

Placing a Motion or Petition on the Correct Docket

CompFile allows an attorney who is making a filing to select the docket for hearing the motion. The attorney can choose the arbitrator's status call (most common) or the commissioner's review call (less common). The vast majority of cases are in arbitration, and motions and petitions will be heard by the assigned arbitrator.



The screenshot displays the Illinois Workers' Compensation Commission website. At the top left is the logo for the Illinois Workers' Compensation Commission. Below the logo is a breadcrumb trail: Home > Motions and Other Fil... > Initiate Filing > **Motions/Petitions**. A progress bar shows 33% completion. The main heading is **Status/Review Call**. Below this, there is a question: "Is this motion/petition being filed on a Commissioner's review call or Arbitrator's status call? *". There are two radio button options: "Commissioner's review call" (unselected) and "Arbitrator's status call" (selected). A red oval highlights the "Arbitrator's status call" option, and a blue arrow points to it from the right. Below the radio buttons, there is a prompt: "Select an upcoming status call for the assigned Arbitrator at which you will present the motion". A dropdown menu shows the selected date and time: "10/19/2021 02:00:00 PM".

A comparatively small portion of cases are on review, and a motion in those cases would be heard by a commissioner. These are typically older cases, where the arbitrator made a decision months or even years before, and a new issue arises. Because the arbitrator no longer has jurisdiction over the case, a commissioner is assigned to hear the motion. If the case is a downstate case, the commissioner assignment is based on territory; if the case is a Chicago case, the commissioner assignment is random.

Here is a screenshot of where the attorney makes this choice:

33%

Status/Review Call

Is this motion/petition being filed on a Commissioner's review call or Arbitrator's status call? *

Commissioner's review call Arbitrator's status call

If you select “Commissioner’s review call,” you will see upcoming dates for review calls.

Important: If you select “Commissioner’s review call” and submit the filing, the case will be placed on review, and the motion placed on a commissioner’s review call.

Do not select this option if the case is not on review.

In other words, you should NOT select a commissioner’s review call for a case that is in arbitration. You should ONLY make this selection if the case is on review. This is a far less common scenario than the vast majority of cases, which are in arbitration.

