

Kiara K. Hartwell

Shareholder

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Kiara devotes her entire practice to workers' compensation litigation on behalf of employers, insurance carriers and self-insureds. She authors the New Jersey updates for *What's Hot In Workers' Comp*, the firm's monthly newsletter detailing significant developments in workers' compensation law, and has also been published in *CLM Magazine*.

Kiara sits on the New Jersey State Bar Association's Workers' Compensation Executive Committee, a group charged with studying and developing beneficial changes in the administration and procedures pertaining to workers' compensation.

Kiara earned her Bachelor of Arts in Psychology from New York University, with minors in Mathematics and Chemistry. She went on to graduate *cum laude* and earn her *juris doctor* from Rutgers School of Law. While in law school, Kiara served as a Notes and Comments Editor of the *Rutgers University Law Review* and was a semifinalist in the Hunter Moot Court Competition.

During law school, Kiara gained valuable experience as a law clerk assisting family law attorneys. She also worked for a national insurance company drafting discovery motions and answers to discovery requests, and attended various hearings and depositions. Kiara externed with Chief Justice Stuart Rabner of the New Jersey Supreme Court, where she wrote memorandums to the Court, recommending the grant or denial of certifications.

Prior to joining Marshall Dennehey, Kiara served as a judicial law clerk to the Honorable William E. Nugent, J.A.D. Upon completion of the clerkship term, she worked for an insurance defense firm in Philadelphia, handling a variety of cases in the areas of construction coverage, premises liability and motor vehicle litigation.

Practices

- Workers' Compensation Defense

Education

- Rutgers Law School (J.D., *cum laude*, 2014)
- New York University (B.A., 2009)

Admissions

- New Jersey, 2015
- Pennsylvania, 2015
- U.S. District Court Eastern District of Pennsylvania, 2015

Honors & Awards

- New Jersey Super Lawyer Rising Star (2025-2026)

The Super Lawyers list is issued by Thomson Reuters. A description of the selection methodology can be found [here](#). No aspect of this advertisement has been approved by the Supreme Court of New Jersey.

Associations & Memberships

- Asian Pacific American Bar Association of Pennsylvania (APABA-PA)
- New Jersey State Bar Association, Workers' Compensation Executive Committee member

CLASSES/SEMINARS TAUGHT

- *From Interview to Offer: Navigating Clerkships, Networking & Career Success* - Panelist, Rutgers Law School Minority Student Program, February 12, 2025
- *Workers' Compensation May Day Seminar*, panelist, Bridgeton Workers' Compensation Court, May 1, 2024

Published Works

- "Top 10 Developments in New Jersey Workers' Compensation in 2021," Martindale-Hubbell, December 1, 2021
- "Consulting the Comp Crystal Ball: What Does the Future Hold for Current COVID-19 Workers' Compensation Claims," *CLM Magazine*, June 2021
- "New Jersey Medical Provider Claims Are Contingent Upon Jurisdiction Over Underlying Claim," *Defense Digest*, January 2021, Vol. 27, No. 1
- "What's the Alternative? Weighing the Benefits and Risks of Return-to-Work Programs," *CLM Magazine*, February 2019
- "Temporary Total Disability Benefits Contingent Upon Proof of Lost Wages," *Defense Digest*, Vol. 24, No. 1, March 2018
- "Injuries Occurring During Mutually Beneficial Task Are Compensable Even on Day Off," *Defense Digest*, Vol. 23, No. 4, December 2017
- "The Idiopathic Defense: The Most Overlooked Tool in NJ Workplace Injury Litigation," *New Jersey Law Journal*, Workplace Injury Litigation Supplement, November 7, 2016

Results

Favorable decision in New Jersey workers' compensation matter.

The case involved a compensable claim for right hip and shoulder fractures sustained in a fall. At issue was the level of permanent disability for the compensable injuries and the relatedness of a subsequent hip replacement surgery. The petitioner's demand before trial was more than \$450,000, plus almost \$78,000 for medical expenses. The employer's final offer was \$180,000. After a three-day trial in Ocean County, the judge awarded permanency benefits totaling less than \$153,000. Further, the judge determined that the hip replacement surgery was not related and denied the entire \$78,000 medical bill claim.

Workers' compensation defense verdict for a prominent health care system.

The petitioner filed a motion for additional medical and temporary disability benefits, essentially alleging she was permanently and totally disabled from prior compensable shoulder and leg injuries. After a three-day trial and extensive briefing, the judge dismissed the motion. He determined that, despite the compensable injuries, the petitioner had plateaued medically and was not entitled to any further benefits.

Thought Leadership

May 1, 2026

Appellate Division Affirmed Dismissal but Remanded for Dismissal Without Prejudice and Sanctions for AI-Generated Case Law

April 1, 2026

Court Clarifies What Constitutes a Clear Waiver of Section 40 Right

April 1, 2026

Appellate Division Affirms Interlocutory Order Disqualifying Law Firm

March 1, 2026

New Jersey Workers' Compensation Legislative Update

February 4, 2026

New Jersey Workers' Compensation Legislation Update

January 1, 2026

Appellate Division Affirms Dismissal of Intentional Wrong Claim in Workplace Fall Injury Case

January 1, 2026

New Jersey Supreme Court Affirms Essential Employee Status for Teachers in COVID-19 Workers' Compensation Case

December 1, 2025

TOP 10 DEVELOPMENTS IN NEW JERSEY WORKERS' COMPENSATION IN 2025

November 1, 2025

Appellate Division Affirms Award of Medical and Temporary Benefits, Rejects Employer's Res Judicata and Collateral Estoppel Arguments in Workers' Compensation Surgery Dispute

October 1, 2025

New Jersey Workers' Compensation Legislation Update

September 1, 2025

Appellate Division Affirms 74% Disability Award in Custodian's Workers' Compensation Case

September 1, 2025

Appellate Division Upholds Dismissal of Construction Accident Claims Against Employer and Municipality

August 1, 2025

Appellate Division Affirms Dismissal of Construction Zone Death Suit Against employer and Engineering Firms Based on Workers' Compensation Bar and Failure to Serve Affidavits of Merit.

July 1, 2025

Appellate Division Affirms Joint Employment and Special Mission Rulings in Police Officer's Workers' Compensation Case Against City and Contractor

July 1, 2025

Appellate Division Affirms Dismissal of Coverage Claims, Citing Intentional Injury Exclusion and Supreme Court's Rodriguez Decision