

**GENERAL INFORMATION FOR UNREPRESENTED INJURED  
WORKERS ABOUT THE WORKERS' COMPENSATION HEARING  
PROCESS**

**FREQUENTLY ASKED QUESTIONS (FAQs)**

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- 1. Where can I get information about the hearing process?** These FAQs provide general information to help injured workers who are not represented by a lawyer. They are not intended to address every situation or every issue that may come up in the hearing process. This information should not be considered legal advice. There is an informational video entitled "A Guide to Workers' Compensation Hearings" on the Industrial Commission (hereafter "commission") website: <https://www.azica.gov/alj-video-guide-page>; or <https://www.azica.gov/alj-video-guide-page-spanish> (Spanish). The Industrial Commission website: <https://www.azica.gov> contains information and resources about the Commission, including information regarding Arizona's Workers' compensation system.
- 2. Where else can I get help?** The Industrial Commission Ombudsman can provide information about the workers' compensation system and the hearing process. **The Ombudsman does not give legal advice.** The Ombudsman is located at the Commission offices in Phoenix. The phone number is: **602-542-4538**. The Ombudsman's office can be reached via email at [help@azica.gov](mailto:help@azica.gov), or [ayuda@azica.gov](mailto:ayuda@azica.gov). A pamphlet with general information about Arizona workers' compensation can be found here: <https://www.azica.gov/claims-workers-compensation-general-information>.
- 3. Do I need a lawyer?** The defendants (the employer and insurance company) will have a lawyer. You can either hire a lawyer or represent yourself. Only a lawyer licensed in Arizona can give legal advice. A workers' compensation lawyer will be familiar with the laws, rules, and procedures, and can give you legal advice about how to present your case, what evidence you will need, what witnesses to call, and whether it is in your best interest to settle the case. For attorney referral services, see **Frequently Used Addresses and Telephone Numbers** below.

The State of Arizona does not appoint lawyers to represent injured workers. You cannot be represented by a spouse, family member, or friend. If you represent yourself, you will be expected to know the laws and rules that apply to your case.

- 4. Where can I get the laws and rules that apply in workers' compensation hearings?** If you are representing yourself, you need to become familiar with the laws and rules that apply to workers' compensation hearings. Arizona Workers' Compensation Laws are found in the Arizona Revised Statutes (A.R.S.), §§ **23-101 through 23-1091; 23-1101 through 23-1105; and 23-1701 through 1703**. They can be obtained online at <https://www.azleg.gov/arsdetail/?title=23>. The rules for hearings are in the Arizona Administrative Code ("A.C.C.") **R20-5-101 through R20-5-165; and R20-5-1301 through R20-5-1407**. They can be obtained on line at [https://apps.azsos.gov/public\\_services/Title\\_20/20-05.pdf](https://apps.azsos.gov/public_services/Title_20/20-05.pdf) and you can get copies of the laws and rules at the Commission offices in Phoenix or Tucson.
- 5. What happens when a request for hearing is filed?** When a request for hearing is filed in your claim the Claims Division processes the request and then forwards your file electronically to the Administrative Law Judge (ALJ) Division, also known as the hearing division. The request for hearing is then referred to an Administrative Law Judge (ALJ). **A.R.S. § 23-941(C)**. The ALJ issues a **Notice of Hearing** with the date, time, and location of the hearing.
- 6. What is an ALJ?** An Administrative Law Judge ("ALJ") is the judge who will decide your case. The ALJ will schedule the hearings, rule on motions, listen to testimony presented by you and any other witnesses, such as doctors or labor market consultants, review evidence, such as medical reports, apply the law to the facts of your case, and issue a written decision after the last hearing. ALJs are Arizona lawyers with at least five years' experience. They are appointed by the members of the Commission.

