

V. Settlement Awards

Lump-sum settlement awards, or washouts, are reported here as a distinct benefit category apart from indemnity and medical payments. Prior to the 1993 reforms, settlements were typically paid in lieu of indemnity benefits, closing the indemnity portion of the workers' compensation claim. The reforms allowed for the settlement of ongoing or anticipated medical benefits for injuries incurred both prior to and subsequent to January 1, 1994, making it possible to completely close out a claim for any injury year. Highlights of recent data on settlements include the following:

■ *Impact of Settlements:* More than one of every four lost-time cases from 1991 through 2000 included a settlement order as of June 30, 2001, and the awards for these 235,710 cases totaled over \$6.1 billion.

■ *Impact of Legislation on Settlement Awards:* The decline in the dollar amount of settlement awards between mature injury years 1991 (\$791 million) and 1997 (\$662 million) was punctuated by a sharp decline for 1994 (-22.7%) injuries, with corresponding declines in the number of cases for 1994. While there was a decline in the number of settled cases and the size of the average settlement for 1994 injuries, the size of the average settlement has continued to decline while the number of cases settled has rebounded.

■ *Costs Per Case:* For all indemnity groups combined, average settlement awards declined since 1991 for every injury year except 1995, when the average award rose marginally. Median awards also declined or stabilized for each suc-

cessive year of the decade except 1995, when the median slightly increased. Among years with mature data, the most significant over-the-year decline was for post-reform injury year 1994, when the median cost per case fell \$3,250, from \$15,000 to \$11,750 (-21.7%), while the average cost per case fell \$4,351, from \$30,701 to \$26,350 (-14.2%).

■ *Disability Types:* For the ten years spanning 1991 through 2000, Settled, No Indemnity Record cases ranked first in the number of cases settled, 66,371 (representing over one billion dollars in settlement costs), while the post-reform Impairment Income disability type was the most expensive with settlements totaling over \$1.5 billion (representing 57,280 settled cases). Even though wage loss benefits were only paid for three of the ten years between 1991 and 2000, the Wage Loss Only disability type ranks fourth among all the disability types in number of cases settled (29,886) and settlement dollars (over one billion dollars). Cases categorized as Temporary Total, with 63,408 cases settled between 1991 and 2000, were the second most expensive, with more than \$1.4 billion in settlements paid. Together, the four most expensive disability types with respect to settlements: Impairment Income, Temporary Total, Settled, No Indemnity Record and Wage Loss Only account for 83% of all settlement dollars and 92% of all settled cases. The percent of lost time cases with settlements varies considerably as a function of disability types. Less than 15% of cases not progressing past temporary benefits have settlements. Notably, the settlement rate for post-reform Permanent Partial benefit types is lower than the settlement rate for pre-reform Permanent Partial

categories (e.g., 54.5% for Supplemental Income cases and 86.2% for Wage Loss Only cases). The most severe non-death disability category—Permanent Total—predictably had the most expensive washouts on average, at roughly *four to five times* the all-case average award per case across all mature injury years. Although costly on a per-case basis, Permanent Total cases with settlement awards comprised less than 3% of all washouts, which translates to a little over 13.8% of total settlement dollars over the ten years. Average awards also notably exceeded the all-case average in four other categories: pre-reform wage loss (both categories), post-reform Supplemental Income, and Death cases. Average and median settlement awards for Temporary Total and Temporary Partial injuries are generally lower for post-reform mature years than for pre-reform years. This reflects, in part, a movement of many cases into the post-reform Impairment Income category once indemnity benefits for temporary injuries have been paid for 104 weeks—the cap that is a key feature of the 1993 reforms. These two categories of less severe injuries, plus those cases settled before indemnity benefits were received, had average awards well below the all-case average for most injury years. The trend, however, may be reversing for Temporary Total settlements, which have increased in recent years.

■ *Time Lag Between Injury and Settlement Order:* The majority of mature cases—between 56.7% for 1991 injuries and 80.4% for 1997 injuries—were settled within two years of the injury year. There was a steady increase in this percentage for each successive injury year between 1991 and 1998, which, despite differences in vintage, may indicate a tendency to earlier settlements.

■ *Impact of Medical Washouts:* About nine of every ten cases with substantive judges' orders for injury years 1991-2000 included a settlement, with 1994-1997 showing the highest percent-

