

WORKERS' COMPENSATION JUDGES' MEDIATION PROCEDURES

NAME: Cheryl Ignasiak

OFFICE: Pittsburgh and Washington

DISTRICT: Western

1. Please list the offices at which you will mediate a claim.

Pittsburgh and Washington.

2. Are you willing to mediate claims that are assigned to you for hearing and decision?

Yes.

3. Are you willing to mediate claims in which one or both parties are not represented by counsel?

No.

4. Do you require the parties to execute an agreement to mediate? If so, please describe briefly the matters addressed by the agreement.

No.

5. How much time do you typically allow for a mediation session?

Two (2) hours.

6. Do you require the parties to submit a pre-mediation memorandum?

No.

7. Do you conduct a pre-mediation conference? If so, please describe what takes place at that conference.

Yes. I meet with each attorney and review the outstanding issues and if anything can be stipulated to by each party.

8. Do you require all participants (claimant, adjustor/employer representative, counsel) to attend the mediation personally? Under what circumstances do you permit a participant to attend by telephone?

I require the attorney for each party to be present. All other parties can participate by phone if circumstances do not allow them to be present (i.e., out of town, ill, child care, etc.).

9. Once you receive a mediation request, what is the usual amount of time elapsed until the mediation takes place?

It varies. I try to get the case scheduled within 30-45 days.

10. Describe generally how you conduct a mediation session.

I meet with each attorney first to see if we can agree on any issues. I review with each party what I see as their strengths and weaknesses. I give them my estimate of the value of the case.

11. Are you willing to conduct more than one session per claim?

Yes.

12. Is there anything else the parties should know or do in advance of the mediation?

Yes. They should review with their clients what a realistic value of the case is worth. They should have exchanged at least one demand and offer before the first conference.