7. **How soon will my hearing be scheduled?** The initial hearing is usually scheduled about 90 days after the ALJ Division receives the file. This gives both sides time to prepare their cases. Most hearings are held by remote video conference through the Internet using the Google Meet application. The hearing will be recorded. The Notice of Hearing will provide information about how the hearing will be held, whether in person or through video conference, and will provide other information about the hearing. If a party does not have the equipment, technology, or means to participate in the hearing through Google Meet, the party must contact the ALJ Division at the phone number on the Notice of Hearing.
8. **What if I do not understand English?** You should notify the ALJ what language you do understand as soon as possible. The Commission will hire an interpreter for the hearings. All written correspondence from the ALJ and the Commission will be in English.
9. **What if I change my address while my case is in the ALJ Division?** You are required to notify the Claims Division, the ALJ, and the defendants if your address changes at any time during the hearing process. **Filing a change of address with the post office does not meet this requirement.** If you do not receive mail from the Commission because you *have moved* without notifying the ALJ, your case could be dismissed or you could lose valuable rights. **A.A.C. R20-5-104.** A change of address form is available by contacting the Claims Division or the Ombudsman.
10. **How long will my hearing take?** Every case is different. Most cases require more than one hearing to complete. In many cases, at the initial hearing the ALJ will hear testimony from you and any non-expert witnesses. It may last 30 minutes, or less, or it could take several hours. Further hearings are held to take testimony from medical experts and/or labor market consultants. Scheduling further hearings depends on the availability of the experts. It can take weeks or even several months to get everyone scheduled.

Most hearings are held by remote video conference through the Internet using the Google Meet application. The hearing will be recorded. The Notice of Hearing will provide information about how the hearing will be held, whether in person or through video conference, and will provide other information about the hearing. If a party does not have the equipment, technology, or means to participate in the hearing through Google Meet, the party must contact the ALJ Division at the phone number on the Notice of Hearing.

11. **Do I have to be present for all the hearings?** Unless you are excused by the ALJ, you must attend all hearings. **A.A.C. R20-5-149(A).** The hearings are the only opportunity you have to question witnesses and present your case to the ALJ.
12. **What is a prehearing conference and do I have to participate in it?** The ALJ may schedule a prehearing conference before the hearing to identify the issues, discuss possible witnesses, review procedures, and address other matters relevant to your case. **A.A.C. R20-5-140.** These conferences are routinely conducted via Google Meet, or telephone. If the conference is conducted telephonically, you must notify the ALJ of the telephone number at which you can be reached for the conference. If you fail to participate, the request for hearing could be dismissed.
13. **What if I want to change the date of my hearing or prehearing conference?** Except in cases of emergency, all requests for changes in scheduling must be made **in writing** to the ALJ, with a copy to the defendants' lawyer. It may be uploaded via ICA Community, mailed or faxed to the ALJ

Division (**Phoenix: 602-542-4135 or Tucson: 520-628-5182**). **A.A.C. R20-5-156**. You must say why you want the continuance (for example, to hire a lawyer or because you are ill), provide any paperwork that supports the request (such as a doctor's note), and explain how much time you need before the date of a rescheduled hearing. **If you do not hear back from the ALJ, or your request is denied, you must participate in the hearing or prehearing conference as scheduled.** Failure to do so may result in dismissal of the request for hearing.

**14. What if I change my mind about having a hearing?** If you decide you no longer want a hearing, you should inform the ALJ **in writing** as soon as possible by upload via ICA Community, fax, or mail.

**15. Do I have to give the defendants copies of everything I file with the ALJ? Yes.** You must give the defendants' lawyer a copy of anything you file with the ALJ. Uploading the document via ICA Community **does not** satisfy this requirement. You should indicate on your cover letter that you have sent a copy to defendants.

If you provide copies of medical records or other documents to defendants' lawyer, do not assume that copies of those records are furnished to the ALJ. It is each party's responsibility to determine the documents and records submitted in evidence and to file the records in evidence. You do **not** have to give copies of your correspondence with the defendants' lawyer to the ALJ.

