



# GEMINI

## Service Level Review

[www.gemini.legal](http://www.gemini.legal)

Created by Gemini Legal Support, Inc.  
This is not a contract.



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## 1. Goals and Objectives

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This document represents a Service Level Review (SLR) between Gemini and the law firm and outlines the parameters of all services covered as they are mutually understood by both parties.

This review does not supersede current processes and procedures unless explicitly stated herein.

## 2. Expectations

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2.1 Gemini Expectations

2.2 Law Firm Expectations

## 3. Full List of Available Services

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**The following services and/or processes are covered by this review (reference Service Index):**

- Workers' Compensation Subpoena Duces Tecum (SDT) Preparation (CA CCP § 1985)
- Workers' Compensation SDT Service of Process (CA BPC § 22350)
- Workers' Compensation Professional Photocopy Services (CA BPC § 22450)
- IMR (Independent Medical Review) Record Services
- Subsequent Injury Benefit Trust Fund (SIBTF) Record Service
- Workers' Compensation Insurance Ratings (WCIRB) Information Services- Limited to five paid years
- Skip Trace Services
- Workers' Compensation Personal Appearance Service of Process
- Additional Set Delivery Service
- Updated Records Service
- Workers' Compensation Special Notice of Lawsuit (SNOL) Service
- Employment Development Department (EDD) Record Services
- California Occupational Safety and Health Administration (CAL OSHA) Request Services
- Demand for Production (Legal File Request) Record Services
- Out of State Records Request
- Alternative Dispute Resolution (ADR) Case
- Vouchers
- Other Important Topics Not Included in This Document:
  - Issues Management
  - Motion to Quash
  - 30-Day Hold Rule (CA LC § 5307.9)
  - Workers' Compensation Motion to Compel
  - MerusCase / AI Connect
  - Gemini Ratings Calculator Suite



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## 2.1. Gemini Expectations

### Service Provider responsibilities and/or requirements in support of this review include:

- Meeting services and quality deliverables associated with services.
- Appropriate and timely notification to client of any missing or incomplete information or constraints which prevent Gemini from completing services requested.
- Telephone and chat support: 8 a.m. to 5 p.m., Monday through Friday, with the exception of holidays.
- **Client Support phone number:** 1-877-739-7481
- **Email support:** Monitored 8 a.m. to 5 p.m., Monday through Friday, with the exception of holidays. **Client support email:** [clientsupport@geminiiduplication.com](mailto:clientsupport@geminiiduplication.com)
- **Gemini Records Retrieval/GenieDocs:** Online cloud-based technology and records procurement tool. Order placement, order tracking, order management, Jetfiler and fulfillment publishing. Gemini Records Retrieval/GenieDocs is available seven days a week, 24 hours a day.
- In support of services outlined in this Review, Gemini will respond to service-related requests submitted by Client within 24 hours, Monday through Friday.

## 2.2. Law Firm Expectations

### Client responsibilities and/or requirements in support of this Review include:

- Providing a completed client profile and signature release form (Attachment A).
- Providing information required for order fulfillment and for best practice, including additional information as noted under each service upon request. (See Section 5, Service Index for information requirements.)
- Facilitating payment for all services rendered.
- Maintaining reasonable availability of client representative(s) when issues arise with services due to incomplete or inaccurate information.
- Providing immediate notification to Gemini of any breach discovered regarding HIPAA and privacy information.

## Service List

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### 3.1. Subpoena Requests

Subpoenas issued for contested claims for benefits within the California Workers' Compensation System.

Gemini performs information organization and validation, data entry, request documentation preparation, request delivery (service of process, if necessary), proof of



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service generation, procurement follow-up, records retrieval and uploading, Bates numbering, affidavit publishing and file delivery/publishing.

Gemini cannot modify authorizations, such as date or title, due to HIPAA privacy rules.

**Required information from law firm:**

- Injured worker's first and last name
- Date of birth (DOB)
- Case number
- Employer
- Date of injury
- Parties to the case
- For Kaiser only: Social Security Number (SSN) or Medical Record Number (MRN)

**Additional information requested for best practices:**

- Insurance claim number
- Social Security Number (SSN)
- Need by dated (if applicable)
- Non-Expired Authorization signed by the applicant (required for PHI)

### 3.2. IMR (Independent Medical Review) Record Service

IMR application filing and medical records submission to Maximus.

Gemini will submit the IMR application, subpoena records from the physician/facility stated in the denial, will provide up to a six-month history of all medical records that Gemini has on file and will submit them to Maximus. Once the law firm receives the Notice of Assignment and Request for Information (NOARFI), the law firm will forward the NOARFI to Gemini. Once Gemini receives the NOARFI, Gemini will provide all records to Maximus no later than the next day, if already available.

Law firm has the option to include other physicians/facilities, if desired. If other physicians/facilities are desired, the law firm must specify them on the UR denial packet.