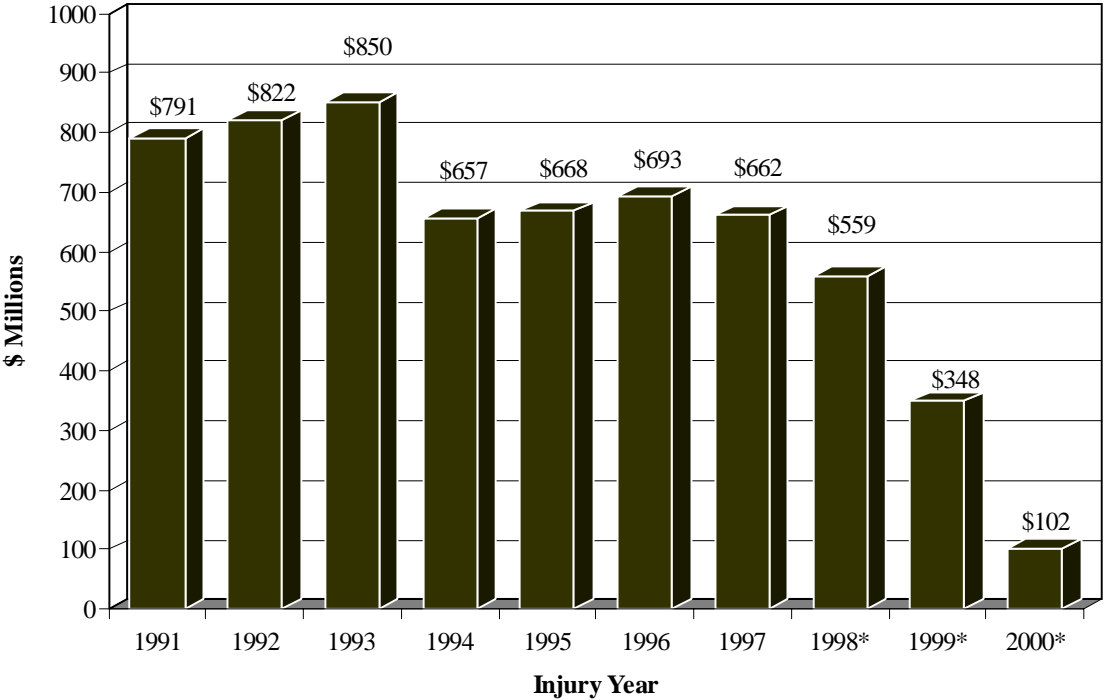
ages of over 93%. The 1993 reforms, retroactive in allowing settlement of medical benefits, ushered in a wave of medical settlements for pre-reform injuries; 59.1% of settlements for 1991 injuries included a medical washout, growing steadily to over 94% for 1993 injuries. For injury years since 1994, medical and indemnity benefits were washed out concurrently in 99% of all settlement orders. Just 9.3% of settlement orders issued between 1991 and 1993 included a medical settlement. In order year 1994, this percentage surged to nearly 78%, jumped to almost 95% in 1995, and has remained at about 99% ever since.

■ *Injured Body Part:* Close to six of every ten settlement dollars awarded between 1991 and 2000 involved cases with injuries to multiple body parts (30%) or the back (26.8%). Over half (51.6%) of all cases with settlement awards pertained to injuries in these two categories, as well. Injuries to the lower and upper extremities accounted for another three of every ten (31.7%) settlement dollars and 35.3% of washouts.

■ *Claimant Attorney Fees:* For claimant attorney fees as a share of settlement awards, the highest percentages were found in Temporary Partial and Settled, No Indemnity Recorded cases, where attorneys received over \$16 for every \$100 awarded. These two disability categories reported the least expensive average case costs at \$12,365 and \$16,298, respectively, over the 1991-2000 decade of workplace injuries. Claimant attorney fees were proportionately lowest (9.6%) for Death cases.

Figure 5.1

Cumulative Settlement Awards by Injury Year (1991-2000)



*Preliminary reporting

Source: Division of Workers' Compensation Integrated Database, data submitted as of June 30, 2001

Table 5.1

Settlement Cases by Disability Type and Injury Year (1991-2000)

Disability Type	1991	1992	1993	1994	1995	1996
Temporary Partial						
Cases with Settlements	292	419	627	649	801	1,180
Total Settlement Awards	\$4,052,496	\$5,509,686	\$9,255,917	\$8,048,303	\$10,218,250	\$14,544,985
% Lost-Time Cases with Settlements	15.1%	15.1%	15.1%	12.1%	11.7%	13.8%
Temporary Total						
Cases with Settlements	6,499	7,656	8,746	6,124	6,104	6,643
Total Settlement Awards	\$154,727,462	\$186,386,543	\$213,505,576	\$120,873,537	\$133,753,597	\$145,549,277
% Lost-Time Cases with Settlements	11.3%	13.8%	15.9%	13.7%	15.2%	17.9%
Permanent Impairment Only						
Cases with Settlements	545	612	441	N/A	N/A	N/A
Total Settlement Awards	\$14,034,705	\$15,356,640	\$12,857,370			
% Lost-Time Cases with Settlements	54.2%	58.7%	54.3%			
Wage Loss Only						
Cases with Settlements	10,378	9,981	9,527	N/A	N/A	N/A
Total Settlement Awards	\$354,892,032	\$357,609,213	\$346,460,849			
% Lost-Time Cases with Settlements	86.3%	87.2%	85.2%			
Wage Loss & Permanent Impairment						
Cases with Settlements	230	241	215	N/A	N/A	N/A
Total Settlement Awards	\$9,779,917	\$10,900,289	\$8,671,436			
% Lost-Time Cases with Settlements	85.5%	87.0%	82.7%			
Impairment Income						
Cases with Settlements	N/A	N/A	N/A	11,137	10,669	10,624
Total Settlement Awards				\$311,064,195	\$306,843,816	\$303,664,063
% Lost-Time Cases with Settlements				52.0%	49.4%	47.0%
Supplemental Income						
Cases with Settlements	N/A	N/A	N/A	50	51	30
Total Settlement Awards				\$4,130,278	\$4,694,455	\$1,758,836
% Lost-Time Cases with Settlements				61.7%	76.1%	55.6%
Permanent Total						
Cases with Settlements	1,167	1,019	952	934	798	744
Total Settlement Awards	\$145,477,778	\$123,298,736	\$124,495,722	\$108,139,674	\$98,627,652	\$95,725,116
% Lost-Time Cases with Settlements	65.6%	62.6%	64.5%	64.9%	61.5%	60.5%
Death						
Cases with Settlements	126	118	139	145	160	116
Total Settlement Awards	\$5,314,528	\$4,216,355	\$5,836,684	\$6,056,169	\$6,930,468	\$4,591,679
% Lost-Time Cases with Settlements	28.5%	28.5%	28.5%	30.5%	31.5%	26.0%
Settled, No Indemnity Recorded						
Cases with Settlements	5,195	6,126	7,051	5,905	6,509	7,631
Total Settlement Awards	\$102,270,216	\$118,639,605	\$129,267,234	\$98,950,520	\$107,085,194	\$127,506,648
% Lost-Time Cases with Settlements**	97.2%	97.1%	97.0%	95.8%	94.3%	93.6%
Lost Time, No Indemnity Recorded						
Cases with Settlements	0	0	0	0	0	0
Total Settlement Awards	\$0	\$0	\$0	\$0	\$0	\$0
% Lost-Time Cases with Settlements	0%	0%	0%	0%	0%	0%
Total						
Cases with Settlements	24,432	26,172	27,698	24,944	25,092	26,968
Total Settlement Awards	\$790,549,134	\$821,917,067	\$850,350,789	\$657,262,677	\$668,153,431	\$693,340,604
% Lost-Time Cases with Settlements	27.8%	30.3%	32.3%	29.5%	30.3%	31.8%

