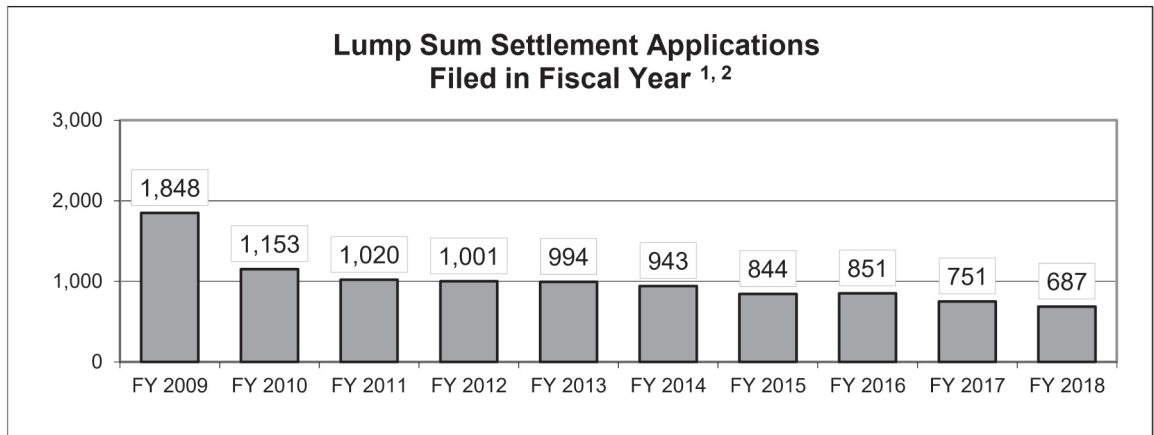
Applications for Lump Sum Settlement in Fiscal Year^{1, 2}	2014	2015*	2016*	2017*	2018
Applications Pending at Beginning of Fiscal Year	54	56	32	59	69
Applications Filed in Fiscal Year	943	844	851	751	687
Total Applications	997	900	883	810	756
Dispositions in Fiscal Year					
Applications Approved – No Litigation	534	529	539	459	429
Applications Approved – Litigation	368	308	254	253	254
Applications – Total Approved	902	837	793	712	683
Applications – Total Disapproved	39	31	31	29	29
Total Dispositions	941	868	824	741	712
Total Applications Pending at End of Fiscal Year	56	32	59	69	44

Releases of Liability in Fiscal Year^{1, 2}	2014	2015	2016	2017	2018
Releases Filed – No Litigation	261	285	333	350	383
Releases Filed – Litigation	630	642	671	631	607
Total Releases Filed	891	927	1,004	981	990

Lump Sum Settlements and Releases in Fiscal Year	2014	2015	2016	2017	2018
Lump Sum Settlement Applications	943	844	851	751	687
Releases of Liability	891	927	1,004	981	990
Total Lump Sum Settlements and Releases Filed	1,834	1,771	1,855	1,732	1,677

¹ Fiscal years run July 1 through June 30.

² LB 630, which became effective May 27, 2009, amended NEB. REV. STAT. § 48-139 to eliminate mandatory court approval of some settlement agreements and to require the filing of a release for those settlements no longer requiring court approval.



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