

Fee Review Hearing Officer Procedural Questionnaire

Workers' Compensation Automation and Integration System (WCAIS) is the official repository for all documents related to a Dispute (matter pending) before a Hearing Officer. All documents, including evidence and briefs, that would have been submitted to a Hearing Officer by mail or in person prior to WCAIS should 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, Subpoenas, and Extensions of time to file briefs, should also be made through WCAIS.

Table of Contents

- A. [First Event/Hearings](#)
- B. [Witnesses/Exhibits](#)
- C. [Stipulations](#)
- D. [Close of Record/Briefs](#)
- E. [Voluntary Mediation](#)
- F. [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 Hearing Officer?

The first Event is a pre-trial conference call. The issues will be identified. If the Parties are interested in pursuing a resolution, they will be allowed additional time to do so. If the Parties are not interested in pursuing a resolution, a timeline for submission of evidence will be established.

2. Are any filings or documents required at the first Event with the Hearing Officer? If so, what are they?

Yes No

Further explanation:

[Click here to enter text.](#)

a. Should such filings or documents be uploaded as Exhibits or as Documents?

Exhibits Documents

Further explanation:

[Click here to enter text.](#)

b. Should such filings or documents be uploaded before or after the first Event?

Before After

Further explanation:

[Click here to enter text.](#)

3. Are you willing to allow counsel to participate in hearings by telephone?

Yes No

Further explanation:

Most of the fee review hearings are telephone hearings, but Counsel is welcome to appear in person.

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

I send a Memorandum advising the Party of the missed event and relist the matter for another Event in approximately 30 days. If, at the next Event, there is a second failure to appear, I may grant motions for dismissal, closure of record, etc.

Witnesses/Exhibits:

5. 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:

Parties should provide notice prior to the circulation of the Hearing Notice or as soon as possible following its circulation.

6. 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?

I generally allow deposition testimony and testimony by phone, unless it is a case where credibility is critical. In such a case, the witness should testify in person during a hearing.

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

Parties Upload Judge

Further explanation:

The Parties should upload the Bureau documents as exhibits; however, if the Parties request that the Bureau documents be entered into evidence as Hearing Officer exhibits, I will ensure that they are uploaded as such.

8. 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:

Counsel should upload exhibits at least one day prior to the hearing.

9. Do you require counsel to bring hard copies of the exhibits to the hearing?

Yes No

Further explanation:

I do not require hard copies of exhibits, but the Party submitting the evidence must be certain that the opposing Party has received a copy of all exhibits.

10. When will you rule on objections to exhibits?

During a hearing, I will generally rule on any objections at the time they are made. If closing by mail or by WCAIS, I will rule on objections either prior to the circulation of the Decision, or in the Decision itself.

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

I would address any disputes during a hearing or during a conference call.

12. Will the Hearing Officer allow the parties to present written argument with respect to timely made objections?

Yes, Parties may present written argument with respect to timely made objections.

Stipulations:

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

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

The Stipulation should be uploaded to WCAIS as a joint exhibit. I will review the Stipulation to ensure that it addresses all of the issues and is fair and equitable to both Parties. If those criteria are met, I will circulate a Decision adopting the Stipulation. If I have any questions, I will contact the Parties.

- b. 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.

I generally do not require additional exhibits with a Stipulation, but if the Parties wish to present additional exhibits, or reference additional exhibits in the Stipulation, they should be uploaded as part of the Stipulation.

- c. When should the social security number and other confidential information be redacted from the Stipulation?

Confidential information should be redacted from the Stipulation before it is uploaded to WCAIS.

- d. 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:

14. 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.](#)

15. 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?

Briefs are generally due between 45-60 days after the close of the record. The briefing schedule will either be established at the final hearing or circulated by Memorandum in cases where the record closes by WCAIS after the final hearing. Requests for extensions are considered on a case-by-case basis. I generally request simultaneous briefs unless the Parties prefer a staggered briefing schedule. Once the deadline for submission of briefs has passed, I may circulate the Decision at any time, regardless of whether the briefs have been received. I do not contact the Party from whom the brief is outstanding after the deadline has passed. It is the responsibility of the Parties to submit the briefs timely.

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

I prefer that the Proposed Findings of Fact and Conclusions of Law be similar to the format I utilize in my Decisions.

Voluntary Mediation:

17. Are voluntary mediations available upon request? Yes No

If so, who conducts the mediations?

Further explanation:

I do not conduct voluntary mediations; however, if the Parties wish to pursue a voluntary mediation, I will have it scheduled for them. I try to schedule with a WCJ who has heard fee reviews in the past or is currently hearing fee reviews.

Requests/Miscellaneous:

18. 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 prefer the request to be uploaded at least 24 hours prior to the hearing or to the deadline for submission of evidence, briefs, etc. The request should be uploaded to the Requests section of WCAIS so I can approve or deny it. The Party should state clearly in the request that he/she has contacted the opposing Party, and that the opposing Party has no objection to the request.

20. Do you conduct/permit conference calls? If so, under what circumstances?

Yes No

Further explanation:

Conference calls are conducted if requested by the Parties.

21. Do you accept faxes from the parties? If so, under what circumstances?

Yes No

Further explanation:

Faxes are accepted, but I prefer to have the documents uploaded to WCAIS.

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

Yes No

Further explanation:

Emails are accepted, but I prefer to have the documents uploaded to WCAIS.

23. Do you adhere strictly to duration listed for a hearing or are you willing to go over the allotted time?

Yes No

Further explanation:

I generally adhere strictly to the duration of the hearing listed on the Hearing Notice. I am willing to go over the allotted time by a few minutes, as long as it will not inconvenience any of the Parties. Parties should contact me at least 24 hours prior to the hearing if they feel that more time will be needed than has been allotted.

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

Parties may contact my secretary by phone or the main reception desk at 717-783-4419.

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

If the Offices Under the Governor's Jurisdiction in the Harrisburg Capitol Complex are closed, my hearings will be cancelled. If hearings are not cancelled on that basis, I may still cancel hearings – any cancellations will be posted on WCAIS. If I do not cancel, continuance requests may be granted.

