

DEPARTMENT OF INDUSTRIAL RELATIONS
DIVISION OF WORKERS' COMPENSATION
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July 29, 2004

John S. Casselman, President
Castle Copy Service, Inc.
Post Office Box 668
San Jose, CA 95106

Dear Mr. Casselman:

In response to your letter of July 26, 2004, I understand your concern about the delays caused by clerical backlog. You are correct that Labor Code section 5500 provides that WCAB jurisdiction is established by the filing of an application. It is the assignment of a case number that officially verifies that an application has in fact been filed. Thus, until the case number is assigned, one does not have official verification, thereby establishing the basis for refusing to comply with a subpoena that does not show a case number.

The division is now in the process of hiring in the clerical classifications in an effort to build the court system back up again after the deterioration that it suffered under a budget crisis and the resulting multi-year hiring freeze. This process takes time, but the time that it takes for case numbers to be assigned appears to be diminishing and we are confident that the efficient assignment of case numbers is something that all of our offices will be able to achieve within the very near future.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Steven W. Siemers'.

Steven W. Siemers
Chief Judge