

**WORKERS' COMPENSATION APPEALS BOARD**

**STATE OF CALIFORNIA**

**WILLIAM HUFFORD, *Applicant***

**vs.**

**HOWELL'S FOREST HARVESTING;  
STATE COMPENSATION INSURANCE FUND, *Defendants***

**Adjudication Number: ADJ6465992  
Redding District Office**

**OPINION AND ORDER  
DISMISSING PETITION FOR  
REMOVAL**

Applicant filed a Petition for Judicial Reassignment, requesting the Appeals Board to reassign this matter to a different workers' compensation administrative law judge (WCJ) on the basis that the currently assigned WCJ is prejudiced and biased against applicant.

Upon review, we will treat the petition as one for removal and dismiss applicant's petition as premature, as no order has issued. This issue must be heard and decided in the first instance by the presiding WCJ, pursuant to WCAB Rule 10346, which states, in relevant part:

- (a) The presiding workers' compensation judge has full responsibility for the assignment of cases to the workers' compensation judges of each office....

\* \* \*

- (c) To the extent practicable and fair, supplemental proceedings shall be assigned to the workers' compensation judge who heard the original proceedings.

(Cal. Code Regs., tit. 8, § 10346(a), (c).)

Because the presiding WCJ has not yet ruled on applicant's request for judicial reassignment, it is premature to seek relief from the Appeals Board.<sup>1</sup>

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<sup>1</sup> To the extent that applicant's petition relies on former WCAB Rule 10455 (former Cal. Code Regs., tit. 8, § 10454), Rule 10455 was repealed on January 1, 2020. The current procedure for seeking reassignment is set forth in WCAB Rule 10788 (Cal. Code Regs., tit. 8, § 10788), but reassignment is only permitted before testimony is taken for the

We therefore return the matter to the trial level, where the presiding WCJ should issue a notice of intention (NIT) to decide applicant's request for judicial reassignment. (Cal. Code Regs., tit. 8, § 10832.) If a party timely objects to the NIT, the matter must be tried by way of hearing on the record. (Cal. Code Regs., tit. 8, § 10515 [petitions for judgment are not permitted in the workers' compensation system and contested matters are to be tried by way of hearing on the record].) Once a decision ultimately issues, either party may then request review by the Appeals Board.

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first time and only within a short time after a party learns of the identity of the assigned WCJ. Otherwise, relief must be sought by way of WCAB Rule 10346.

For the foregoing reasons,

**IT IS ORDERED** that applicant's petition for removal is **DISMISSED** and the matter is **RETURNED** to the presiding WCJ for proceedings and decision consistent with this decision.

**WORKERS' COMPENSATION APPEALS BOARD**

**/s/ CRAIG SNELLINGS, COMMISSIONER**

**I CONCUR,**

**/s/ KATHERINE A. ZALEWSKI, CHAIR**

**/s/ KATHERINE WILLIAMS DODD, COMMISSIONER**



**DATED AND FILED AT SAN FRANCISCO, CALIFORNIA**

**FEBRUARY 27, 2025**

**SERVICE MADE ON THE ABOVE DATE ON THE PERSONS LISTED BELOW AT  
THEIR ADDRESSES SHOWN ON THE CURRENT OFFICIAL ADDRESS RECORD.**

**WILLIAM HUFFORD  
ROBERT ROBIN & ASSOCIATES  
STATE COMPENSATION INSURANCE FUND**

**AC/cs**

I certify that I affixed the official seal of  
the Workers' Compensation Appeals  
Board to this original decision on this date.  
CS