



Kentucky Labor Cabinet

Department of Workers' Claims

Andy Beshear
Governor

Larry L. Roberts
Secretary

Jacqueline Coleman
Lieutenant Governor

Robert L. Swisher
Commissioner

TO: LMS registered users

FROM: Robert L. Swisher, Commissioner

DATE: June 24, 2020

RE: LMS filing practices

IMPORTANT LMS REMINDERS

FILING OF DISCOVERY RESPONSES IS PROHIBITED

LMS filers are reminded that 803 KAR 25:010, Section 5 (2) prohibits filing of notices of deposition, notices of physical examination, and requests for and responses to requests for production of documents. The regulation further provides that those items and “exchange of reports or records shall be served by email upon the parties...” Section 17 (5) of the regulation

provides that discovery requests and responses to the requests “shall not be submitted into the record.” These items are not to be filed and served via LMS.

**PLEADINGS FOR WHICH A SPECIFIC DOCUMENT TYPE EXISTS MAY NOT
BE FILED BY USING THE “NOTICE OF...” DOCUMENT TYPE**

When filing pleadings in LMS, the submitting party must file the pleading using the specific document type designated for the document, if one exists. Use of the generic “Notice of Filing of _____” document type is improper for most common pleadings, such as filing medical reports. The “Notice of Filing” document type should never be used to file a motion nor any other pleading for which a ruling or action by an ALJ or Board member is sought. “Notice of Filing” document types do not feed into a work queue and do not prompt any action to be taken.

**MOTIONS FOR WHICH A SPECIFIC DOCUMENT TYPE EXISTS MUST BE
FILED USING THAT DOCUMENT TYPE**

When filing motions in LMS, the submitting party must file the motion using the specific motion document type applicable. Parties should refrain from using the “All Other Motions” document type unless a specific document type does not exist for the filing. Parties should never file a motion to reopen using the “All Other Motions” type because the motion will not be routed to the Frankfort motion docket for consideration and ruling.

Thank you for taking the appropriate corrective measures to address these issues.



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