

# *State of South Carolina*

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## *Workers' Compensation Commission*

*February 24, 2017*

### **ADVISORY NOTICE**

#### **Submission of Consent Orders and Settlement Agreements and Releases**

Over the past few years the Commission has experienced an increased number of Consent Orders submitted as an alternative to Settlement Agreements and Release. The documents contain language creating a "hybrid" between an Agreement and Release and a Consent Order, making it difficult to discern how it should be processed.

Consent Orders, pursuant to S.C. Code Ann. § 42-17-10, are signed and served by each Commissioner's office. Agreement and Releases, pursuant to S.C. Code Ann. § 42-9-390, are stamped received by Claims and returned to the parties once they are properly filed.

In order to eliminate any confusion for processing these documents, we request your assistance. When preparing a Consent Order, please title the document "Consent Order" and include the language "we consent" at the signature lines for the parties and a signature line for the Commissioner at the bottom of the document. When preparing a settlement or "clincher" agreement, title the document "Settlement Agreement and Release." The title should not contain the word "Order." A signature line for a Commissioner is required only if the claimant is unrepresented.

Attached are model documents for your use. We appreciate your cooperation by immediately submitting Consent Orders and Settlement Agreements and Releases following the format provided in the attached examples. **Effective March 1, 2017**, all Consent Orders and Settlement Agreements received by the Commission which are not in the attached format will be returned to the appropriate parties.

Thank you for your cooperation in this matter. Please direct any questions or comments to:

Amy Bracy  
Judicial Director  
[abracy@wcc.sc.gov](mailto:abracy@wcc.sc.gov)

SOUTH CAROLINA WORKERS' COMPENSATION COMMISSION  
W.C.C. FILE NO:

,  
Employee,  
Claimant,  
vs.  
Employer,  
AND  
Carrier,  
Defendants.

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**SETTLEMENT AGREEMENT  
AND RELEASE**

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Claimant

\_\_\_\_\_  
Attorney for Defendants, Esquire

\_\_\_\_\_  
Attorney for Claimant, Esquire

Columbia, South Carolina  
Date: \_\_\_\_\_

SOUTH CAROLINA WORKERS' COMPENSATION COMMISSION

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**CONSENT ORDER**

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\*\*\*Commissioner Full Name\*\*\*

\_\_\_\_\_, 2017.

**We Consent:**

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, Esquire  
Attorney for Claimant

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, Esquire  
Attorney for Defendants