

Workers' Compensation Judges' Procedural Questionnaire

Workers' Compensation Automation and Integration System (WCAIS) is the official repository for all documents related to a Dispute (matter pending) before a Workers' Compensation Judge. All documents, including evidence and briefs, that would have been submitted to a Workers' Compensation Judge by mail or in person prior to WCAIS should now be uploaded into WCAIS. If Social Security numbers appear on any such document, the first five numbers should be redacted before the document is uploaded, unless otherwise specified below. Requests, such as Requests for Continuance and Subpoenas, should also be made through WCAIS.

Table of Contents

- A. [First Event/First Hearing](#)
- B. [Witnesses/Exhibits](#)
- C. [C&Rs/Stipulations](#)
- D. [Close of Record/Briefs](#)
- E. [Mandatory Mediations](#)
- F. [Voluntary Mediations](#)
- G. [Requests/Miscellaneous](#)

First Event/Hearings:

1. What is the first Event (i.e., pretrial, hearing, conference call) and what will occur at the first Event with the judge? The first event is a hearing. On a claim or reinstatement petition, claimant's testimony will usually be taken and a scheduling order given. Where defendant is the moving party, supersedeas documents will be accepted and a scheduling order will be given.

2. Are any first hearing filings or documents required at the first Event with the judge? If so, what are they? **Yes** **No**

Further explanation:

[Click here to enter text.](#)

- a. Should first hearing filings or documents be uploaded as Exhibits or as Documents?

Exhibits **Documents**

Further explanation:

[Click here to enter text.](#)

- b. Should first hearing filings be uploaded before or after the first hearing?

Before After

Further explanation:

[Click here to enter text.](#)

3. What are your procedures for supersedeas hearings?

a. Will testimony be heard? Yes No

Further explanation:

[Click here to enter text.](#)

b. Is additional time generally granted to obtain medical evidence? Yes No

Further explanation:

Only for cause shown and if opposing party does not object

c. Under what circumstances will you reconsider a supersedeas order?

Only after an additional hearing has been held and new evidence presented

d. Do you generally use written orders for denials? Yes No

Further explanation:

[Click here to enter text.](#)

e. What is required for employee's counsel to obtain interim fee approval?

A written fee agreement and a denial of supersedeas

f. Do you have any other procedures for supersedeas hearings not described above? If so, what are they? Yes No

Further explanation:

[Click here to enter text.](#)

g. Do you have different procedures for special supersedeas hearings? If so, please describe them? Yes No

Further explanation:

[Click here to enter text.](#)

4. Do you use a one-day/one-hearing format or serial hearings? Please describe the structure of your hearings. Please indicate if you are willing to change your hearing format upon request of all parties.

Serial hearings

5. Are you willing to allow counsel to participate in hearings by telephone? **Yes** **No**

Further explanation:

Only upon a showing of extraordinary circumstances and never in a hearing involving lengthy testimony

6. What procedure do you follow if a party fails to appear at an Event?

Usually, I will wait 24 hours before taking action. If I do not hear from the non-appearing party, appropriate action will be taken.

7. Do you have any special procedures for psychological injury cases? **Yes** **No**

Further explanation:

[Click here to enter text.](#)

Witnesses/Exhibits:

8. What are your rules regarding the taking of testimony?

- a. Do you prefer the testimony be taken at a hearing or by deposition?

Hearing **Deposition**

- b. If counsel wishes to bring a witness to a hearing, do you require prior notice? If so, how much notice do you require? **Yes** **No**

Further explanation:

At least 30 days so that the time can be reserved

9. Under what circumstances will you permit a party or witness (including an expert witness) to testify by deposition or by phone, rather than appear at the hearing?

Upon agreement of the parties

10. What is your procedure regarding the order of testimony with respect to submission of medical evidence, particularly when cross petitions are filed?

