Agency Name: Workers' Compensation Commission

Statutory Authority: 42-3-30 and 42-17-50

Document Number: 4283

Proposed in State Register Volume and Issue: 36/3

House Committee: Labor, Commerce and Industry Committee

Senate Committee: Judiciary Committee

Status: Withdrawn

Subject: Oral Argument

History: 4283

By Date Action Description Jt. Res. No. Expiration Date

- 03/23/2012 Proposed Reg Published in SR

- 01/08/2013 Received by Lt. Gov & Speaker 05/08/2013

H 01/08/2013 Referred to Committee

S 01/08/2013 Referred to Committee

- 02/19/2013 Agency Withdrawal

120 Day Period Tolled

- 02/19/2013 Permanently Withdrawn

Document No. 4283

**WORKERS’ COMPENSATION COMMISSION**

CHAPTER 67

Statutory Authority: 1976 Code Sections 42-3-30 and 42-17-50

67-706. Oral Argument

**Synopsis:**

The South Carolina Workers’ Compensation Commission proposes to amend Regulation 67-706, Oral Argument. The Notice of Drafting regarding this regulation was published on December 23, 2011 in the *State Register*. The language of the proposed amendment, notice of comment period and notice of public hearing was published in the *State Register* on March 23, 2012. At the monthly business meeting on June 18, 2012, the Commission voted to approve the final language for the proposed change to Regulation 67-706, Oral Argument. The Commission is proposing to amend regulation 67-706 to include the addition of a subsection “D” which would require parties to be present in the designated waiting area of the Commission no later than 30 minutes prior to the time for which their cases are scheduled to be argued.

**Instructions:** Print the regulation in accordance with directions given below to reflect new regulation.

~~Indicates Matter Stricken~~

Indicates New Matter

**Text:**

67-706. Oral Argument.

A. Each party is permitted ten minutes for oral argument. The appellant is permitted three minutes for reply.

B. If both parties have appealed, each party is permitted ten minutes for oral argument, and each party is permitted three minutes for reply.

C. A party may request additional time for argument by attaching a motion to the Form 30. The Commission will issue an order before the case is set for argument.

D. Parties must sign in and be present in the designated waiting area of the Commission no later than 30 minutes prior to the time for which their cases are scheduled to be argued. Any party who fails to comply with this regulation is subject to a $100 fine, except for good cause shown. The requirements of this regulation must be set forth in bold type on the hearing notice.

**Fiscal Impact Statement:**

The fiscal impact of the proposed changes to this regulation is $0.

**Statement of Rationale:**

The Commission is proposing to include the addition of a subsection “D” which would require parties to be present in the designated waiting area of the Commission no later than 30 minutes prior to the time for which their cases are scheduled to be argued. The amendment of this regulation will assist the Commission in maintaining an efficient schedule for its docket of appellate hearings.