

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? Pretrial conference

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:

I accept whatever they have

- 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:

This is up to the attorney.

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

Further explanation:

Usually 2-4 weeks

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

Any new evidence

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

Further explanation:

Written orders are done all the time.

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

Fee agreement and production of document in opposition to 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.

Unless the case is complicated, it's a one day hearing.

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

Further explanation:

[Click here to enter text.](#)

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

Relist

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:

We request prior notice of a witness besides the claimant to allow sufficient time to finish the hearing and not have to reschedule.

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?

Discretion of counsel

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

If the petitions are filed almost simultaneously, it 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:

There are cases where I allow exhibits and we upload here.

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

Further explanation:

I ask so I can have paper.

14. When will you rule on objections to exhibits?

If offered at the hearing, decision at that time; otherwise in the final 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.?

Telephone conference if possible or a hearing.

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

No set time.

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:

Click here to enter text.

- 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:

Click here to enter text.

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

Further explanation:

Click here to enter text.

- 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.

All additional documents should be uploaded as separate exhibits.

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

Time of hearing.

- 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?

I review stips to make sure the parties comply with the Rules of Procedure.

- 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:

[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.

None required.

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

At time of hearing or before uploaded.

- 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:

[Click here to enter text.](#)

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?

There are no special requirements.

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

Click here to enter text.

Mandatory Mediations

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

Scranton

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:

Adjustor available by phone.

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

If so:

a. What information do you require in that Statement?

Click here to enter text.

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

Click here to enter text.

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

Click here to enter text.

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

60-90 days

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

Further explanation:

[Click here to enter text.](#)

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?

No date for cancellation as if futile it's not beneficial to conduct a mediation

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:

[Click here to enter text.](#)

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

[Click here to enter text.](#)

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:

Claimant personally unless out of state.

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?

Click here to enter text.

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

Click here to enter text.

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

Click here to enter text.

37. 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.

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

Further explanation:

Click here to enter text.

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?

The same day

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?

It depends on the reason for the late request and whether there is any objection from opposing counsel.

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

Further explanation:

Yes. Conference calls reduce hearings and can alleviate issues when requested by counsel for either party.

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

Yes No

Further explanation:

We take all documents if no objection.

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 permit flexibility to conclude the hearing.

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

Call the office

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

I don't cancel if the office is open. I allow liberal continuances for weather conditions