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December 10, 2012

Florida Law Weekly  
Week of November 9, 2012

**ADVANCE CASE**

Worthy v. Jimmie Crowder Excavating, Fla. Law Weekly D2538  
decided by the 1<sup>st</sup> DCA on October 31, 2012.

The 1<sup>st</sup> DCA affirmed the Judge of Compensation Claims' denial of the claimant's request for a \$2,000 advance. It was undisputed that the claimant did not return to work after the accident. The claimant testified that he was behind on "a lot of bills." The employer/carrier disputed the claimant's entitlement to an advance payment of \$2,000 on the basis that there was no evidence to support why a \$2,000 advance was more appropriate than any number less than \$2,000. The 1<sup>st</sup> DCA focused on the language of Florida Statute §440.20(12)(c)2. that required the Judge of Compensation Claims to give "due consideration to the interests of the person entitled thereto." The 1<sup>st</sup> DCA affirmed the Judge of Compensation Claims' denial of the requested advance as "the JCC was unable to adequately consider claimant's interests," without additional evidence.