This is decided on a case by case basis at the first hearing

11. Do the parties need to upload the Bureau documents as exhibits or will they automatically be made Judge Exhibits? **Parties Upload** **Judge**

12. Do you require that counsel upload exhibits to WCAIS before or after the hearing? If before, what is the latest day before the hearing that they may be uploaded? **Before** **After**

Further explanation:

[Click here to enter text.](#)

13. Do you require counsel to bring hard copies of the exhibits to the hearing? **Yes** **No**

Further explanation:

Hard copies are appreciated and encouraged so that timely rulings can be made on objections

14. When will you rule on objections to exhibits?

When they are offered

15. What is your procedure for handling discovery disputes, e.g., do you employ telephone conferences, do you prefer to attend certain depositions, etc.?

Telephone conferences are preferred. I do not attend depositions.

16. What is the last day the parties may file written preservations of deposition objections?

With their briefs in a separate writing

C&Rs/Stipulations:

17. Please describe your procedures regarding the review of Compromise and Release Agreements.

a. Are you willing to allow amendments of existing petitions or do you require the filing of a separate Petition Seeking Approval of a Compromise and Release Agreement?

Amendments **New Petition**

Further explanation:

[Click here to enter text.](#)

- b. Do you require the parties to provide you with a draft of the Compromise and Release Agreement to review before the hearing? If so, how far in advance of the hearing do you need to receive it? **Yes** **No**

Further explanation:

- c. Should the parties upload the Compromise and Release Agreement, including the fee agreement and any other attachments, before or after the hearing?

Before **After**

Further explanation:

Hard copies must be supplied at the time of the hearing

- d. Should the child support documents be uploaded as a separate exhibit? **Yes** **No**

Further explanation:

I consider them part of the agreement, as well as fee agreements, appeal waivers, medical bills, etc

- e. What other exhibits should be uploaded as part of the Compromise and Release Agreement or as separate exhibits (i.e., waiver of appeal, medical bills, etc.). Please indicate whether they should be uploaded as part of the Compromise and Release Agreement or as separate exhibits.

[Click here to enter text.](#)

- f. When should the social security number and other confidential information be redacted from the C&R agreement and Act 109 documents?

Social Security numbers should be redacted by counsel when documents are uploaded into WCAIS

- g. Will you sign bench orders? **Yes** **No**

Further explanation:

[Click here to enter text.](#)

- h. Do you have any other procedures for Compromise and Release Agreements not described above? If so, what are they? **Yes** **No**

Further explanation:

[Click here to enter text.](#)

18. Please provide the following information regarding Stipulations resolving Disputes:

- a. What are your usual procedures regarding the submission, review, and adoption of such Stipulations?

Stipulations will be accepted by mail or in person

- b. Should the fee agreement be uploaded as part of the Stipulation or as a separate exhibit? **Part of Stipulation** **Separate Exhibit**

Further explanation:

If a fee agreement has already been submitted, it is not necessary to attach it to a Stipulation

- c. Should the child support documents be uploaded as a separate exhibit? **Yes** **No**

Further explanation:

[Click here to enter text.](#)

- d. What other exhibits should be uploaded as part of the Stipulation or as separate exhibits (i.e., medical bills, etc.)? Please indicate whether they should be uploaded as part of the Stipulation or as separate exhibits.

Only those items referenced in the stipulation need to be attached

- e. When should the social security number and other confidential information be redacted from the Stipulation and Act 109 documents?

Social Security numbers should be redacted by counsel when documents are uploaded into WCAIS.

- f. Do you have any other procedures for Stipulations not described above? If so, what are they? **Yes** **No**

Further explanation:

[Click here to enter text.](#)

Close of Record/Briefs:

19. Are you willing to close a case by electronic submission via WCAIS or is a final hearing required? **Electronic Submission** **Final Hearing**

Further explanation:

Usually, an announcement will be made at a hearing concerning the final submissions and the time for closing.

20. What are the time requirements for the submission of briefs and other post-hearing submissions? Do you have any procedure if the briefs or post-hearing submissions are not received in a timely manner?

A briefing schedule will be issued after the exhibits are all in.

21. Please describe your preferences for the format and content of briefs and post-hearing submissions.

At the discretion of counsel

Mandatory Mediations

22. Please list the offices at which you conduct mandatory mediations.

Wilkes Barre and the Tannersville and Wysox hearing sites.

