

## **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? First event will be a hearing.
  
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:**

No first hearing filings or documents are required.

- 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:**

Any first hearing filings should be uploaded after the first hearing.

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:**

Additional time will generally be granted

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

In compelling circumstances.

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

**Further explanation:**

Written orders will be used for denial.

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

Supersedeas denial or a fee request.

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

**Further explanation:**

No additional procedures.

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

**Further explanation:**

No different procedures.

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 employ serial hearings.

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

**Further explanation:**

Only rarely.

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

Procedure has to depend on the circumstances.

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

**Further explanation:**

No special procedure.

**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:**

Whether by hearing or by deposition will depend upon the individual circumstances. Reasonable prior notice is required.

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?

This will differ depending upon nthe individual case.

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

The party with the burden of proof will proceed first.

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:**

Exhibits should be uploaded by counsel after the hearing. Referencing #11 above, Bureau documents will automatically be made Judge Exhibits.

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

**Further explanation:**

Copies are required at the hearing.

14. When will you rule on objections to exhibits?

At the hearing when 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.

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

With the party's 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:**

I will allow amendments and do not require a separate petition.

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:**

I do not require a draft of a proposed Compromise and release.

- 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:**

These should be uploaded after the hearing

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

**Further explanation:**

This document does not need to be a separate exhibit.

- 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.

none

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

Redacted before the hearing.

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

**Further explanation:**

I will sign a bench order.

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

**Further explanation:**

No other procedures.

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 have no special procedures.

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

**Further explanation:**

The fee agreement should be part of the Stipulation.

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

**Further explanation:**

No, not as a separate exhibit.

- 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

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

Redaction prior to msubmission.

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

**Further explanation:**

No other procedures.

**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:**

I am not willing to close via electronic submission. I will do so at a final hearing.

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?

As the parties decide.

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

None other than prescribed by the Rules.

### **Mandatory Mediations**

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

Philadelphia and 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:**

I do not require any Agreement to Mediate.

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:**

No. Personal attendance is not required.

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

If so:

a. What information do you require in that Statement?

I do not require a mediation statement.

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

n/a

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

n/a

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

Scheduling is done by a designated person and depends on many factors.

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

**Further explanation:**

Yes. I am willing to conduct additional sessions.

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?

Standard procedure requires a postponement request to be directed to the mediating judge, while a request to cancel is directed to the assigned 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 specific deadline.

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

**Yes**  **No**

**Further explanation:**

Nothing additional

**Voluntary Mediations:**

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

**Further explanation:**

Yes, I do conduct voluntary mediations.

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

Philadelphia and Upper Darby.

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

**Yes**  **No**

**Further explanation:**

No, I will not do so.

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:**

Yes.

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:**

No Agreement to Mediate is required.

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:**

As above, personal attendance is not required.

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

**Further explanation:**

Yes, I will require a mediation statement for a voluntary mediation.

If so:

a. What information do you require in that Statement?

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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:**

Yes, I am willing to conduct additional sessions.

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?

See above.

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?

See above.

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

**Yes**  **No**

**Further explanation:**

Nothing additional.

**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?

This has to depend upon the case.

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

**Further explanation:**

Yes, I conduct or permit a conference call.

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

**Yes**  **No**

**Further explanation:**

Yes, I will accept fax or e-mail.

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:**

Yes, I will go over the allotted time when I think it necessary.

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

e-mail and telephone.

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

I adhere to the SE District policy based upon the School District of Philadelphia.