Table 5.1

Settlement Cases by Disability Type and Injury Year (1991-2000)

Disability Type	1997	1998*	1999*	2000*	1991-2000
Temporary Partial					
Cases with Settlements	1,478	1,312	1,156	543	8,457
Total Settlement Awards	\$17,407,114	\$16,707,717	\$13,280,441	\$5,548,703	\$104,573,612
% Lost-Time Cases with Settlements	14.0%	12.6%	10.2%	4.9%	11.6%
Temporary Total					
Cases with Settlements	7,150	6,658	5,533	2,295	63,408
Total Settlement Awards	\$158,167,945	\$167,689,815	\$117,665,012	\$33,204,649	\$1,431,523,413
% Lost-Time Cases with Settlements	20.0%	18.9%	14.2%	5.9%	14.4%
Permanent Impairment Only					
Cases with Settlements	N/A	N/A	N/A	N/A	1,598
Total Settlement Awards					\$42,248,716
% Lost-Time Cases with Settlements					55.9%
Wage Loss Only					
Cases with Settlements	N/A	N/A	N/A	N/A	29,886
Total Settlement Awards					\$1,058,962,094
% Lost-Time Cases with Settlements					86.2%
Wage Loss & Permanent Impairment					
Cases with Settlements	N/A	N/A	N/A	N/A	686
Total Settlement Awards					\$29,351,642
% Lost-Time Cases with Settlements					85.1%
Impairment Income					
Cases with Settlements	10,367	8,075	5,048	1,360	57,280
Total Settlement Awards	\$280,444,409	\$201,801,472	\$103,455,331	\$21,520,909	\$1,528,794,194
% Lost-Time Cases with Settlements	44.0%	37.1%	26.3%	11.8%	40.4%
Supplemental Income					
Cases with Settlements	27	22	29	5	214
Total Settlement Awards	\$1,407,390	\$885,933	\$765,524	\$79,645	\$13,722,061
% Lost-Time Cases with Settlements	62.8%	50.0%	45.3%	12.5%	54.5%
Permanent Total					
Cases with Settlements	609	325	113	16	6,677
Total Settlement Awards	\$73,395,708	\$34,737,862	\$11,000,032	\$1,814,040	\$816,712,321
% Lost-Time Cases with Settlements	56.8%	46.7%	33.8%	15.1%	60.4%
Death					
Cases with Settlements	127	109	68	25	1,133
Total Settlement Awards	\$4,601,829	\$3,742,401	\$2,337,986	\$1,001,982	\$44,630,080
% Lost-Time Cases with Settlements	28.6%	26.8%	19.9%	8.6%	26.6%
Settled, No Indemnity Recorded					
Cases with Settlements	8,219	8,876	7,279	3,580	66,371
Total Settlement Awards	\$126,186,048	\$133,647,983	\$99,802,176	\$38,379,432	\$1,081,735,055
% Lost-Time Cases with Settlements	92.8%	92.1%	93.3%	95.9%	94.6%
Lost Time, No Indemnity Recorded					
Cases with Settlements	0	0	0	0	0
Total Settlement Awards	\$0	\$0	\$0	\$0	\$0
% Lost-Time Cases with Settlements	0%	0%	0%	0%	0%
Total					
Cases with Settlements	27,977	25,377	19,226	7,824	235,710
Total Settlement Awards	\$661,610,441	\$559,213,182	\$348,306,501	\$101,549,360	\$6,152,253,187
% Lost-Time Cases with Settlements	32.1%	29.0%	22.1%	9.8%	27.6%

*Preliminary reporting

** This percentage is less than 100 due to the exclusion of cases with settlement orders but no settlement awarded amount.

