

SUPREME COURT OF OKLAHOMA

PEOPLELINK, LLC. v. BEAR

Peoplelink, LLC v. Bear, 2014 OK 65 · No. 110926 · Decided July 1, 2014

SUMMARY

The Oklahoma Supreme Court held that the clear-weight-of-the-evidence standard in effect when the claimant was injured governed appellate review of the workers' compensation award. The court rejected the Court of Civil Appeals' use of the any-competent-evidence standard, vacated its opinion, and remanded for review under the clear-weight standard. The court also held that a party seeking review must specifically identify the evidence allegedly misweighed and explain why the ruling is against the clear weight of the evidence.

CASE DETAILS

COURT	Supreme Court of Oklahoma
WRITING FOR THE COURT	Reif, V.C.J.; Colbert, C.J.; Watt, J.; Winchester, J.; Edmondson, J.; Taylor, J.; Combs, J.; Gurich, J.
JURISDICTION	Oklahoma
DECIDED	July 1, 2014
DOCKET	110926
DISPOSITION	vacated
PROCEDURAL POSTURE	Employer and its insurance carrier sought certiorari review of a Court of Civil Appeals decision sustaining a workers' compensation award. The Supreme Court had previously granted certiorari.
STANDARD OF REVIEW	For workers' compensation injuries occurring during the effective period of 85 O.S. Supp. 2010, § 3.6, appellate review asks whether the award is against the clear weight of the evidence. The appellate court must defer to the workers' compensation court's weighing of evidence and credibility determinations as it would in an equity case. A party seeking review must specifically identify the evidence allegedly improperly weighed and give a cogent argument explaining why the clear weight of the evidence supports a different result.
PRECEDENTIAL VALUE	published
PARTIES	Peoplelink, LLC, Arch Insurance Co. v. Matthew Bear, Workers' Compensation Court

TOPICS

workers compensation

standard of review

appellate procedure

statutory interpretation

separation of powers

PRACTICE AREAS

workers compensation

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constitutional law

QUESTIONS PRESENTED

1. Which appellate standard of review governed a workers' compensation award arising from an injury occurring on March 4, 2011?
2. Whether the statutory clear-weight-of-the-evidence standard violated the separation-of-powers doctrine.
3. What deference and briefing burden apply when an appellate party seeks review under the clear-weight-of-the-evidence standard.

HOLDINGS

1. The against-the-clear-weight-of-the-evidence standard in 85 O.S. Supp. 2010, § 3.6 applied to all injuries occurring during that statute's effective period, including Bear's March 4, 2011 injury.
2. Reviewing appellate courts must show the same deference to the Workers' Compensation Court's weighing of evidence that appellate courts show to a trial court deciding a case of equitable cognizance.
3. A party seeking appellate review under the clear-weight-of-the-evidence standard must state with specificity why the challenged ruling is against the clear weight of the evidence; general assignments or a bare assertion of error are insufficient.

KEY QUOTATIONS

“Reviewing appellate courts must show the same deference to the weighing of the evidence by the workers' compensation court as the appellate court would show to a court deciding a case of equitable cognizance.” (¶ 10)

“The party seeking review must identify the evidence the party believes was improperly weighed and provide a specific, cogent argument why the “clear weight” of the evidence supports a different finding or ruling than reached by the trial court.” (¶ 9)

FACTUAL BACKGROUND

Matthew Bear sustained a work-related injury on March 4, 2011, and received a workers' compensation benefits award from a three-judge panel of the Workers' Compensation Court. Peoplelink, LLC and Arch Insurance Co. challenged the award as being against the clear weight of the evidence. The Court of Civil Appeals sustained the award after applying the any-competent-evidence standard rather than the statutory clear-weight standard.

PROCEDURAL HISTORY

A three-judge panel of the Workers' Compensation Court awarded benefits to Matthew Bear. The Court of Civil Appeals, Division IV, sustained the award using the any-competent-evidence standard. The Supreme Court vacated that opinion and remanded for review under the against-the-clear-weight-of-the-evidence standard applicable to the date of Bear's injury.

DISPOSITION

vacated

REMAND INSTRUCTIONS

The opinion of the Court of Civil Appeals was vacated, and the case was remanded to Division IV with directions to review the workers' compensation award under the against-the-clear-weight-of-the-evidence standard, consistent with the Supreme Court's opinion.

CASES CITED

- Parks v. Norman Municipal Hospital, 1984 OK 53, 684 P.2d 548
- Williams Cos. v. Dunkelgod, 2012 OK 96, 295 P.3d 1107
- Westoak Industries v. DeLeon, 2013 OK CIV APP 32, 299 P.3d 878
- Harvey v. Auto Plus of Woodward, 2012 OK CIV APP 92, 287 P.3d 410
- Kentucky Fried Chicken of McAlester v. Snell, 2014 OK 35
- Oklahoma Company v. O'Neil, 1968 OK 63, 440 P.2d 978
- Robert L. Wheeler, Inc. v. Scott, 1991 OK 95, 818 P.2d 475
- Peyton v. McCaslin, 1966 OK 4, 417 P.2d 316
- Peters v. Golden Oil Co., 1979 OK 123, 600 P.2d 330
- Yocum v. Greenbriar Nursing Home, 2005 OK 27, 130 P.3d 213