

Practical
Effect of Worker
Compensation Reform
No Benefits!

CONCLUSION

In conclusion, an appropriate strategy for handling compensation cases under the new law would seem to be to screen cases very closely. Only relatively high wage earners with significant SEB claims or schedule claimants with significant percentage impairments would seem to have a chance of obtaining settlements. Schedule claims may in fact increase as reduction of temporary total benefits leaves more weeks of schedule exposure in existence.

It should be remembered that the new substantive provisions will only affect cases where the injury occurs after January 1.

Probably the best practical advice to a plaintiff lawyer would be: Don't take comp cases. They will be nearly impossible to settle or win. After a decade of struggling, we have reached the point where the LABI and insurance forces have written the substantive and procedural law and will probably, to a large extent, influence the selection of the "judges" hearing Comp cases. No amount of palavering by proponents of the law about reform and economic development will convince the author that the "new law" is anything other than a theft of working people's rights which serves the interests of insurers and will not yield measurable economic benefits.

Louisiana's Workers' Compensation Law: A New Direction

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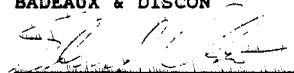
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Respectfully submitted,

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