

56.

(a) Any employer, employee, beneficiary or person feeling aggrieved by any decision of the Commission affecting his interests under this article, may have the same reviewed by a proceeding in the nature of an appeal and initiated in the circuit court of the county having jurisdiction over the place where the accident occurred or over the person appealing from such decision, and the court shall determine whether the Commission has justly considered all the facts concerning the injury, whether it has exceeded the powers granted it by the article, and whether it has misconstrued the law and facts applicable in the case decided. For the purposes of this section the word "person" shall be deemed to include the Subsequent Injury Fund as created by § 66 of this article and no award shall be made against such fund by the Commission or by any court unless the fund is a party to the proceeding and is represented by counsel. In the event that an appeal shall be taken to court other than the circuit court of the county having jurisdiction over the place where the accident occurred or over the person appealing from such decision, the court shall on motion of either party transfer such appeal to the proper tribunal, so that the said appeal may be heard on its merits in the court having jurisdiction to hear the same. If the court shall determine that the Commission has acted within its powers and has correctly construed the law and facts, the decision of the Commission shall be confirmed; otherwise it shall be reversed, modified, or remanded to the Commission for further proceedings. Upon the hearing of such an appeal the court shall, upon motion of either party filed with the clerk of the court according to the practice in civil cases, submit to a jury any question of fact involved in such case [provided, however, that, until June 1, 1983, in all appeals in which occupational diseases are involved, the findings of fact by the Commission shall be final and not subject to review or modification by the court or be submitted to a jury]. ~~EXCEPT UPON THE MOTION OF EITHER PARTY TO THE APPEAL, OR UPON THE COURT'S OWN MOTION UNLESS ORDERED BY THE COURT, ON ITS OWN INITIATIVE, OR UPON THE MOTION OF EITHER PARTY, A RECORD TRANSCRIPT OF THE PROCEEDINGS IN THE CASE BEFORE THE COMMISSION SHALL NOT BE REQUIRED TO BE FILED WITH THE COURT.~~ The proceedings in every such an appeal shall be informal and summary, but full opportunity to be heard shall be had before judgment is pronounced. In the event a claimant needs additional medical attention pending any appeal as provided herein, the Commission shall retain jurisdiction to entertain a request for additional medical treatment and attention and may issue a supplemental order requiring the employer to furnish additional medical treatment and attention, which order is subject to review on the pending appeal. An appeal shall not be a stay of any order of the Commission directing payment of compensation or any order or supplemental order requiring the furnishing of medical treatment. If the decision of the Commission shall be confirmed, reversed, modified, or remanded to the Commission for further proceedings, the practice prevailing in civil cases as to the payment of costs and the fees of medical and other witnesses shall apply. In all