**16. What is discovery?** Discovery is the process for exchanging information before the hearing. Discovery includes signing medical releases, attending depositions, and answering interrogatories. **You are required to cooperate in the discovery process.**

You are required to sign **medical releases** to allow the defendants to obtain medical records, tests, or other information from any doctor or health care provider who has seen or treated you in connection with your industrial injury. **A.R.S. § 23-908(C); A.A.C. R20-5-131(G).**

A **deposition** is an oral question-and-answer session. It is usually conducted at the lawyer's office, or by telephone. You must participate if you receive a **Notice of Deposition**. You can ask the defendants' lawyer to change the date or time, but the defendants' lawyer is not required to reset the deposition. Your answers will be under oath and recorded by a court reporter. The ALJ is not present. **A.A.C. R20-5-142 and R20-5-143.**

**Interrogatories** are written questions that you must answer in writing and under oath within ten days after they are served. The answers should be returned to the person who sent them (usually the defendants' lawyer), **not** the commission or the ALJ. **A.A.C. R20-5-144.**

**17. Can I refuse to participate in discovery?** If you believe the discovery request is improper, you can file a **motion for protective order** with the ALJ, asking to be excused. You must state your reasons for wanting to be excused, and send a copy of the motion to the defendants' lawyer. The ALJ will grant or deny the motion. If you are not excused and you fail to comply, the ALJ may impose sanctions, including dismissal of the request for hearing. **A.A.C. R20-5-145; R20-5-157.**

**18. Do I have to attend an independent medical examination (IME)?** An IME is an examination with a doctor picked by the defendants. If you receive a **Notice of IME**, you must attend unless you are excused. You may file a **motion for protective order**, with a copy to the defendants' lawyer, stating your reason

for wanting to be excused. You will not be excused because you do not like the doctor chosen by the defendants or because you believe your doctor has provided enough information to prove your claim. Failure to attend an IME can result in a request for hearing being dismissed and/or suspension of benefits. **A.R.S. § 23-1026; A.A.C. R20-5-114.**

- 19. How do I get witnesses to come to the hearing?** The ALJ issues subpoenas for necessary witnesses. You may request subpoenas **in writing** for witnesses you want to testify at the hearing. **Lay witnesses** must be requested at least **10 days** before the hearing (include their address). **Medical witnesses** must be requested at least **20 days** before the hearing. The ALJ cannot make out-of-state witnesses participate in your hearing. **A.A.C. R20-5-141.**
- 20. Do I have to pay witnesses to testify?** The Commission does not charge a fee to issue subpoenas. The Commission pays medical witnesses requested by an injured worker a set fee for their participation. The party requesting a non-medical witness may be required to pay a witness fee and mileage.
- 21. Will the ALJ get my medical records from my doctor?** **No.** It is your responsibility to obtain and file **medical records** that support your position. You must file them with the ALJ at least **25 days** before the hearing. You must send copies to the defendants' lawyer. **A.A.C. R20-5-155(A). Do not depend on the defendants' lawyer to submit your records.**
- 22. What if I have non-medical documents or records I want the ALJ to consider?** You can file **non-medical** documents and records at least **15 days** before the hearing. You must send copies to the defendants' lawyer. **A.A.C. R20-5-155(B).**
- 23. What will the hearing be like?** Most hearings are held remotely utilizing Google Meet. Hearings are sometimes held in person at hearing rooms at the Commission in Phoenix or Tucson. Outside of Phoenix and Tucson, hearings are held in hotels, government offices, or other facilities that have meeting rooms. **The notice setting the hearing will set forth whether the hearing will be held remotely utilizing Google Meet, will be held in person at a specific location, or will be held in some other manner.** You, the ALJ, and the defendants' lawyer will be present at the hearing. There may also be a representative of the employer, or the insurance carrier, who is allowed observe the hearings. Lay witnesses are usually asked to wait outside the hearing room, or to log out of the remote hearing, until they are called to testify.

The ALJ will start the initial hearing by introducing the case and identifying the issue(s). Since injured workers usually have the burden of proof, you will go first at the hearing. The ALJ may ask you some preliminary questions. The defendants' lawyer can cross-examine you and your witnesses. You will have the opportunity to cross-examine defense witnesses.

Medical witness testimony is normally taken utilizing Google Meet, with the medical professional appearing telephonically or via videoconference. The parties normally appear remotely utilizing Google Meet and may be permitted to participate telephonically. You should review the notice setting the hearing and check with the ALJ's office if you are not sure whether you need to attend the hearing in person.

The hearing is your only opportunity to present evidence and prove your case. Bring any notes or papers you think you might need. You should think about what questions you want to ask and write them down before the hearing. Usually, after the last hearing, you will not be allowed to

call additional witnesses or submit any additional documents or evidence into the record.

