

Blanchard, Deborah

From: Mark Leighton [MLeighton@leightonlawyers.com]
Sent: Tuesday, February 09, 2010 1:49 PM
To: Blanchard, Deborah
Subject: Reappointment of Commissioners Barton and Mastropietro

Dear Ms. Blanchard:

Please accept this e-mail has my support of Commissioners Scott A. Barton and John A. Mastropietro for reappointment as Commissioners for the Connecticut Workers' Compensation Commission. I hope this email can be forwarded to all the members of the Judiciary Committee.

I currently serve as the chair of the Connecticut Bar Association, Workers' Compensation Section. Because the CBA has discouraged our section taking a position on reappointment of Commissioners, this endorsement is not made in that capacity, but in my capacity as a practitioner in the Workers Compensation Commission which comprises the vast majority of my practice. However, I can assure you that if we were to take a poll of the members of the Workers' Compensation Section of the CBA, I am confident that there would be uniform praise of these two commissioners.

Commissioner Barton has demonstrated a very keen, unbiased approach as a Commissioner. He is well respected in the workers' compensation community as being competent, fair and compassionate. He has developed a thorough understanding of the workers' compensation statutes, case law and most of all, the understanding of how to apply that knowledge to the cases, and in his dealings with claimants, employers and/or their representatives who appear before him. He takes the time to listen to all arguments by all parties and makes fair, reasoned recommendations at informal hearings and decisions at formal hearings.

Commissioner Mastropietro has all the qualities that one would hope that a workers' compensation commissioner would have. He has unparalleled knowledge of the workers' compensation statutes and case law. He is even-tempered; patient to a fault; understanding of the needs and rights of the injured worker; sensitive to the realities of employers and their insurers; and courteous but demanding of attorneys representing parties who come before him.

As much respect as I have for Commissioner Mastropietro as a trial commissioner, I believe his greatest talent is in his capacity as the Chairman of the Workers' Compensation Commission. While I do not always see eye-to-eye in his philosophies, and as a chair of a Democratic Town Committee I would like to find fault with him, I cannot. He masterfully administers the Workers' Compensation Commission, appears to assign commissioners to different districts whereby they complement each other's strengths and weaknesses, maintains an open dialogue with the workers' compensation legal community and listens to and balances the interests of injured workers and employers. He implements ideas he feels are meritorious, and advises why he does not implement those he does not. He has held the legal community to a higher standard of conduct and cooperation to assist in the administration of the principles of the workers' compensation laws – and the legal community has responded. I believe those efforts have cut down on the number of unnecessary hearings and have helped make others

more productive. That assists both the injured workers and their employers in getting their cases heard quicker and resolving disputes more rapidly.

I hope to be present for the hearings when these Commissioners come before the Judiciary Committee tomorrow. However, it is my understanding that because of the weather and schedules of judges, there is a question of if and when the Committee will hear testimony on these Commissioners. Therefore, it is my hope the Committee will consider these written comments.

In short, I feel strongly that Commissioners Barton and Mastropietro should be reappointed as Commissioners of the Connecticut Workers' Compensation Commission.

Respectfully,

Mark D. Leighton

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