

Under the Court's rules, the parties may file a stipulation of evidence, for which the Court will set a deadline. The relator-petitioner bears the burden of proof and the responsibility to prepare and file the stipulation. To facilitate the process, the relator should provide the assigned Assistant Attorney General (AAG) with an index of documents you would like included in the stipulation. The index should indicate page numbers, and include the date each document was entered into the BWC's Dolphin system. The relator should also send a hard copy of the documents to our office, ideally using portable document format (pdf) attached to an e-mail. This will allow us to confirm that each document is in the BWC claim file and determine if other documents should be included in the stipulation.

At a minimum, the stipulation should include the challenged order, any prior orders that led up to the challenged order, all records or documents referred to in any of the orders, the application or motion that precipitated the challenged order, and, if present, the agency's statement of facts. The stipulation should also include the following language: "The parties stipulate that the attached documents are true copies of documents from the Industrial Commission in claim No. _____. A party may supplement the record by written agreement of all parties, by submission of certified copies of documents from the claim file, or by order of the Court."

Finally, the relator should provide the documents to the assigned AAG at least seven (7) days before the court's deadline to file the stipulation. If, for any reason, you are unable to provide the documents within that time period, please obtain an extension of time from the Court to file the stipulation of evidence.