- 24. Will there be a written record of the hearing?** No. The hearing will be recorded digitally. The recording is uploaded into the ALJ record, normally within 2-3 business days after the hearing is held. The recording becomes part of your file. The Commission is required to order transcripts of hearings held if a party files a request for review. **A.R.S. § 23-943(C)**. If a request for review is filed, a transcript is ordered and the transcript becomes part of your file.
- 25. How long after the last hearing will the ALJ decide my case?** The ALJ will issue a written decision (Decision Upon Hearing) usually within 30-60 days after the submission of the case. The submission of the case may be the day of the last hearing, or the date any post-hearing memoranda are submitted. A copy of the decision will be mailed to your address of record. **A.R.S. § 23-942**.
- 26. What if I do not agree with the ALJ's Decision Upon Hearing?** There is a paragraph at the end of the decision that sets forth your rights. You have **30 days after the date the decision is mailed to you** to file a Request for Review. The ALJ will consider your request and the defendants' response, and then issue a written Decision Upon Review. If no interested party files a timely Request for Review, the Decision Upon Hearing becomes final. **A.R.S. § 23-942(D)**.
- 27. What if I do not agree with the ALJ's Decision Upon Review?** There is a paragraph at the end of the decision that sets forth your rights and gives the address of the Arizona Court of Appeals. You have **30 days after the decision upon review is mailed to you** to file a Petition for Special Action with the Court of Appeals. If you do not file a timely petition, the Decision Upon Review becomes final. **A.R.S. § 23-943(H)**.

## Frequently Used Addresses and Telephone Numbers

<b>Industrial Commission of Arizona</b> Website homepage: <a href="https://www.azica.gov/">https://www.azica.gov/</a> <b>For the information about Workers' Compensation:</b>
<a href="https://www.azica.gov/divisions/claims-division">https://www.azica.gov/divisions/claims-division</a>
To see the video "A Guide to Workers' Compensation Hearings": <a href="https://www.azica.gov/alj-video-guide-page">https://www.azica.gov/alj-video-guide-page</a> or <a href="https://www.azica.gov/alj-video-guide-page-spanish">https://www.azica.gov/alj-video-guide-page-spanish</a> .

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### Industrial Commission (Phoenix)

ALJ Division  
PO Box 19070  
Phoenix, AZ 85005  
602-542-5241

Fax No.: 602-542-4135

### Industrial Commission (Tucson)

ALJ Division  
2675 East Broadway Blvd. Tucson,  
AZ 85716-5303  
520-628-5188

Fax No.: 520-628-5182

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### Industrial Commission Ombudsman's Office

800 W Washington  
Phoenix AZ 85007-2903  
602-542-4538

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### Maricopa County Lawyers Referral

602-257-4434

### Pima County Lawyers Referral

520-623-4625

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### State Bar of Arizona (Phoenix)

4201 North 24<sup>th</sup> St., Suite 100  
Phoenix AZ 85016-6288  
Main Number: 602-252-4804  
Toll Free Outside Maricopa County 1-  
866-48-AZBAR (1-888-482-9227)

### State Bar of Arizona (Southern Office)

270 N. Church Ave., Suite 100  
Tucson, AZ 85701-2215  
520-623-9944

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### Workers' Compensation Specialists

State Bar: [www.azbar.org](http://www.azbar.org)  
Click on "For the Public," click on "Search for a  
Lawyer," choose Workers' Compensation Law as  
Board Certified Specialization.

### Step Up to Justice

<https://www.stepuptojustice.org/apply-for-help>  
Fill out an application for a free one-time consultation for Pima  
County residents. Limited availability.

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### Arizona Court of Appeals, Division 1

Room 203  
1501 West. Washington Street Phoenix, AZ  
85007-3235  
602-452-6700

### Arizona Court of Appeals, Division 2

State Office Building  
400 West Congress Street  
Tucson, AZ 85701  
520-628-6954.

