

of record in that the parties, the plaintiffs and the defendants, must come into this hearing, as they would in a county court, prepared, prepared to present their case and make their case at that point in time. The three-judge panel within the compensation court is then converted to a review process rather than a trial process in that they will review each case individually on the facts that are presented to it, the allegations of error or whatever that might be in those particular cases. If the plaintiff or the defendant is still not satisfied with the decision at that point in time, then they may enact further appeal to the Court of Appeals. So it is intended to streamline the system to bring a resolution to disputed cases in a more timely fashion, provide for a better organization of the legal process and hopefully provide a great deal of benefit to those injured parties who are currently being held in limbo with no weekly benefits or medical payments being taken care of at that point in time. So with that, I would encourage your adoption of AM3382 which becomes the bill and would respond to any questions. Thank you, Mr. Speaker.

SPEAKER BAACK: Thank you, Senator Coordsen. Discussion on the amendment by Senator Coordsen, Senator Kristensen.

SENATOR KRISTENSEN: Thank you, Mr. Speaker and members, Senator Coordsen, I want to thank you for a lot of work on this bill. This is a tough issue because a few years ago we restructured the Supreme Court and the Court of Appeals because of backlogs. The Workers' Comp Court is certainly in that same position and struggling because of large numbers of cases. And this is going to be primarily for the record and so we are clear. On page 16, Senator Coordsen, of your amendment 3382, we talk about the standard of review by the review panel I guess is what we call it, the three-judge review panel, and we talk about that the standard of review there is only on the grounds that the judge was clearly wrong on the evidence or the decision was contrary to law. That standard would be an error on the record review and not a de novo on the record review. Is that correct?

SENATOR COORDSEN: That is correct.

SENATOR KRISTENSEN: Thank you. And that's probably not important to most. Everybody is standing around this morning, but when we go to do that later and when the Supreme Court or the Court of Appeals takes a look at that to make sure our clear intent was that that was to be a standard of error on the record