Source: Division of Workers' Compensation Integrated Database, data submitted as of June 30, 2001

Table 5.2

***Median and Average Settlement Awards
by Disability Type and Injury Year (1991-2000)***

Disability Types	1991	1992	1993	1994	1995	1996
Temporary Partial						
Median Settlement Awards	\$7,875	\$7,500	\$9,250	\$7,000	\$6,300	\$7,000
Average Settlement Awards	\$13,878	\$13,150	\$14,762	\$12,401	\$12,757	\$12,326
Temporary Total						
Median Settlement Awards	\$11,050	\$11,334	\$12,250	\$9,000	\$10,000	\$10,000
Average Settlement Awards	\$23,808	\$24,345	\$24,412	\$19,738	\$21,912	\$21,910
Permanent Impairment Only						
Median Settlement Awards	\$15,000	\$14,525	\$14,762	N/A	N/A	N/A
Average Settlement Awards	\$25,752	\$25,093	\$29,155			
Wage Loss Only						
Median Settlement Awards	\$21,000	\$23,175	\$23,750	N/A	N/A	N/A
Average Settlement Awards	\$34,197	\$35,829	\$36,366			
Wage Loss & Permanent Impairment						
Median Settlement Awards	\$25,000	\$29,500	\$25,000	N/A	N/A	N/A
Average Settlement Awards	\$42,521	\$45,229	\$40,332			
Impairment Income						
Median Settlement Awards	N/A	N/A	N/A	\$15,000	\$16,500	\$17,000
Average Settlement Awards				\$27,931	\$28,760	\$28,583
Supplemental Income						
Median Settlement Awards	N/A	N/A	N/A	\$72,975	\$83,750	\$50,000
Average Settlement Awards				\$82,606	\$92,048	\$58,628
Permanent Total						
Median Settlement Awards	\$104,250	\$100,000	\$110,000	\$95,000	\$100,000	\$100,000
Average Settlement Awards	\$124,660	\$121,000	\$130,773	\$115,781	\$123,594	\$128,663
Death						
Median Settlement Awards	\$30,000	\$24,634	\$25,622	\$30,000	\$30,000	\$35,000
Average Settlement Awards	\$42,179	\$35,732	\$41,991	\$41,767	\$43,315	\$39,583
Settled, No Indemnity Recorded						
Median Settlement Awards	\$9,850	\$10,000	\$9,459	\$7,500	\$8,000	\$7,575
Average Settlement Awards	\$19,686	\$19,367	\$18,333	\$16,757	\$16,452	\$16,709
Lost Time, No Indemnity Recorded						
Median Settlement Awards	\$0	\$0	\$0	\$0	\$0	\$0
Average Settlement Awards	\$0	\$0	\$0	\$0	\$0	\$0
Total						
Median Settlement Awards	\$15,500	\$15,000	\$15,000	\$11,750	\$11,816	\$11,750
Average Settlement Awards	\$32,357	\$31,404	\$30,701	\$26,350	\$26,628	\$25,710

Table 5.2

**Median and Average Settlement Awards
by Disability Type and Injury Year (1991-2000)**

Disability Types	1997	1998*	1999*	2000*	1991-2000
Temporary Partial					
Median Settlement Awards	\$6,750	\$7,316	\$7,000	\$6,400	\$7,000
Average Settlement Awards	\$11,777	\$12,735	\$11,488	\$10,219	\$12,365
Temporary Total					
Median Settlement Awards	\$10,000	\$11,750	\$11,750	\$8,350	\$10,150
Average Settlement Awards	\$22,121	\$25,186	\$21,266	\$14,468	\$22,576
Permanent Impairment Only					
Median Settlement Awards	N/A	N/A	N/A	N/A	\$14,824
Average Settlement Awards					\$26,438
Wage Loss Only					
Median Settlement Awards	N/A	N/A	N/A	N/A	\$22,823
Average Settlement Awards					\$35,433
Wage Loss & Permanent Impairment					
Median Settlement Awards	N/A	N/A	N/A	N/A	\$26,913
Average Settlement Awards					\$42,787
Impairment Income					
Median Settlement Awards	\$15,000	\$15,000	\$13,000	\$10,000	\$15,000
Average Settlement Awards	\$27,052	\$24,991	\$20,494	\$15,824	\$26,690
Supplemental Income					
Median Settlement Awards	\$30,000	\$34,600	\$19,450	\$12,500	\$45,000
Average Settlement Awards	\$52,126	\$40,270	\$26,397	\$15,929	\$64,122
Permanent Total					
Median Settlement Awards	\$107,500	\$90,000	\$78,750	\$89,625	\$100,000
Average Settlement Awards	\$120,518	\$106,886	\$97,345	\$113,378	\$122,317
Death					
Median Settlement Awards	\$28,250	\$22,750	\$26,500	\$30,000	\$29,136
Average Settlement Awards	\$36,235	\$34,334	\$34,382	\$40,079	\$39,391
Settled, No Indemnity Recorded					
Median Settlement Awards	\$7,493	\$7,500	\$7,500	\$6,000	\$7,725
Average Settlement Awards	\$15,353	\$15,057	\$13,711	\$10,721	\$16,298
Lost Time, No Indemnity Recorded					
Median Settlement Awards	\$0	\$0	\$0	\$0	\$0
Average Settlement Awards	\$0	\$0	\$0	\$0	\$0
Total					
Median Settlement Awards	\$11,000	\$10,500	\$10,000	\$7,500	\$12,000
Average Settlement Awards	\$23,648	\$22,036	\$18,116	\$12,979	\$26,101

