

BEFORE THE INDUSTRIAL COMMISSION OF THE STATE OF IDAHO

WILLIAM BECKHAM,

Claimant,

v.

MOBILE CONCRETE OF IDAHO,
Employer

And

IDAHO STATE INSURANCE FUND,
Surety,
Defendants

I.C. No.: 2011-017208

**ORDER DENYING PETITION FOR
DECLARATORY RULING**

**FILED AUGUST 7, 2026
IDAHO INDUSTRIAL
COMMISSION**

This matter is before the Idaho Industrial Commission (“Commission”) upon Defendants’ July 7, 2026, Petition for Declaratory Ruling (“Petition”) under Judicial Rules of Practice and Procedures (“JRP”) 15. On July 7, 2026, William Beckham (“Claimant”), objected to the request for declaratory ruling. Clmnts Resp. to Def.’s Pet. at 1.

Claimant is pro se. Defendants are represented by Nathan Gamel.

Defendants state that Claimant filed a complaint with the Commission on April 7, 2026, asserting the right to (1) “pro se equivalent” attorney’s fees, (2) “immediate correction/purge” of Surety claim notes, (3) \$95,000 in retroactive medical benefits, (4) unspecified costs and (5) equal speaking time during telephonic conferences. Defs.’ Pet. for Decl. Ruling at 2-3. Defendants argue that the remedies sought are not available under current law and note that the Claimant has not filed an Amended Complaint to remove these extraneous requests. *Id.* at 3, 7-8.

Claimant asserts that the request for Declaratory Ruling should be denied due to Defendants seeking rulings on requests that were either withdrawn or never made. Clmnts Resp. to Def.’s Pet. at 1. Additionally, Claimant states that the Petition on medical benefits and costs are the “merits of the pending case.” *Id.* at 2.

ORDER DENYING PETITION FOR DECLARATORY RULING-1

Because there is no controversy that Defendants have identified for a Declaratory Ruling, the Petition is DENIED.

STANDARDS OF REVIEW

Pursuant to JRP 15, a party may request a declaratory judgment to resolve a dispute when there is “an actual controversy over the construction, validity or applicability of a statute, rule, or order.” JRP 15(C). Under JRP 15(C) the following requirements must be met:

1. The petitioner must expressly seek a declaratory ruling and must identify the statute, rule, or order on which a ruling is requested and state the issue or issues to be decided;
2. The petitioner must allege that an actual controversy exists over the construction, validity or applicability of the statute, rule, or order and must state with specificity the nature of the controversy;
3. The petitioner must have an interest which is directly affected by the statute, rule, or order in which a ruling is requested and must plainly state that interest in the petition; and
4. The petition shall be accompanied by a memorandum setting forth all relevant facts and law in support thereof.

Under JRP 15(F)(4), declaratory rulings are discretionary and may be denied where the petition Decline to make a ruling when:

- a) The Commission lacks jurisdiction over the issue or issues presented;
- b) There is no actual controversy;
- c) The petitioner would not be directly affected by a resolution of the issue presented;
- d) The petitioner does not provide sufficient facts or other information on which the Commission may base a ruling;
- e) The issue on which a determination is sought is or should be the subject of other administrative or civil litigation or appeal; or
- f) It appears to the Commission that there is other good cause why a declaratory ruling should not be made.

DISCUSSION

I. There is No Controversy for a Declaratory Ruling to Resolve

The Commission finds this case does not warrant a declaratory ruling, and that good cause exists to deny the Petition.

ORDER DENYING PETITION FOR DECLARATORY RULING-2

Defendants ask for the following clarifications:

- a. Whether Claimant is entitled to attorney's fees pursuant to I.C. § 72-804 as pro se Claimant. Def.'s Pet. for Decl. Ruling at 1.
- b. Whether the Commission, pursuant to I.C. § 72-508, has promulgated and adopted rules and regulations giving the Commission authority and/or jurisdiction to do the following:
 - i. Issue an order requiring a surety to correct or otherwise purge claim note entries. *Id.* at 2.
 - ii. Issue an order awarding monetary benefits consisting of retroactive unbilled medical care. *Id.*
 - iii. Award "pro se equivalent attorney's fees." *Id.*
 - iv. Award Claimant interest, with the exception of I.C. § 72-734. *Id.*
 - v. Require equal speaking time in telephone conferences. *Id.*

Claimant has stated that he no longer seeks pro se attorney fee equivalents as of May 29, 2026. Clmnts Resp. to Def.'s Pet. at 4. Claimant additionally states that his submission to the Commission regarding equal speaking time during telephonic conferences was not a claim for relief and there is no controversy to resolve. *Id.* at 3. Therefore, neither pro se attorneys fee or equal speaking time are still at issue or appropriate for a declaratory ruling.

For Defendants' remaining requests, the Commission finds that there is no controversy due to there being no statute or rule to examine. As stated in JRP 15, "[t]he petitioner must allege that an actual controversy exists over the construction, validity or applicability of [a] *statute, rule, [or] order . . .* ." (Emphasis added). In the instant case, Defendants ask whether such a rule has been created by the Commission. Def.' Pet. for Decl. Ruling at 1-2. It is the parties' responsibility to

find the relevant statutes, rules, and case law for their case. The lack of rules found by Defendants correctly indicates that the Commission has not promulgated and adopted a rule for that purpose. Because the actions sought by Claimant are not available as a remedy there is no controversy. Therefore, the Commission does not have an actual controversy to resolve, and the declaratory judgement is DENIED.

ORDER

IT IS HEREBY ORDERED that the Petition for Declaratory Ruling is DENIED for failure to satisfy the requirements of JRP 15.

DATED this 7th day of August, 2026.

INDUSTRIAL COMMISSION

Claire Sharp

Claire Sharp, Chair



Aaron White

Aaron White, Commissioner

ATTEST:

M. Womer

Commission Secretary

CERTIFICATE OF SERVICE

I hereby certify that on 7th day of August, 2026, a true and correct copy of the foregoing **ORDER DENYING PETITION FOR DECLARATORY RULING** was served upon the following:

☒ US MAIL ☒ EMAIL

☒ US MAIL ☒ EMAIL

WILLIAM BECKHAM



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A handwritten signature in cursive script that reads "M. Womer".

Commission Secretary