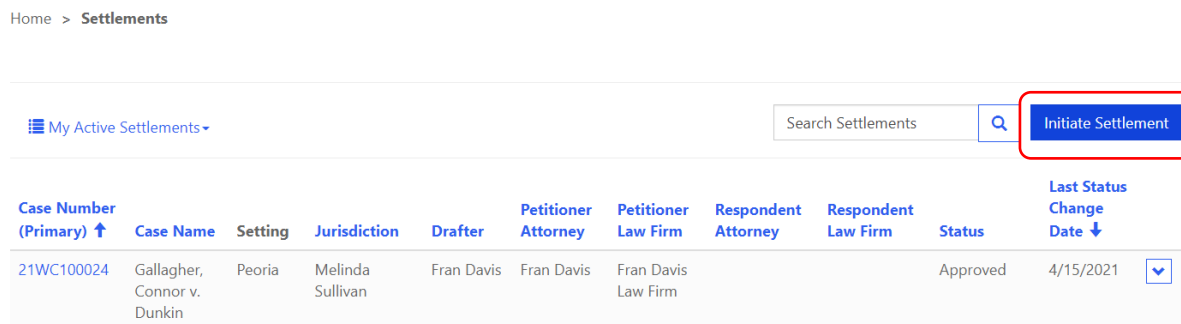


## Pro Se Settlements in CompFile

A pro se settlement contract is one in which the petitioner is not represented by an attorney. The settlement contract must be drafted in CompFile by the attorney for the respondent. The pro se settlement contract process in CompFile is very similar to standard contracts. The main difference in processing pro se contracts is that the IWCC requires an in-person hearing. Due to [IWCC policy changes](#) in 2020 during the COVID-19 pandemic, these hearings can be scheduled virtually via WebEx. The virtual hearing must be set up directly with the Arbitrator (not scheduled in CompFile). The respondent attorney is required to follow the emergency special process procedures and submit the pro se contract in CompFile along with a suitable affidavit and other additional documentation so that the Arbitrator can assess the viability of approving the settlement contract via WebEx.

## Starting a Pro Se Settlement Contract in CompFile

After the respondent attorney logs into CompFile, he or she clicks “Settlements” and then clicks “Initiate Settlement” as shown in the screenshot below.



Click “Yes” to the initial “Is this a pro se settlement?” question. Additional set-up questions follow:

- “Your role on the case.” The system automatically defaults to “Respondent Attorney” because it is a pro se settlement contract.
- “Do you have a case number.” Most pro se settlement contracts will not have a case number. You select “No” and the case will be assigned a case number and an Arbitrator upon submission to the IWCC. In situations when you already have a case number (in other words an application for adjustment of claim was filed), you select “Yes” and input the case number on the next screen.

### Note:

1. You must have entered an appearance in a case that already has a case number before proceeding with a pro se settlement contract.
2. If the case existed prior to the CompFile system cutover (a “Legacy Case”), you must complete the case claim process in CompFile to note your prior appearance.

## Case and Accident Information and Terms

- The standard questions and terms are no different in a pro se settlement contract than in a standard contract.
- The “Total amount of settlement” field involves only a single monetary entry. Click “Add Amount and Deductions” and input the “Total amount of settlement.” The respondent attorney will not input any deductions. If the pro se petitioner has agreed to some type of reduction, then put the reduced amount in the “Total amount of settlement” field and provide an explanation in the terms.

## Settlement Amount and Deductions

### Total amount of settlement \*

\$ 250,000.00

### Notes regarding total amount of settlement

Petitioner agreed on a lesser amount.

### Deduction: Attorney's fees

—

### Notes regarding deduction: attorney's fees

—

### Deduction: Medical reports, X-rays

—

### Notes regarding deduction: medical reports, x-rays

—

### Deduction: Other

\$ 0.00

### Notes regarding deduction: other

—

### Amount employee will receive

\$250,000.00

### Notes regarding amount employee will receive

—

Save

## Settlement Documents

The respondent attorney must attach a PDF copy of a recent medical report. The upload process is the same as for any settlement contract.

1. As mentioned earlier, the respondent attorney is required to attach additional documentation for the pro se settlement contract to be approved. Choose “Other Supporting Documentation” and provide a name for the document you are attaching to the contract. The respondent attorney must follow the IWCC’s emergency special process procedures to determine what additional documentation must be attached to the settlement contract in CompFile. Do not contact CompFile support regarding these emergency special process procedures or what additional documents must be attached to the contract. CompFile does not govern what you are required to attach to the contract.

