

## WEDNESDAY, AUGUST 18

9:00 – 12:00 pm **Breakout On Advanced Mediation Techniques For Mediators, Attorneys And Adjusters**

**Moderator:**

Stuart F. Suskin, Attorney  
State Mediator  
Office of the Judges of  
Compensation Claims  
Gainesville, FL

**Panel:**

Christine L. Harter, Attorney  
Sheldon (Shelley) B. Forte,  
Attorney  
Edward Almeyda, Attorney  
Judith S. Nelson, Attorney  
Anthony J. (Skip) Beisler  
III, Attorney

Mediation has become an integral part of any workers' compensation system. Regardless of the jurisdiction, all cases are mediated in some form prior to the final hearing. This program will address tactics and strategies that have been employed by mediators to deal with difficult situations. The format of the program will be a Q & A session, with a roving moderator in the audience, soliciting audience participation. This program is targeted for mediators, attorneys, adjusters and risk managers/employer representatives who are interested in resolution strategies for difficult mediations. The panelists will endeavor to incorporate ethical, cultural diversity and domestic violence considerations in each topic.

8:45 – 3:00 pm **Breakout on Multi-State Workers' Compensation Laws**

**Program Moderator:**

R. Briggs Peery, Attorney  
Swift, Currie McGhee & Hiers  
Atlanta, GA

We are bigger and better this year with new jurisdictions participating. In addition to the Southeastern states of Alabama, Georgia, North Carolina, Mississippi, South Carolina and Tennessee, the state of Texas, a first time member of the Breakout in 2009, is back by popular demand. Furthermore, we are pleased to welcome Louisiana to our group in 2010. Legal experts from this broad spectrum of states will assist claims' handlers and employer management teams in the recognition of important jurisdictional trends, case law, cost saving techniques, and litigation strategies as a means to reduce workers' compensation exposure. Ours is an exceedingly unique format that is not to be missed.

At the conclusion of the afternoon general session, the 2010 Multi-State Book of Workers' Compensation Laws will be provided to all break-out attendees. The book includes the workers' compensation statutes from each of the eight (8) participating states.

8:45 - 9:30 am **Opening Session: Legal Trends and Issues for 2010**

**State Regulators:**

Gerald Stringer (invited)  
Ombudsman, Department of  
Industrial Relations for the State  
of Alabama

Andrea Pope Roche  
(invited)  
Chairperson, South Carolina  
Workers' Compensation  
Commission  
Teresa Bullington (invited)  
Director of Specialists, Tennessee  
Department of Labor  
Liles Williams (invited)  
Chairman, Mississippi Workers'  
Compensation Commission  
Honorable Pamela Thorpe  
Young  
Chair, North Carolina  
Industrial Commission  
Honorable David Imahara  
Administrative Law Judge,  
Georgia State Board of Workers'  
Compensation

Honorable Rick Thompson  
Chairman, Georgia State Board  
of Workers' Compensation

Honorable Robert Lang  
Deputy Commissioner for  
Hearings, Texas Department of  
Insurance, Division of Workers'  
Compensation

Honorable Sheral Kellar  
Chief Judge, Louisiana Office  
of Workers' Compensation

9:30 - 9:45 am

**Break**

9:45 - 11:30 am

**Individual State  
Overviews with Q&A**

Alabama, Georgia,  
Louisiana, Mississippi,  
North Carolina, South  
Carolina, Tennessee, Texas

11:30 - 12:30 pm

**Lunch (Provided For  
Attendees by Multi-State  
Committee)**

12:30 - 2:00 pm

**Repeat of Individual  
State Overviews with  
Q&A**

(Concurrent Session)

12:30-2:00 pm

**So You Think You Have  
It Bad? Comparing  
and Contrasting How  
Differently The Same  
Legal Issues Are  
Handled By Multiple  
Jurisdictions**

(Concurrent Session)