*Preliminary reporting

Source: Division of Workers' Compensation Integrated Database, data submitted as of June 30, 2001

Figure 5.2

Total Cases with Substantive Orders, Total Settled Cases, & Total Medical Settlements by Order Year (1991-2000)**

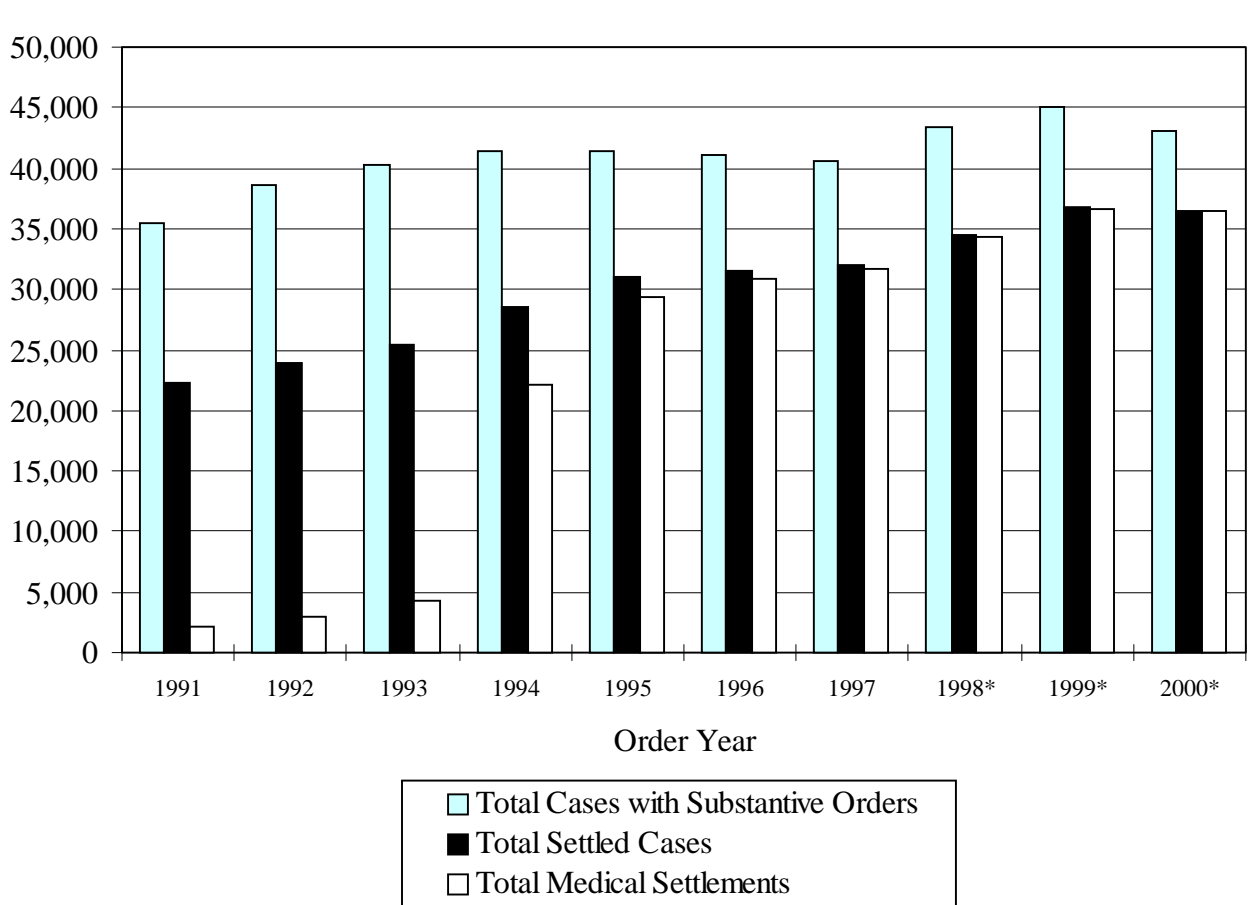
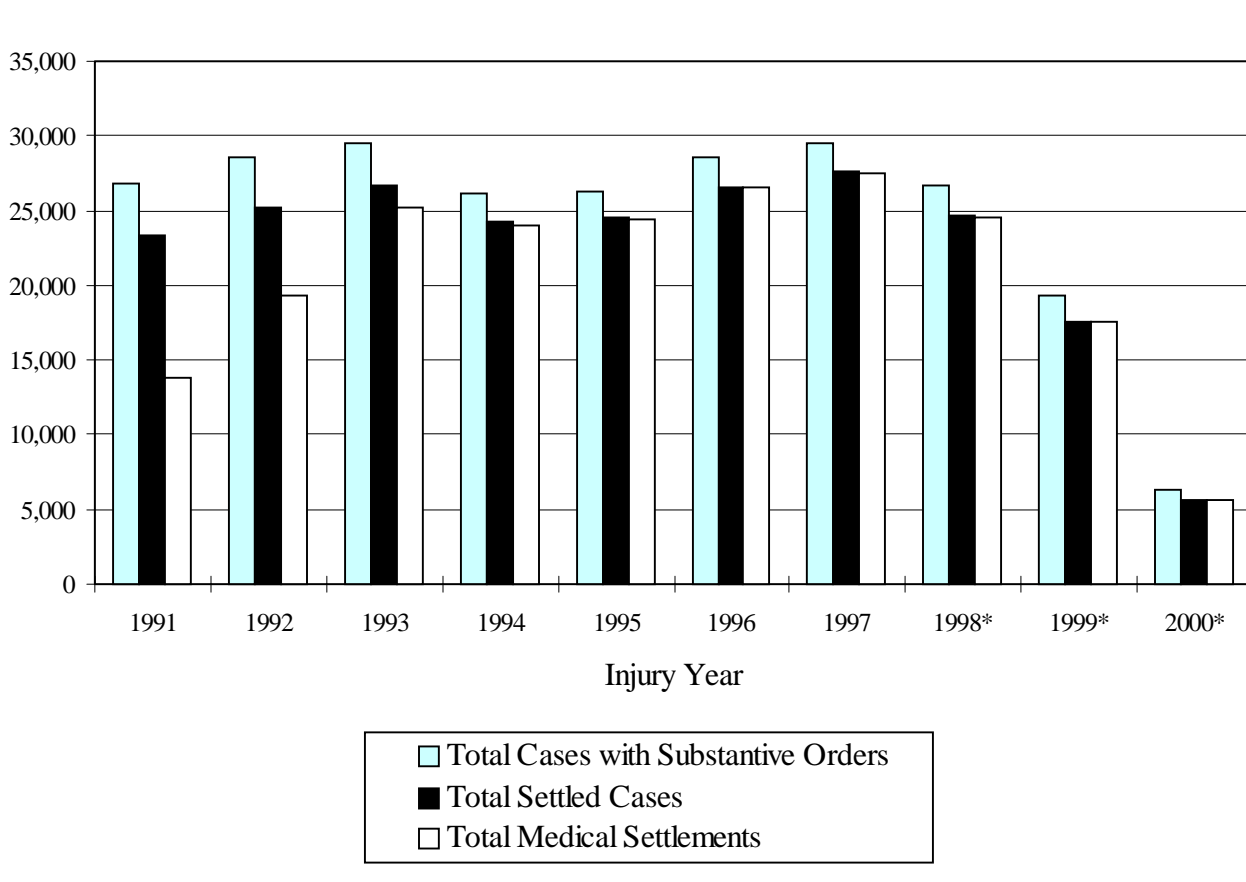