## Create Document Set

A document set is like a file folder that can contain one or more files of the same type. Select a document set type based on the type of files that you want to add to the filing. Do not include different file types in the same document set. Use consistent and descriptive document set names that include the case name or case number.

**Document Set Type \***

Other Supporting Documentation

**Document Set Name \***

Other Supporting Documentation per Emergency Process

Next

### 2. Add Respondent Attorney

- If for some reason the respondent attorney who drafts the pro se settlement contract needs to add another respondent attorney, he or she can add the second attorney on this screen.

**Note:** If a case is already created (an application for adjustment of claim was filed), then the second attorney must enter an appearance on that case in CompFile before being added to the settlement contract.

### 3. Respondent's Insurance or Service Company

- If you want to add an insurance or service company representative as a signer on the pro se settlement contract, you answer "Yes" and add the representative's name and email address.
- Once the contract is ready, you would route it for the representative's e-signature.

### 4. Add Petitioner

Adding the petitioner is the main difference between the standard settlement contract and the pro se settlement contract.

**Step 1:** Determine how the pro se petitioner will sign the contract.

- Like standard contracts, the petitioner can either e-sign the contract, or the drafter can use signature on file.
- If you select "E-Signature," then the petitioner will receive the contract immediately when you click "Route for Signatures" on the final screen.
- If you select "Signature on File," obtain the petitioner's signature outside of CompFile and input the date of the signature in CompFile.

**Step 2:** Collect the petitioner's signature

- If you select "E-Signature," input the petitioner's email address and click "Route for Signatures" on the final screen.

100%

**Route for Signatures and Submit to IWCC**

The draft is now ready to be circulated for signatures. You may return to this page to monitor the status of the signatures. As the drafter, you may add your e-signature now or wait until all other parties have signed the settlement contract. Add your signature by clicking the dropdown arrow next to your name in the table below and clicking the "E-Sign" option. Once all signatures are collected, the "Submit to IWCC for Approval" button below will become active to any attorney on the settlement. You will receive an email notification when the settlement contract is submitted to the IWCC for approval.

Route for Signatures & Exit

Full Name ↑	Role	Email Address	Telephone Number	Date Signed	Signature Type	Drafter
Fran Davis	Respondent Attorney	<a href="mailto:mcdfad1+FDLF@gmail.com">mcdfad1+FDLF@gmail.com</a>	(859) 298-8888		E-Signature	Yes
Jane Doe	Petitioner	<a href="mailto:mcdfad1+prosepetitioner@gmail.com">mcdfad1+prosepetitioner@gmail.com</a>	(888) 888-8888		E-Signature	No
Joe Benton	Respondent Attorney	<a href="mailto:mcdfad1+jb@gmail.com">mcdfad1+jb@gmail.com</a>	(315) 222-2422		E-Signature	No

Print

Back

Save & Exit

Submit to IWCC for Approval

- If you select "Signature on File," then you follow the process below.
- Print the contract for collecting the petitioner's signature.
- Next, click "Save & Exit" while you are collecting the signature.
- Once the signature is collected, return to this screen, input the date of the signature, and proceed with finalizing the contract, as shown in the following screenshot.

**Signature Type**  
Signature on File

**First Name**  
Jane

**Last Name**  
Doe

**Telephone Number**  
(888) 888-8888

**Date Signed \***

Update

April 2021						
Su	Mo	Tu	We	Th	Fr	Sa
28	29	30	31	1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	1
2	3	4	5	6	7	8

Step 3: Add a comment about the pro se settlement contract.

- In the final step before submission, the drafter can add a comment to the Arbitrator about the contract.
- On the “Prepare Submission Information” screen, click “Add Comment” to include a comment that notifies the Arbitrator that this is a pro se settlement contract; for example: Pro Se Settlement Contract.

Create

### Attorney Comment

**Comment**

Pro Se Settlement Contract

Add

Step 4: The attorney e-signs and submits the contract for approval.

- If you used “E-Signature” for the petitioner, check on the “Route for Signatures and Submit to IWCC” screen for a date in the “Date Signed” column next to the petitioner’s name to confirm the petitioner has signed the contract.
- The final step is for the respondent attorney to add his or her e-signature and submit to the IWCC.

Step 5: Schedule the hearing

- Immediately upon submitting the contract to the IWCC, the respondent attorney will be notified of the assigned case number and Arbitrator.