Panel Discussion to Include  
Attorneys From The  
Participating States

2:00 - 2:15 pm

**Break**

2:15 - 3:00 pm

**Closing Session:  
Workers' Compensation  
Game Show/Door  
Prizes/Release of 2010  
Multi-State Statute  
Book**

THE NATIONAL ASSOCIATION OF  
WORKERS' COMPENSATION JUDICIARY, INC.  
PRESENTS

# NATIONAL WORKERS' COMPENSATION JUDICIARY COLLEGE

AUGUST 16, 17 & 18, 2010

THE ORLANDO WORLD  
CENTER MARRIOTT,  
ORLANDO, FLORIDA

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# PROGRAM AGENDA

## MONDAY, AUGUST 16

### (MORNING PROGRAM FOR NEW JUDGES)

- 8:30 - 8:45 am **Welcome and Announcements**  
Honorable John J. Lazzara  
*Florida Office of Judges of Compensation Claims*  
President, NAWCJ
- 8:45 - 9:15 am **From Advocate to Adjudicator**  
Honorable R. Karl Aumann  
*Maryland Workers' Compensation Commission*
- 9:15 - 9:45 am **Judicial Independence and Relating to the Bar**  
Honorable David Torrey  
*Pennsylvania Department of Labor and Industry*
- 9:45 - 10:15 am **The Motion for Recusal, Disclosure of Conflicts and the Code**  
Honorable Ellen Lorenzen  
*Florida Office of Judges of Compensation Claims*
- 10:15 - 10:45 am **Transitioning to the Bureaucracy of State Government**  
Honorable David Imahara  
*Georgia State Board of Workers' Compensation*
- 10:45 - 11:00 am **Break and Transition**
- (MORNING PROGRAM)**
- 9:00 - 11:00 am **Workers' Compensation Conference Welcoming Speeches**  
James N. McConaughay,  
*Attorney*  
General Chairman  
Steven A. Rissman,  
*Attorney*  
Program Chairman
- 9:15 - 9:40 am **Scholarship and Award Presentations**  
FWCI Scholarship Presentation  
Friends of 440 Scholarship Presentation
- 9:40 - 10:00 am **Alex Sink**  
Chief Financial Officer  
*Florida Department of Financial Services*

- 11:00 - 12:00 pm **Guest Speaker**  
Football Legend:  
Dan Marino
- 11:00 - 5:00 pm **Exhibit Hall Open**

### (AFTERNOON PROGRAM)

- 11:30 - 1:20 pm **NAWCJ Welcome Lunch and Multi-Jurisdiction Comparative Law Panel**
- Welcoming Remarks**  
Honorable John J. Lazzara  
*Florida Office of Judges of Compensation Claims*  
President, NAWCJ
- Panel:**  
Honorable R. Karl Aumann  
*Maryland Workers' Compensation Commission*  
Honorable John J. Lazzara  
*Florida Office of Judges of Compensation Claims*  
Honorable Linda A. Thompson  
*Mississippi Workers' Compensation Commission*  
Honorable David Torrey  
*Pennsylvania Department of Labor and Industry*  
Honorable Gwendolyn Thompson  
*Louisiana Office of Workers' Compensation*
- 1:20 - 1:30 pm **Break**
- 1:30 - 3:30 pm **Evidence in Workers' Compensation**  
Charles W. Ehrhardt  
*Emeritus Professor*  
*Florida State University College of Law*

The trials and tribulations of evidence, or the tribulations of trial evidence; states differ in their workers' compensation evidentiary standards, rules, and approaches. Professor Ehrhardt will bring the subject to the table with wit and wisdom for dealing with difficult objections to hearsay, authentication, relevance and prejudice.

- 3:30 - 3:40 pm **Break**
- 3:40 - 4:30 pm **Code of Judicial Conduct**  
Honorable James R. Wolf  
*Florida First District Court of Appeal*

Whether your state applies the Code of Judicial Conduct to you or not, these are great standards to live by on the bench. Judge Wolf brings experience, insight, and clarity to the canons that define appropriate judicial behavior. The independence of the judiciary is dependent upon the faith that litigants,

counsel, and the public have in the impartiality and fairness of the process. That perception is in turn dependent upon each of our actions every day, and learning to apply the canons to shape the perceptions of your behavior on and off the bench is a great benefit to any Judge.