Figure 5.3

Total Cases with Substantive Orders, Total Settled Cases, & Total Medical Settlements by Injury Year (1991-2000)**



*Preliminary reporting**

Includes only settlements from the Judges' Orders File

NOTE: The same case can have an order in more than one order year (when an indemnity washout is followed by a medical washout, for example). The number of cases in the first panel (by order year), therefore exceeds the number of cases considered as singular episodes of individual injury. The term "medical settlements" specifically means washouts that include medical settlements. The overwhelming majority of cases with settlement orders have either previously or concurrently settled indemnity issues.

Source: Division of Workers' Compensation Integrated Database, data submitted as of June 30, 2001

Table 5.3

Year of Injury (1991-2000) by Year of Settlement Order (1991-2000)

Order Year	Injury Year										Total
	1991	1992	1993	1994	1995	1996	1997	1998*	1999*	2000*	
1991											
Cases Settled	590	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	590
% of Settlements	2.5%										0.3%
1992											
Cases Settled	5,937	730	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	6,667
% of Settlements	25.6%	2.9%									3.2%
1993											
Cases Settled	6,630	7,163	1,071	N/A	N/A	N/A	N/A	N/A	N/A	N/A	14,864
% of Settlements	28.6%	28.6%	4.0%								7.1%
1994											
Cases Settled	4,085	7,158	8,200	1,017	N/A	N/A	N/A	N/A	N/A	N/A	20,460
% of Settlements	17.6%	28.6%	30.9%	4.3%							9.7%
1995											
Cases Settled	2,388	4,261	7,376	6,975	1,072	N/A	N/A	N/A	N/A	N/A	22,072
% of Settlements	10.3%	17.0%	27.8%	29.2%	4.4%						10.5%
1996											
Cases Settled	1,416	2,337	4,454	7,231	7,450	1,193	N/A	N/A	N/A	N/A	24,081
% of Settlements	6.1%	9.3%	16.8%	30.3%	30.9%	4.6%					11.4%
1997											
Cases Settled	781	1,314	2,293	4,189	7,484	8,698	1,415	N/A	N/A	N/A	26,174
% of Settlements	3.4%	5.3%	8.7%	17.5%	31.0%	33.6%	5.4%				12.4%
1998*											
Cases Settled	603	945	1,472	2,245	4,308	8,501	10,165	1,334	N/A	N/A	29,573
% of Settlements	2.6%	3.8%	5.6%	9.4%	17.9%	32.9%	38.6%	6.1%			14.0%
1999*											
Cases Settled	481	649	996	1,405	2,402	4,821	9,591	10,689	1,325	N/A	32,359
% of Settlements	2.1%	2.6%	3.8%	5.9%	10.0%	18.6%	36.4%	49.1%	10.7%		15.4%
2000*											
Cases Settled	310	446	637	841	1,406	2,662	5,144	9,753	11,115	1,390	33,704
% of Settlements	1.3%	1.8%	2.4%	3.5%	5.8%	10.3%	19.5%	44.8%	89.3%	100.0%	16.0%
Total Cases	23,221	25,003	26,499	23,903	24,122	25,875	26,315	21,776	12,440	1,390	210,544

