

WORKERS'

Workers Pro Se Research Report with Complaint or LSS

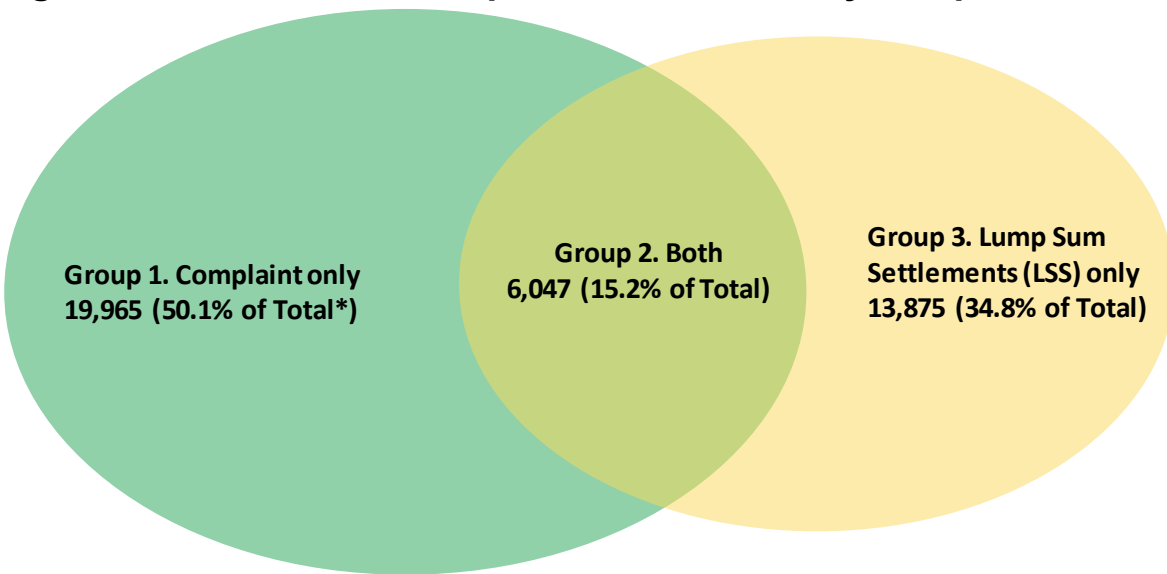
COMPENSATION

2023 HM 83 Attorney Fee Cap Task Force

A complaint can be filed by a worker, employer/insurer, or an attorney for either party. In most cases, a complaint that goes before a judge will have legal representation on both sides. There are times, however, when a worker self-represents, something called *pro se*. This research focuses on workers pro se matters triggered by complaints and/or lump sum settlements (LSS) in the last 15 years from 2009 to 2023. A ‘matter’ is defined as an individual legal issue related to a claim.

In total, there were 39,887 matters with complaints and/or LSS filed in the last 15 years. Figure 1 shows detailed information for three groups.

Figure 1. Matters with Complaint or LSS filed by Goups, 2009-2023



* Total 39,887 matters with complaints and/or LSS filed in last 15 years (2009-2023).



For matters triggered by the complaint only in the last 15 years, about 11.4% were represented by a pro se worker. Most matters had a workers' attorney. Please see Table 1.

Table 1. Workers Pro-se Matters with Complaint only, Complaint Filed Year 2009-2023

Complaint Filed Year	Group 1. Complaint only				Total
	Workers Pro-se	% of Total	With WKA*	% of Total	
2009	207	11.6%	1,577	88.4%	1,784
2010	230	12.7%	1,574	87.3%	1,804
2011	200	12.4%	1,418	87.6%	1,618
2012	221	13.5%	1,412	86.5%	1,633
2013	187	11.9%	1,391	88.1%	1,578
2014	207	12.2%	1,495	87.8%	1,702
2015	218	12.3%	1,548	87.7%	1,766
2016	149	10.7%	1,250	89.3%	1,399
2017	117	12.3%	833	87.7%	950
2018	104	11.1%	831	88.9%	935
2019	115	12.7%	787	87.3%	902
2020	71	8.7%	743	91.3%	814
2021	81	8.3%	895	91.7%	976
2022	68	7.1%	888	92.9%	956
2023	99	8.6%	1,049	91.4%	1,148
15 Year Total	2,274	11.4%	17,691	88.6%	19,965

* WKA - Workers' Attorney



Table 2 shows that for matters triggered by both complaint and LSS, only about 5.9% were represented by a pro se worker in the last 15 years. The same as the complaint only group, most matters had a workers' attorney.

Table 2. Workers Pro-se Matters with both Complaints and LSS, Complaint Filed Year 2009-2023

Complaint Filed Year	Group 2. Both Complaint and Lump Sum Settlements (LSS)				Total
	Workers Pro-se	% of Total	With WKA	% of Total	
2009	17	8.3%	187	91.7%	204
2010	19	7.7%	228	92.3%	247
2011	21	8.7%	220	91.3%	241
2012	15	6.4%	220	93.6%	235
2013	19	5.8%	308	94.2%	327
2014	12	6.5%	172	93.5%	184
2015	6	3.9%	149	96.1%	155
2016	33	6.3%	487	93.7%	520
2017	40	5.2%	728	94.8%	768
2018	43	6.5%	620	93.5%	663
2019	43	6.6%	610	93.4%	653
2020	22	3.7%	568	96.3%	590
2021	27	5.3%	484	94.7%	511
2022	19	4.4%	417	95.6%	436
2023	22	7.0%	291	93.0%	313
15 Year Total	358	5.9%	5,689	94.1%	6,047



For matters triggered by the LSS only in the last 15 years, more than half (52.4 %) were represented by a pro se worker. 47.6% of these matters had a workers' attorney. Please see Table 3.

Table 3. Workers Pro-se Matters with LSS only, LSS Filed Year 2009-2023

LSS Filed Year	Group 3. Lump Sum Settlements (LSS) only				Total
	Workers Pro-se	% of Total	With WKA	% of Total	
2009	380	47.4%	421	52.6%	801
2010	586	47.0%	660	53.0%	1,246
2011	630	50.4%	619	49.6%	1,249
2012	670	53.9%	573	46.1%	1,243
2013	635	54.1%	538	45.9%	1,173
2014	697	55.6%	556	44.4%	1,253
2015	611	60.1%	405	39.9%	1,016
2016	122	49.8%	123	50.2%	245
2017	442	60.0%	295	40.0%	737
2018	492	54.8%	405	45.2%	897
2019	544	55.9%	429	44.1%	973
2020	448	55.4%	361	44.6%	809
2021	337	45.1%	410	54.9%	747
2022	319	42.7%	428	57.3%	747
2023	352	47.6%	387	52.4%	739
15 Year Total	7,265	52.4%	6,610	47.6%	13,875