**Required information from law firm:**

- Completed and signed IMR Application
- Applicants DOB on the IMR Application
- Utilization Review (UR) Denial form from the carrier
- Notice of Assignment and/ or Request for Information

### 3.3. Subsequent Injury Benefit Trust Fund (SIBTF) Record Service

Records procurement service to support the injured worker's benefit from the SIBTF by requesting all records available.



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Once the case has been accepted by SIBTF, Gemini will subpoena record(s) on behalf of the law firm.

**Required information from law firm:**

- Injured worker's first and last name
- Date of birth (DOB)
- SIF case number
- Venue Location
- Employer
- Date of Injury
- Social Security Number (SSN) or Medical Record Number (MRN)

**Additional information requested for best practices:**

- Social Security Number (SSN)
- Non-Expired Authorization signed by the applicant (required for PHI)
- SIF determination letter

### **3.4. Workers' Compensation Insurance Ratings Bureau (WCIRB) Information Request**

Public record search of employer workers' compensation insurance coverage.

It is suggested that the law firm attempts to do their own DIR search prior to requesting this service. [www.insertaddresshere.com](http://www.insertaddresshere.com)

Gemini will request an information search for a specific time frame using the WCIRB to locate workers' compensation coverage for the employer.

Gemini will provide official WCIRB (Workers' Compensation Insurance Rating Bureau of California) results for up to a maximum of five years. Any portion of a year will count as a complete year. For any request that spans more than five years, Gemini will provide results for the first five years. Injured workers may obtain coverage research information without charge using [Form 811ES](#)

**Required information from client:**

- Injured worker's first and last name
- Date of birth (DOB)
- Exact name of the employer and any entity titles (Corporation, LLC, DBA, etc.)
- Attorney signature on file
- Date range of coverage requested; limit range to one year and research as needed based on results



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### 3.5. Voucher Services

Gemini has a state-approved, “in-house” Vocational Rehabilitation Counselor (VRC) who is multilingual. Gemini has a dedicated voucher division, with highly trained fluently-bilingual case specialists. Gemini assists injured workers in achieving their goals and works with every post-secondary accredited/approved training program.

#### **Gemini will:**

- File the application for the Return-to-Work benefit
- File for reimbursable expenses from the carrier
- Research/enroll in an accredited school program

#### **Required documentation from law firm:**

- Case demographics (injured worker’s name and contact information)
- Copy of the voucher and/or Compromise and Release (C&R). C&Rs should only be provided when the case is closing or closed within a year and a voucher is part of the settlement.
- **Recommended but not required** – Client advises the injured worker that Gemini will be contacting them.

### 3.6. Skip Trace

Service provided to research and located individuals. This is a paid Gemini service. Rates available on request.

Gemini will provide the most recent address and any prior addresses along with any other information located.

#### **Required information from law firm:**

- Records subject’s first and last name
- Date of birth (DOB)
- Social Security Number (SSN)
- Last known address

### 3.7. Personal Appearance Service of Process

Service of process on behalf of the law firm to notify a deponent that they must appear with or without documentation to a scheduled event for an active case.

A witness must be served within 20 days of appearance date if records need to be produced by the individual or 10 days prior to appearance date if records are not required. The order must be submitted prior to the 10- and 20-day thresholds. If the request is late, Gemini cannot guarantee successful service of process prior to the event. If the request is received



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under the threshold dates, Process Server will attempt a sub serve on the first serve to avoid further delay.

If Gemini is unable to serve the witness on time, Gemini will inform the law firm so that they can either cancel or reschedule the event in which they need a witness to appear.

Gemini will attempt three times before a Due Diligence is generated. The three attempts will be made during three different times of the day, one of which will be before or after hours (before 7 a.m. or after 6 p.m.).

If the witness is unavailable to serve, Gemini will obtain as much information as possible about the location and the person being served to provide to the law firm.

If instructions state that a Substitute Serve is allowed, the Substitute Serve will be made on the third attempt, and Gemini will obtain the person's full name and relationship to the person named on the subpoena (parent, sibling, husband, wife, etc.)

**Required information from law firm:**

- Injured worker's first and last name
- Date of birth (DOB)
- Deponent's name
- Location name (if applicable)
- Physical address (NO P.O. BOX)
- Date of appearance
- Address of appearance/Zoom link
- Indication of type: deposition or a trial
- Details on specific records needed (if applicable)

### 3.8. Additional Set Request

A second copy of records obtained by Gemini will be provided to the requested location digitally upon request.

Gemini provides a Notice of Subpoena to all parties. Additionally, the law firm has the option to direct Gemini to forward a copy of the records upon request.

**Required information from law firm:**

- Request Number (REC#)
- Email address of the recipient

**Additional information requested for best practices:**

- Records subject's first and last name
- ADJ case number

### 3.9. Updated Records Request

Obtain updated records from locations previously subpoenaed for an ongoing case.



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**At client's request/approval, service provider will update records based on the following criteria:**

- Client specifically requests records to be updated prior to six-month timeframe.
- Medical records that are approved by client to be updated after six or more months from the last request.
- Records will be retrieved from the last date served through current date or a specific date range requested by client.