23. Do you require the parties to execute an agreement to mediate? If so, please describe the matters to be addressed by the agreement. **Yes** **No**

Further explanation:

[Click here to enter text.](#)

24. 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, if any? **Yes** **No**

Further explanation:

Under most circumstances, both counsel must be present. Claimant is required to attend if practical. Adjusters should be available by telephone

25. Do you require a Mediation Statement? **Yes** **No**

If so:

- a. What information do you require in that Statement?

The average weekly wage, a synopsis of the case and a brief history of negotiations

- b. What documents, if any, must accompany the Statement?

Up to the discretion of counsel

- c. How far in advance of the mediation must the parties submit the Statement and accompanying documents?

24 Hours would be appreciated

26. Once you receive a mediation request, what is the usual amount of time that elapses until the mediation takes place?

[Click here to enter text.](#)

27. Are you willing to conduct more than one session per Dispute? **Yes** **No**

Further explanation:

If the parties believe that an additional session would be productive

28. If a party wants to request cancellation or postponement of a mediation on a Dispute assigned to you:

- a. Should the party contact you or the mediating judge?

Contact the mediating Judge

- b. If you are to be contacted, what is the latest day before the mediation that cancellation or postponement, absent an emergency situation, can be requested?

[Click here to enter text.](#)

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

Yes **No**

Further explanation:

[Click here to enter text.](#)

Voluntary Mediations:

30. Do you conduct Voluntary Mediations? **Yes** **No**

Further explanation:

Upon request

31. Please list the offices at which you will mediate a Dispute.

Wilkes Barre and the Tannersville and Wysox hearing sites.

32. Are you willing to mediate Disputes that are assigned to you for hearing and decision?

Yes **No**

Further explanation:

[Click here to enter text.](#)

33. Are you willing to mediate Disputes in which one or both parties are not represented by counsel? If so, do you have any special procedures? **Yes** **No**

Further explanation:

[Click here to enter text.](#)

34. Do you require the parties to execute an agreement to mediate? If so, please describe the matters addressed by the agreement. **Yes** **No**

Further explanation:

[Click here to enter text.](#)

35. 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, if any? **Yes** **No**

Further explanation:

36. Do you require a Mediation Statement? **Yes** **No**

Further explanation:

[Click here to enter text.](#)

If so:

- a. What information do you require in that Statement?

A synopsis of the case, Claimant's AWW, and a history of negotiations

- b. What documents, if any, must accompany the Statement?

At the discretion of counsel

- c. How far in advance of the mediation must the parties submit the Statement and accompanying documents?

24 hours would be appreciated

37. Once you receive a mediation request, what is the usual amount of time that elapses until the mediation takes place?

Within two weeks

38. Are you willing to conduct more than one session per Dispute? **Yes** **No**

Further explanation:

If the parties feel it would be productive

39. If a party wants to request cancellation or postponement of a mediation on a Dispute assigned to you:

- a. Should the party contact you or the mediating judge?

Mediating Judge

- b. If you are to be contacted, what is the latest day before the mediation that cancellation or postponement, absent an emergency situation, can be requested?

[Click here to enter text.](#)

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

Yes **No**

Further explanation:

[Click here to enter text.](#)

Requests/Miscellaneous:

41. What is your procedure regarding continuances, changes in hearing times and extensions, i.e., how far in advance do you require the Request be uploaded into WCAIS?

I follow the Rules of Practice. Cause must be shown and opposing parties' positions must be made known

42. Do you conduct/permit conference call? If so, under what circumstances? **Yes** **No**

Further explanation:

Upon request by the parties

43. Do you accept faxes and e-mails from the parties? If so, under what circumstances?

Yes **No**

Further explanation:

I accept faxes followed by a hard copy. I do not accept e-mails

44. Do you adhere strictly to duration listed for a hearing or mediation or are you willing to go over the allotted time? **Yes** **No**

Further explanation:

I try to follow the allotted times to the extent possible

45. What is the best way to contact you in an urgent/emergency situation?

Call my secretary

46. What is your snow/emergency cancellation policy (i.e., do you follow a specific school district closing schedule, etc.)?

Because my hearings are at remote sites, I do not follow a specific policy. Check WCAIS and my office on the morning of the scheduled hearing.