My Active Settlements ▾

Search Settlements

Case Number (Primary) ↑	Case Name	Setting	Jurisdiction	Drafter	Petitioner Attorney	Petitioner Law Firm	Respondent Attorney	Respondent Law Firm	Status	Last Status Change Date ↓
21WC100052	Doe, Jane v. Kroger	Chicago	William McLaughlin	Fran Davis			Fran Davis	Fran Davis Law Firm	Submitted for Approval	4/20/2021
21WC100024	Gallagher, Connor v. Dunkin Donuts	Peoria	Melinda Sullivan	Fran Davis	Fran Davis	Fran Davis Law Firm			Approved	4/15/2021

- The respondent attorney must contact the Arbitrator directly (outside of CompFile) to schedule a time for the virtual hearing.

#### Step 6: Attend the hearing

- At the virtual hearing, the Arbitrator reviews the submitted contract with the parties.
- If any changes are required, the Arbitrator can return the contract to the respondent attorney to make the necessary changes, get updated signatures, and re-submit the contract for approval.
- Depending on the circumstances, the Arbitrator may require a second hearing.

#### Step 7: Deliver the approved, stamped contract.

- Once the Arbitrator concludes the hearing and agrees to approve the contract, the Arbitrator approves the contract in CompFile and adds his or her approval stamp.
- The respondent attorney receives the approved contract and is responsible for delivering a copy of the approved, stamped contract to the pro se petitioner as well as the settlement proceeds.

### The following common scenarios explain the signature process:

#### Scenario 1: Signature on File

- This scenario involves the respondent attorney collecting the petitioner's signature directly, outside of CompFile.
- In advance of the hearing, the respondent attorney agrees to terms with the pro se petitioner and inputs the agreed upon terms into CompFile.
- At the "Add Petitioner" screen, the respondent attorney prints the contract, clicks "Save & Exit," and then proceeds to collect the petitioner's signature.
- Option: schedule a meeting with the petitioner and collect the signature
- Option: deliver the contract to the petitioner for his or her signature
- Option: use e-signing software (e.g., DocuSign) to collect the signature
- Once the signature is collected, the respondent attorney returns to CompFile, opens the draft contract, and inputs the date of the petitioner's signature on the "Add Petitioner" screen.
- The respondent attorney then completes the draft, adds his or her signature, and submits the settlement contract to the IWCC, after which the respondent can now see the assigned case number and Arbitrator on his or her list of settlements.

The respondent attorney then contacts the assigned Arbitrator to schedule the hearing.

- The respondent attorney and pro se petitioner must attend the hearing and review the settlement contract with the Arbitrator.
- After the Arbitrator approves the contract in CompFile, the respondent attorney can log on and print the stamped version and deliver the stamped version to the pro se petitioner.

#### Scenario 2: Signature on File – Applying Edits

- After the pro se petitioner receives and reviews the draft contract, the respondent attorney may need to make changes to the contract.
- Similarly, the Arbitrator might recommend changes at the time of the hearing.
- If the pro se petitioner requests changes, the respondent attorney needs to click “Changes Needed” on the draft in CompFile, revise the contract, collect new signatures, and submit the contract for approval.
- If the Arbitrator requests changes, the Arbitrator returns the contract to the respondent attorney, who can make revisions, collect new signatures, and re-submit for approval.

**Note:** The Arbitrator may require a second hearing after re-submission.

#### Scenario 3: E-Signature Option

- The “E-Signature” option for the pro-se petitioner is similar to the “Signature on File” option, except that the respondent attorney needs to collect the pro se petitioner’s email address.
- When the respondent attorney gets to the “Add Petitioner” screen, he or she inputs the email address.
- The respondent attorney completes the drafting process and clicks “Route for Signatures.”
- The petitioner receives an email and can create an account and password in CompFile to add an e-signature to the contract.
- The respondent attorney then returns to the draft, adds his or her own e-signature, and clicks “Submit to IWCC for Approval.”
- Once submitted, the respondent attorney can return to the list of settlements, see the assigned case number Arbitrator, and contact the assigned Arbitrator to schedule the hearing.

**Note:** If any changes are required to the contract, the respondent attorney needs to click “Changes Needed” and update the draft contract, collect the pro se petitioner’s e-signature again (the petitioner logs back into CompFile using the previously created account after being prompted by a new email), and re-submit for approval.