

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. Parties will be given one day trial date, scheduling order and mandatory mediation will be scheduled. Parties may make preliminary motions and present supersedeas evidence.

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:

Stipulation of undisputed facts, List of witnesses.

- 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:

Parties may submit supersedeas documents at hearing or within 14 days if agreed to by both parties.

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

Further explanation:

Parties given 7 days or up to 14 days if both parties are in agreement.

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

If new information is presented by either party.

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?

Signed Fee Agreement

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.

One Day Trial. The parties will conduct trial depositions of all witnesses and may bring any witness on the day of trial for updated testimony. This format can always be adjusted based on individual circumstances of each case.

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?

The Judge will consider a motion to dismiss the petition based on the parties failure to appear if no reasonable excuse is offered.

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:

Certificate of Readiness is required 7 days prior to one day trial date.

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?

By 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?

Determined at the pretrial.

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:

[Click here to enter text.](#)

14. When will you rule on objections to exhibits?

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

Phone Conferences

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

With submission of final brief.

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.

Fee Agreement as an exhibit

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

Prior to uploading C& R agreement.

- 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 may be submitted at hearing, uploading or by mail. Judge will promptly review and approve or deny.

- 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.

Litigation expense exhibits should be uploaded separately.

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

Before uploading.

- 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?

Briefing schedule by agreement of the parties usually within 60 days. If brief is not received by deadline day a 10 day warning letter is issued. Judge will issue a decision if briefs are not submitted after the 10 day period has expired.

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

Mandatory Mediations

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

Upper Darby

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:

By agreement of the parties

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?

Click here to enter text.

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?

The policy in this region is to contact the Judge assigned to litigate the dispute.

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?

Five Days.

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:

By agreement of the parties

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

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Click here to enter text.

If so:

a. What information do you require in that Statement?

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

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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?

Click here to enter text.

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?

Five Days

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

Further explanation:

By agreement of the parties

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

Yes **No**

Further explanation:

[Click here to enter text.](#)

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:

If the case requires additional time to complete testimony the time will be adjusted.

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

Contact office secretary 610-284-6913

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

This district postpones all hearings if Philadelphia Public School District is closed for weather conditions. This Judge will always grant continuence if parties believe their health and safety prevents them from traveling on a hearing day.