



Connecticut Business & Industry Association

**Testimony of Kia F. Murrell
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Before the Judiciary Committee
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S.B. 1099 AAC Certain Appeal Procedures

The Connecticut Business and Industry Association (CBIA) represents more than 10,000 companies throughout the state of Connecticut, ranging from large corporations to small businesses.

We oppose S.B. 1099 as a measure that will increase both costs and burdens for employers because it allows workers compensation cases to be heard by the Appellate Court before a final decision is rendered by the Compensation Review Board.

In most areas of the law, a final decision is required by the trier of fact or trial court before an appeal to a higher authority can be taken. The purpose of this general rule is to ensure that only meritorious, valid claims are taken on appeal. The necessity of a final judgment or decision thereby acts as a filter or gate-keeper in litigation to ensure that a state's appellate processes and resources are efficient used and not wasted.

Insofar as **S.B. 1099** allows workers compensation claims to be appealed without a final decision by the trier of fact (i.e., the Compensation Review Board or CRB) this legislation will inevitably lead to an increase in the number of claims appealed; an increase in the time, expense and resources of the state appellate court system spent on workers comp claims; and it will undermine the finality of decisions rendered by the CRB. If and when that occurs, workers comp claimants will actually be encouraged to appeal their cases to the appellate court in search of a more favorable decision. Once the CRB's authority to render final judgments is undermined, it will inevitably lead to more lengthy workers comp cases and higher litigation costs for employers at a time when many are struggling to survive and compete in an increasingly difficult economy.

For all of these reasons, we oppose S.B. 1099 and urge the Committee to reject it.