- 4:30 - 4:45 pm **Break**
- 4:45 - 5:15 pm **NAWCJ Annual Business Meeting and Elections**  
Honorable John J. Lazzara,  
*President, Presiding*  
*Florida Office of Judges of Compensation Claims*

## TUESDAY, AUGUST 17

- 8:45 - 9:45 am **Two Live Surgeries: Carpal Tunnel Release And Arthroscopic Meniscus**
- Moderator and Speaker:**  
Eric G. Bonenberger, MD  
*Orlando Orthopaedic Center*
- Surgeries Performed by:**  
Carpal Tunnel Release:  
Lawrence S. Halperin, MD  
*Orlando Orthopaedic Center*
- Arthroscopic Meniscus:  
Bryan L. Reuss, MD  
*Orlando Orthopaedic Center*

Wait until you see what we have in store for you this year!!! This just keeps getting better. Watch and learn as two of the most renowned orthopaedic surgeons in Central Florida perform LIVE two of the most common surgeries in workers' compensation claims today. Dr. Lawrence S. Halperin, a board certified orthopaedic surgeon with over 20 years of experience in hand/upper extremity surgery will perform a carpal tunnel release. Dr. Halperin currently sits on the Board of Directors for the American Academy of Orthopaedic Surgery and Florida Orthopaedic Society.

Dr. Bryan L. Reuss, a board certified orthopaedic surgeon who specializes in Sports Medicine and has extensive experience in shoulder and knee surgery will perform an arthroscopic meniscus surgery. Dr. Reuss has treated many athletes both in the professional and amateur arena, such as NFL, UFL, PGA, collegiate and high school.

Although this presentation takes place as part of the Adjusters' Breakout, everyone is invited to attend.

- 9:45 - 10:00 pm **Break and Transition**
- 10:00 - 10:50 am **The Strengths and Weaknesses of Impairment Guides**  
J. Mark Melhorn, M.D.  
*Orthopedic Surgeon, Hand Center*  
Wichita, Kansas

Dr. Melhorn is a nationally recognized expert in medicine and more specifically the causation of injury and return to work dilemmas. A hand surgeon by training and practice, he has edited two books for the American Medical Association: A Physician's Guide to Return to Work and The Guides to the Evaluation of Disease and Injury Causation. Dr. Melhorn has participated significantly in the editing of the American Medical Association Guides to

Impairment that are employed by many states in their workers' compensation statutes and codes. Dr. Melhorn will provide insight on the purpose of such guides, their effectiveness as tools, and the academic debate surrounding the medico-legal decisions that are rendered each day using them.

- 10:50 - 11:00 am **Break**
- 11:00 - 11:50 am **Effectively Working with Pro Se Litigants**  
Mark D. Poindexter, *Deputy Chief Judge*  
*Office of Administrative Hearings*  
Washington, D.C.

Does it seem like some cases take more of your time, staff time, and resources than others? This program will define some of the difficulties presented by the pro se litigant in workers' compensation. Deputy Chief Judge Poindexter, a national speaker on the subject, will provide insight into the conflict between effective litigation by pro-se litigants and the impartiality of the Judge.

- 11:50 - 1:00 pm **Florida Bar Workers' Compensation Section Judicial Luncheon**
- 1:00 - 1:50 pm **Oral Argument-Program One**  
*Presented by the First District Court of Appeal*  
Honorable Paul M. Hawkes,  
*Chief Judge*  
*First District Court of Appeal*  
Tallahassee, FL  
Honorable Charles J. Kahn,  
Jr.  
*First District Court of Appeal*  
Tallahassee, FL  
Honorable Joseph Lewis  
*First District Court of Appeal*  
Tallahassee, FL

This session is back by popular demand! Talk about a reality show. An actual case will be argued live before a panel of Judges of the First District Court of Appeal. The decision of the Court will be posted on the Court's website several weeks after the oral arguments take place.

- 1:50 - 2:00 pm **Break and Transition**
- 2:00 - 4:50 pm **Effective Legal Writing for Judges**  
John T. Salatti, *Attorney*  
*LAWriters*  
Washington, D.C.

Many have been credited with the quote "dying is easy, comedy is hard." In the same vein, perhaps adjudicating is easy, writing is hard. Judges struggle, sometimes unwittingly, with classic writing conflicts: Who is our audience? How much background is enough or too much? Where do I start? Mr. Salatti will apply years of writing and lecture skill to guide us through the planning process for that order and help us with understanding how we set out intelligently on a journey that will end with clear, concise and effective ruling of value for these litigants and the broader marketplace we serve.

- 4:50 - 5:15 pm **Break and Transition**
- 5:15 - 6:15 pm **NAWCJ Reception**  
Non-judicial members of NAWCJ are cordially invited to attend this reception in honor of the Judges.