



THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF LABOR & WORKFORCE DEVELOPMENT
DEPARTMENT OF INDUSTRIAL ACCIDENTS

DEVAL L. PATRICK
Governor

RACHEL KAPRIELIAN
Secretary

GEORGE NOEL
Director

ADMINISTRATIVE BULLETIN

To: All Parties
From: Omar Hernández, Senior Judge
Re: Walk-In Lump Sum Procedure
Date: April 1, 2014

The Department of Industrial Accidents, in conjunction with the MBA Workers' Compensation Section, is pleased to announce the development of a new process for Walk-in Lump Sum Requests. We have designed a process that will bring uniformity to the lump sum process. A Walk-in Lump Sum request will be defined as a case that does not have judge ownership. In other words, the matter has not been adjudicated by a current sitting DIA Administrative Judge. This process will also apply to 113 agreements and Section 19 agreements in matters that have no judge ownership.

As of April 7, 2014, the parties will no longer be able to walk into a courtroom and ask a judge for approval of a lump sum settlement. Rather, they will be required to report to the conciliation unit. The parties should contact the Conciliation Unit at least 24 hours in advance in order to arrange for a Conciliation with the Conciliation unit in regards to their Walk-In Lump Sum request. In Boston, we strongly encourage you to follow this procedure in order to record the parties on the building's visitor log. In Boston, the parties are requested to contact Sandra Perez at extension 7368 or Dele Edebiri at extension 7366. In the regional offices, the parties are requested to contact the front desk.¹

At this Conciliation, the Conciliator will review all requests and documents and determine whether Lump Sum request will go forward to the available 'Walk-in Lump Sum Judge' on duty. In the regional offices, the Administrative Judges will be rotated on a weekly basis as a "Walk-In Lump Sum Judge of the Week". In Boston, the parties will appear before Administrative Judge Richard Heffernan.

If the documents are rejected as incomplete, the parties will arrange with the Conciliator to reschedule the proceedings in order to make the necessary changes to the documents.

Please note that a Section 15 (Petition for Approval of Third Party Settlement) cannot be heard together with a proposed Walk-In Lump Sum Request.

All Walk-In Lump Sums must be presented to the Conciliation Unit in the morning as these lump sum conferences will be only scheduled in the afternoon at 1:15 p.m. However, at the discretion of the Administrative Judge, lump sum conferences may be heard prior to 1:15 p.m.

¹ Boston (617) 727-4900
Fall River (508) 676-3406
Lawrence (978) 683-6420
Springfield (413) 784-1133
Worcester (508) 753-2072