

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.

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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? Any case involving supersedeas is brief hearing, statement, exhibits and supersedeas ruling. Any case not involving supersedeas will be a pretrial or a first hearing with testimony if the parties are ready.

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:

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

Exhibits **Documents**

Further explanation:

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

Before After

Further explanation:

3. What are your procedures for supersedeas hearings?

a. Will testimony be heard? Yes No

Further explanation:

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

Further explanation:

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

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

Further explanation:

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

Enter fee agreement.

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

Further explanation:

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

Further explanation:

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.

I use serial hearings. I am not willing to change my hearing format.

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

Further explanation:

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

Relist again

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

Further explanation:

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:

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?

Depends on case

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

That will be discussed 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:

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

Further explanation:

14. When will you rule on objections to exhibits?

At next hearing or in decision

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

Whatever parties agree on

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

Before close of record

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:

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:

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

Further explanation:

- 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.

Whatever parties agree to have uploaded

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

Before the documents are uploaded.

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

Further explanation:

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

Further explanation:

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?

Upload it as an exhibit.

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

Further explanation:

[Click here to enter text.](#)

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

Further explanation:

- 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.

Upload as separate exhibits unless agreed to that it is included in stipulation

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

Before the documents are uploaded.

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

Further explanation:

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:

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?

Whatever agreed to by parties and judge

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

None

Mandatory Mediations

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

Many

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:

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:

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

If so:

a. What information do you require in that Statement?

Whatever the parties feel is useful

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

Whatever the parties feel is useful

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

Whenever they can get them to me

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

Less than two weeks

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

Further explanation:

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?

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?

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

Yes **No**

Further explanation:

Voluntary Mediations:

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

Further explanation:

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

Many

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

Yes **No**

Further explanation:

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:

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:

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:

If so:

a. What information do you require in that Statement?

Whatever the parties feel is useful

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

Whatever is needed to help in mediation

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

Whenever they can get them to me

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

Less than two weeks

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

Further explanation:

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?

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

Yes **No**

Further explanation:

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?

Request in writing with all parties' agreement

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

Further explanation:

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

Yes **No**

Further explanation:

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:

Go over depending on case

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

Call my office, e-mail or wcais

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

State office closing message on pa.gov