

IN THE SUPREME COURT OF THE STATE OF KANSAS
RULES RELATING TO SUPREME COURT, COURT OF APPEALS,
AND APPELLATE PRACTICE

RULE 9.04

WORKERS COMPENSATION CASES

Supreme Court Rule 9.04 is hereby amended, effective the date of this order:

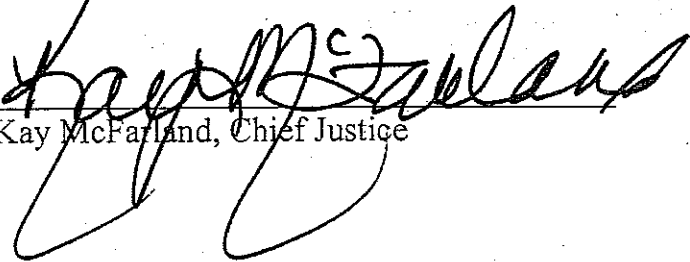
(a) When an appeal is taken from the Workers Compensation Board to the Court of Appeals under K.S.A. 44-556 and amendments thereto, the appellant shall file a notice of appeal petition for judicial review in compliance with K.S.A. 77-614 with the clerk of the appellate courts. ~~The notice of appeal shall specify the party or parties taking the appeal and designate the order or part thereof appealed from.~~ The notice of appeal petition for judicial review shall be accompanied by certified copies of the decision(s) of the administrative law judge, the request for Workers Compensation Board review, and the order of the Workers Compensation Board. The notice of appeal petition for judicial review shall be accompanied by the docket fee and docketing statement required by Supreme Court Rule 2.04. A copy of the notice of appeal petition for judicial review shall be served upon the Board, Director and all parties as provided in K.S.A. 77-613 through K.S.A. 77-615 and amendments thereto. If any other party seeks to file a cross-appeal as provided by K.S.A. 44-556 and amendments thereto, that party shall file a cross-petition for review which complies with K.S.A. 77-614.

(b) Within ten (10) days of the filing of the notice of appeal petition for judicial review, the appellant shall request in writing to the Director to certify the record of the proceedings. If a record was made of any hearing before the Board, a transcript shall be ordered by the appellant also within ten (10) days of filing of the notice of appeal petition for judicial review. The transcript shall otherwise be prepared and advance payment made in accordance with Supreme Court Rule 3.03. The appellant shall file copies of the request(s) for transcript and certification of the record with the clerk of the appellate courts and serve copies upon all other parties at the time the request(s) are filed with the Director. Upon completion of the transcript of the Board hearing, if any, the Director shall forthwith transmit the record to the clerk of the appellate courts and send notice of such transmission with a copy of the table of contents of the record to the parties. The brief of the appellant shall be due thirty (30) days from the date the record is transmitted to the appellate courts.

(c) All other procedures and matters not provided for in this order shall be governed by the Supreme Court rules relating to appellate practice and applicable statutes.

By order of the Court, this 7th day of July, 2008.

FOR THE COURT



Kay McFarland, Chief Justice