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**The Industrial Commission complies with the Americans with Disabilities Act. Should you or anyone you are requesting for the hearing need special accommodation, contact the presiding ALJ's office immediately.**

INDUSTRIAL COMMISSION OF ARIZONA  
Claims Division / Community Account Creation

Please visit our website at <https://www.azica.gov/divisions/claims-division> for more information about the workers' compensation process. We offer online real-time access to your claims file through the Community. Instructions are provided below. **Please note that creating an account is not required but is an option for your convenience.** The Claims Division is also available to assist at 602-542-4661 and [Claims@AZICA.GOV](mailto:Claims@AZICA.GOV).

**NEW USER / CREATE ACCOUNT.**

1. Open website: <https://azicawc.force.com/claims>, Click the button "Request access to Workers Compensation Claim"
2. Enter your ICA Claim Number (a sample is provided, your number will be listed on the top of this document).
  - a. If you enter an invalid Claim Number, an error message will be displayed in red.
3. Select the type of "Interested Party"
  - a. Claimant is the employee injured while working.
4. Please complete all fields and then Submit.

Please complete process in full at one time. If interrupted, it may cause you to be locked out and require technical support.

5. Open website: <https://azicawc.force.com/claims>, Click the button "Request access to Workers Compensation Claim"
6. Enter your ICA Claim Number (a sample is provided, your number will be listed on the top of the welcome letter sent to you).
  - a. If you enter an invalid Claim Number, an error message will be displayed in red.
7. Select the type of "Interested Party"
  - a. Claimant is the employee injured while working.
8. Please complete all fields and then Submit.

Claim number  
1243626373  
Please enter the claim number as per the Format

**Request for a Worker's Compensation Claim**

Claim number

Party type  
None  
Claimant  
Employer  
Applicant Attorney  
Defense Attorney  
Carrier/TPA

Claim number

Party type  
Claimant

\* First Name

\* Last Name

\* Date Of Birth

\* Last 4 Digits Of SSN

Phone Number

Fax Number

HomeAddress

City

State

ZipCode

\* Email

\* Confirm Email

\* Employer

Submit

Claim number

Party type  
Employer

\* First Name

\* Last Name

Phone Number

Fax Number

BusinessAddress

City

State

ZipCode

\* Email

\* Confirm Email

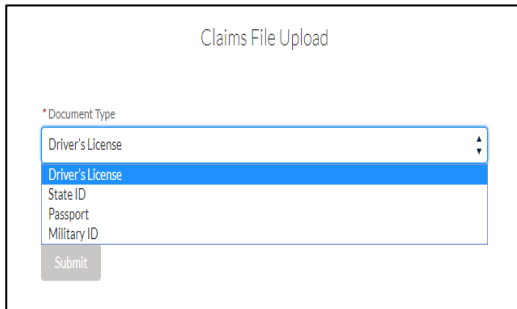
\* Organization

Submit

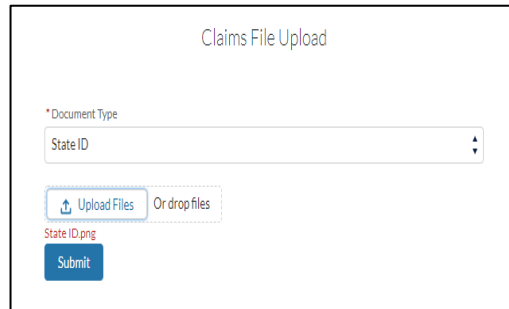


9. Upload supporting documents for verification purposes. Identification is required, as a claims file will contain private and personal information.

10. Follow prompts to select a document type, upload the 1<sup>st</sup> file and hit submit.



The screenshot shows a web form titled "Claims File Upload". At the top, there is a label "\* Document Type" in red. Below it is a dropdown menu with a blue border and a downward arrow on the right. The menu is open, showing a list of options: "Driver's License" (highlighted in blue), "State ID", "Passport", and "Military ID". Below the dropdown is a grey "Submit" button.



The screenshot shows the same "Claims File Upload" form. The dropdown menu now shows "State ID" selected. Below the dropdown is a file upload area with a blue "Upload Files" button (containing a file icon) and a dashed box labeled "Or drop files". Below this area, the text "State ID.png" is displayed in red. At the bottom, there is a blue "Submit" button.