### **3.10. Special Notice of Lawsuit (SNOL)**

Service of process on employers to obtain WCAB jurisdiction over an illegally insured or uninsured employer.

Gemini will serve the entity location listed by the Secretary of State website unless there are special instructions stating otherwise. If there is no agent for service on the Secretary of State website and there are no special instructions, Gemini will process paperwork to hand-serve the location listed on the order. Service provider will serve paperwork that client provides. Gemini will not be held responsible for missing paperwork or inaccurate information listed on the documentation.

#### **Required information from client:**

- Injured worker's first and last name
- Date of birth (DOB)
- Employer's name and address
- Application for Adjudication (if application has been amended, include original and amended application)
- WC claim form (DWC-1)
- Declaration of Readiness to Proceed
- Special Notice of Lawsuit

### **3.11. California Occupational Safety and Health Administration (CAL OSHA) Requests**

Records retrieval from the California Occupational Safety and Health Administration.

Gemini will retrieve records from California Occupational Safety and Health Administration using a Request by Authorization (RBA) which is the preferred method of CAL OSHA.

#### **Required information from law firm:**

- Location address of incident
  - Date of incident
- Or**
- Cal OSHA inspection report number; the inspection report number can be located by going to the OSHA website and performing a search



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### 3.12. Demand for Production (Legal File Request)

Subpoena services for contested claims for benefits within the California workers' compensation system.

Gemini performs information organization and validation, data entry, request documentation preparation, request delivery, proof of service generation, procurement follow up, records retrieval and uploading, Bates numbering, affidavit publishing and file delivery for non-privileged information regarding the applicant.

If a physical file needs to be transferred between parties, a Chain of Custody form must be signed by a representative from the law firm and a Gemini representative to show physical transfer.

Gemini employees are prohibited from removing original case files and case documents from clients' offices. Information and/or documents in a case file deemed to be necessary for removal from the client's office, with expressed client permission, for business purposes must be copied, scanned, or transferred into digital format. Violation of this policy may result in disciplinary action up to, and including, employee termination.

#### **Required information from client:**

- Injured worker's first and last name
- Date of birth (DOB)
- EAMS case number
- Venue location
- Employer
- Date of injury
- Parties to the case
- Full name and address of previous attorney firm

### 3.13. Out of State Records Request

Legally compelled document procurement services for contested claims for Workers' Compensation and are located out of state.

Gemini performs information organization and validation, data entry, request documentation preparation, request delivery (service of process, if necessary), proof of service generation, procurement follow up, records retrieval and uploading, Bates numbering and file delivery via a WCAB Subpoena for Records and/or Request by Authorization.

#### **Required information from the client:**

- Applicant's first and last name
- Date of birth (DOB)



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- EAMS case number
- Venue location
- Employer
- Date of injury
- Parties to the case
- Social Security Number (SSN) or Medical Record Number (MRN)
- Authorization (always required) signed and dated by the applicant including release of PHI

### 3.14. Alternate Dispute Resolution (ADR) Case

This program is approved by the State Department of Industrial Relations and is a collectively bargained alternative to workers' compensation claims agreed to between labor (unions) and the employer's management.

Gemini will serve a Request by Authorization (aka Personal Injury Request by Authorization) to the location and once records are received will provide proof of service generation, uploading, Bates numbering, affidavit publishing and file delivery.

#### Required information from client:

- Applicant's first and last name
- Date of birth (DOB)
- Social Security Number (SSN)
- Notice to Testify and Produce or
- ADR Subpoena or
- Signed Request by Authorization

## 4. Additional Topics Not Covered

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#### Ask your Sales Representative for more information about the following:

- Issues Management
- Motion to Quash
- 30-Day Hold Rule (CA LC § 5307.9)
- Workers' Compensation Motion to Compel
- MerusCase / AI Connect
- Gemini Ratings Calculator Suite

## 5. Questions, Concerns or Help

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## 6. Mutually Agreed Upon Services

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- General Subpoena Requests
- IMR (Independent Medical Review) Record Services
- Subsequent Injury Benefit Trust Fund (SIBTF) Record Service
- Workers' Compensation Insurance Ratings (WCIRB) Information Services—Limited to five paid years
- Skip Trace Services
- Workers' Compensation Personal Appearance Service of Process
- Additional Set Delivery Service
- Updated Records Service
- Workers' Compensation Special Notice of Lawsuit (SNOL) Service
- California Occupational Safety and Health Administration (CAL OSHA) Request Services
- Demand for Production (Legal File Request) Record Services
- Out of State Records Request
- Alternative Dispute Resolution (ADR) Case
- Vouchers

## Parties Included in this Review

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Law Firm Representative

\_\_\_\_\_

Name

\_\_\_\_\_

Date

Gemini Representative, Gemini Legal Support, Inc.

\_\_\_\_\_

Printed Name

\_\_\_\_\_

Date

\_\_\_\_\_

Signature



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