*Preliminary reporting

NOTE: Settlement case totals for each injury year in the rightmost column (or bottom row?) are slightly lower than case totals in Table 5.1 due to the exclusion from Table 5.3 of records with an invalid order date or no order yet recorded (also verify other table reference).

Source: Division of Workers' Compensation Integrated Database, data submitted as of June 30, 2001

Table 5.4

Settlement Awards by Injured Body Part and Injury Year (1991-2000)

Injured Body Part	1991	1992	1993	1994	1995	1996	1997	1998*	1999*	2000*	1991-2000
Multiple Body Parts											
Number of Awards	6,926	7,720	8,448	7,069	6,868	7,079	7,103	6,689	4,806	1,398	64,106
Median Settlement	\$17,000	\$17,000	\$15,000	\$11,931	\$12,000	\$12,000	\$11,750	\$11,750	\$10,000	\$8,000	\$12,500
Average Settlement	\$35,103	\$33,791	\$32,535	\$28,671	\$29,506	\$28,520	\$26,622	\$23,447	\$19,517	\$15,591	\$28,821
Total Settlement Amount	\$243,126,062	\$260,869,470	\$274,851,641	\$202,674,318	\$202,647,254	\$201,894,156	\$189,093,428	\$156,839,324	\$93,799,026	\$21,795,842	\$1,847,590,522
Back Injury											
Number of Awards	7,286	7,376	7,381	6,396	6,122	6,352	6,403	5,212	3,697	1,243	57,468
Median Settlement	\$18,000	\$18,000	\$17,250	\$12,687	\$13,750	\$15,000	\$12,300	\$12,500	\$11,750	\$9,000	\$15,000
Average Settlement	\$34,647	\$33,958	\$31,892	\$26,971	\$28,365	\$28,302	\$25,914	\$24,751	\$19,964	\$14,830	\$28,736
Total Settlement Amount	\$252,439,123	\$250,472,348	\$235,396,850	\$172,507,746	\$173,651,800	\$179,775,307	\$165,929,536	\$129,004,631	\$73,806,621	\$18,433,382	\$1,651,417,345
Lower Extremities											
Number of Awards	4,038	4,142	4,454	4,108	4,174	4,599	5,003	4,427	3,096	1,040	39,081
Median Settlement	\$15,434	\$15,000	\$16,900	\$12,500	\$12,500	\$11,750	\$11,750	\$10,875	\$10,000	\$7,975	\$12,300
Average Settlement	\$32,763	\$31,087	\$31,187	\$27,593	\$26,361	\$25,801	\$23,773	\$22,316	\$18,919	\$12,532	\$26,390
Total Settlement Amount	\$132,295,920	\$128,762,026	\$138,907,563	\$113,350,917	\$110,031,028	\$118,656,636	\$118,938,194	\$98,794,481	\$58,573,042	\$13,032,883	\$1,031,342,693
Upper Extremities											
Number of Awards	3,630	4,012	4,906	4,712	5,066	5,613	5,830	5,266	3,776	1,331	44,142
Median Settlement	\$12,250	\$12,250	\$12,629	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$8,917	\$7,490	\$10,000
Average Settlement	\$25,410	\$23,801	\$26,030	\$21,070	\$21,592	\$20,105	\$19,521	\$18,316	\$14,706	\$11,824	\$20,807
Total Settlement Amount	\$92,240,097	\$95,489,036	\$127,703,626	\$99,280,879	\$109,387,534	\$112,849,676	\$113,806,303	\$96,449,620	\$55,529,311	\$15,738,312	\$918,474,394
Trunk											
Number of Awards	646	795	1,104	1,068	1,115	1,293	1,403	1,420	940	364	10,148
Median Settlement	\$12,365	\$12,250	\$12,250	\$10,550	\$10,000	\$10,000	\$9,250	\$8,875	\$8,500	\$6,125	\$10,000
Average Settlement	\$29,573	\$27,840	\$26,919	\$26,561	\$22,969	\$23,837	\$21,075	\$20,952	\$19,168	\$10,598	\$23,349
Total Settlement Amount	\$19,103,998	\$22,133,158	\$29,719,077	\$28,366,931	\$25,610,810	\$30,821,061	\$29,568,116	\$29,752,067	\$18,017,761	\$3,857,512	\$236,950,492
Head											
Number of Awards	789	848	824	910	1,042	1,080	1,202	987	721	270	8,673
Median Settlement	\$14,000	\$14,550	\$12,500	\$9,500	\$10,000	\$9,475	\$8,000	\$8,250	\$7,800	\$6,175	\$10,000
Average Settlement	\$35,272	\$39,824	\$29,567	\$25,273	\$28,226	\$25,367	\$19,994	\$20,805	\$17,010	\$14,838	\$26,128
Total Settlement Amount	\$27,829,732	\$33,770,767	\$24,363,470	\$22,998,885	\$29,411,362	\$27,396,201	\$24,032,428	\$20,534,907	\$12,264,553	\$4,006,312	\$226,608,617
Neck											
Number of Awards	144	236	485	483	433	476	440	419	297	88	3,501
Median Settlement	\$21,150	\$18,000	\$17,500	\$12,000	\$12,500	\$12,000	\$11,750	\$11,650	\$10,000	\$10,000	\$12,500
Average Settlement	\$38,823	\$33,494	\$34,864	\$29,763	\$27,277	\$26,695	\$23,674	\$22,741	\$19,245	\$18,938	\$27,599
Total Settlement Amount	\$5,590,454	\$7,904,476	\$16,909,154	\$14,375,341	\$11,810,838	\$12,706,929	\$10,416,410	\$9,528,671	\$5,715,789	\$1,666,570	\$96,624,632
Missing Data											
Number of Awards	973	1,043	96	198	272	476	593	957	1,893	2,090	8,591
Median Settlement	\$10,000	\$9,850	\$15,000	\$7,500	\$8,438	\$9,000	\$7,500	\$8,500	\$8,875	\$6,500	\$8,000
Average Settlement	\$18,421	\$21,588	\$26,035	\$18,726	\$20,599	\$19,413	\$16,570	\$19,132	\$16,165	\$11,014	\$16,674
Total Settlement Amount	\$17,923,747	\$22,515,785	\$2,499,407	\$3,707,660	\$5,602,805	\$9,240,638	\$9,826,026	\$18,309,482	\$30,600,398	\$23,018,546	\$143,244,494
Total											
Number of Awards	24,432	26,172	27,698	24,944	25,092	26,968	27,977	25,377	19,226	7,824	235,710
Median Settlement	\$15,500	\$15,000	\$15,000	\$11,750	\$11,816	\$11,750	\$11,000	\$10,500	\$10,000	\$7,500	\$12,000
Average Settlement	\$32,357	\$31,404	\$30,701	\$26,350	\$26,628	\$25,710	\$23,648	\$22,036	\$18,116	\$12,979	\$26,101
Total Settlement Amount	\$790,549,134	\$821,917,067	\$850,350,789	\$657,262,677	\$668,153,431	\$693,340,604	\$661,610,441	\$559,213,182	\$348,306,501	\$101,549,360	\$6,152,253,187

