

SUPREME COURT OF IDAHO

Hartman v. Double L Manufacturing, 141 Idaho 456

111 P.3d 141 (2005) · No. Nos. 30372, 30392 · Decided April 6, 2005

SUMMARY

The Idaho Supreme Court dismissed an appeal from an Industrial Commission workers' compensation order because the Commission had retained jurisdiction to determine the extent of the Industrial Special Indemnity Fund's liability. The court held that the order was not final and appealable, remanded the matter for further proceedings, and declined to reach the substantive issues.

CASE DETAILS

COURT	Supreme Court of Idaho
WRITING FOR THE COURT	Justice Burdick; Chief Justice Schroeder; Justice Trout; Justice Eismann; Justice Jones
JURISDICTION	Idaho
DECIDED	April 6, 2005
DOCKET	Nos. 30372, 30392
DISPOSITION	dismissed
PROCEDURAL POSTURE	The employer, its surety, and the Idaho Industrial Special Indemnity Fund appealed an Industrial Commission order determining that Hartman was totally and permanently disabled and assigning liability in part to the employer and surety and in part to ISIF. The Supreme Court considered whether the Commission's order was final and appealable.
STANDARD OF REVIEW	The Supreme Court independently addressed finality because it is jurisdictional, considering whether the Industrial Commission had issued a final decision or order appealable under Idaho Appellate Rule 11(d).
PRECEDENTIAL VALUE	Published opinion; precedential authority of the Supreme Court of Idaho.
PARTIES	State of Idaho, Industrial Special Indemnity Fund, Double L Manufacturing, Everest National Insurance Company v. Fritz Hartman

TOPICS

workers compensation

final judgment rule

appellate jurisdiction

administrative law

appellate procedure

PRACTICE AREAS

workers compensation

administrative law

appellate procedure

QUESTIONS PRESENTED

1. Whether the Industrial Commission's order was a final, appealable order under Idaho Appellate Rule 11(d) when the Commission retained jurisdiction to determine the extent of ISIF's liability.
2. Whether the Industrial Commission had authority to retain jurisdiction and require additional evidence concerning apportionment of liability.

HOLDINGS

1. An Industrial Commission decision that does not resolve all of the claimant's claims, including the extent of liability and the resulting compensation, is not a final decision or order appealable as of right under Idaho Appellate Rule 11(d).
2. The Industrial Commission has authority to request additional evidence and retain jurisdiction to resolve the extent of liability when the claimant is entitled to compensation but the record is inadequate to determine apportionment.

KEY QUOTATIONS

"Because the Industrial Commission's decision is not a final appealable order, we dismiss the appeal and remand the matter for further proceedings." (141 Idaho at 456-57)

"A determination of liability without the determination of the amount of compensation is not a final order." (141 Idaho at 457)

"Certainly, ISIF may litigate the retained issue to its resolution." (141 Idaho at 458)

FACTUAL BACKGROUND

During Fritz Hartman's eleven years of employment with Double L Manufacturing, he was involved in three accidents. The claim at issue arose on March 16, 1999, when Hartman injured his back while attempting to catch a heavy piler boom that slipped from a small cart. The Industrial Commission found that the accident caused an injury and that Hartman was totally and permanently disabled, but it could not determine the extent of ISIF's liability and retained jurisdiction to obtain additional evidence or permit the parties to resolve the issue.

PROCEDURAL HISTORY

The Idaho Industrial Commission issued findings of fact, conclusions of law, and an order on December 4, 2003. Although it determined that Hartman was totally and permanently disabled and found liability attributable to the March 1999 workplace accident, the Commission retained jurisdiction because the extent of ISIF's liability could not be determined from the record. The appellants timely appealed, and the Supreme Court dismissed the appeal for lack of a final appealable order and remanded for further proceedings.

DISPOSITION

dismissed

REMAND INSTRUCTIONS

The appeal was dismissed without prejudice and without costs, and the matter was remanded to the Industrial Commission to resolve the extent of ISIF's liability through further proceedings, including additional evidence as appropriate.

CASES CITED

- Matter of Nagle, 126 Idaho 139, 140, 879 P.2d 602, 603 (1994)
- Kindred v. Amalgamated Sugar Co., 118 Idaho 147, 149, 795 P.2d 309, 311 (1990)
- Lines v. Idaho Forest Industries, 125 Idaho 462, 464, 872 P.2d 725, 727 (1994)
- Jensen v. The Pillsbury Co., 121 Idaho 127, 127, 823 P.2d 161, 161 (1992)
- Reynolds v. Browning Ferris Industries, 113 Idaho 965, 969, 751 P.2d 113, 117 (1988)
- Hagler v. Micron Technology, Inc., 118 Idaho 596, 599, 798 P.2d 55, 58 (1990)
- Watkins v. Cavanagh, 61 Idaho 720, 722, 107 P.2d 155, 157 (1940)
- Feuling v. Farmers' Co-operative Ditch Co., 54 Idaho 326, 334, 31 P.2d 683, 686 (1934)

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