*Preliminary reporting

NOTE: Case counts are not comparable to Table 5.1 because records with missing awards or awards = 0 are excluded from the calculation of averages and medians.

Source: Division of Workers' Compensation Integrated Database as of June 30, 2001

Table 5.5

***Payments to Claimant Attorneys as a Percent of Total Settlement Amounts**
by Disability Type and Injury Year (1991-2000)***

Disability Type	1991	1992	1993	1994	1995	1996	1997	1998*	1999*	2000*	1991-2000
Temporary Partial	20.1%	18.2%	18.9%	16.7%	16.5%	16.3%	16.0%	15.3%	14.5%	14.7%	16.3%
Temporary Total	16.0%	15.9%	16.1%	14.6%	14.6%	14.1%	13.5%	13.0%	12.6%	12.9%	14.6%
Permanent Impairment Only	15.8%	15.6%	16.0%	N/A	N/A	N/A	N/A	N/A	N/A	N/A	15.8%
Wage Loss Only	15.1%	15.4%	15.3%	N/A	N/A	N/A	N/A	N/A	N/A	N/A	15.3%
Wage Loss & Perm. Impairment	15.5%	16.0%	15.8%	N/A	N/A	N/A	N/A	N/A	N/A	N/A	15.8%
Impairment Income	N/A	N/A	N/A	13.2%	13.4%	13.0%	12.7%	12.3%	12.2%	12.3%	12.9%
Supplemental Income	N/A	N/A	N/A	11.1%	10.9%	11.5%	10.7%	9.5%	12.3%	13.3%	11.0%
Permanent Total	13.8%	14.1%	14.1%	11.3%	11.1%	10.8%	10.8%	10.9%	11.3%	10.9%	12.5%
Death	11.9%	12.2%	9.7%	8.5%	8.7%	10.6%	9.3%	9.0%	7.0%	6.5%	9.6%
Settled, No Indemnity Recorded	17.3%	18.2%	18.5%	17.0%	16.9%	17.3%	16.3%	15.7%	15.7%	15.3%	16.9%
TOTAL	15.3%	15.8%	15.8%	13.7%	13.9%	13.8%	13.4%	13.3%	13.4%	13.7%	14.4%

*Preliminary reporting

**This table includes settlement awards data from judges' orders only. Settlement dollars paid are reported on the DWC-13 reports, supplementing judges' orders data in calculating counts of total settled cases, total settlement dollars, and median/average settlement dollars throughout this section; however, there is no breakout of settlement amounts between claimant and attorney on the DWC-13.

Note: Payments to claimant attorneys represent the sum of fees and costs.

Source: Division of Workers' Compensation Integrated Database, data submitted as of June 30, 2001