

## **WORKERS' COMPENSATION JUDGES' MEDIATION PROCEDURES**

**NAME:** Kathleen DiLorenzo

**OFFICE:** Lancaster

**DISTRICT:** Eastern

**1. Please list the offices at which you will mediate a claim.**

I will mediate cases in Lancaster, Malvern, Philadelphia, or at an office near Philadelphia.

**2. Are you willing to mediate claims that are assigned to you for hearing and decision?**

Yes.

**3. Are you willing to mediate claims in which one or both parties are not represented by counsel?**

Yes.

**4. Do you require the parties to execute an agreement to mediate? If so, please describe briefly the matters addressed by the agreement.**

I do not.

**5. How much time do you typically allow for a mediation session?**

One hour.

**6. Do you require the parties to submit a pre-mediation memorandum? If so:**

I do not.

**7. Do you conduct a pre-mediation conference? If so, please describe what takes place at that conference.**

I do not.

**8. 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?**

I do not.

**9. Once you receive a mediation request, what is the usual amount of time elapsed until the mediation takes place?**

The parties can have the first date that is agreeable to the parties. The time frame is usually about two to three weeks. Sometimes, mediation can occur at the time of, and instead of, a hearing.

**10. Describe generally how you conduct a mediation session.**

- **Describe each step of the process.**

The parties consider demands and offers and counteroffers, and they reach an agreement with an immediately scheduled compromise and release hearing or an agreement with respect to another scheduled mediation in the future.

- **Indicate whether you use a facilitative (i.e., helping the parties to communicate and generate their own solutions), evaluative (i.e., discussing the strengths and weaknesses of each party's case and/or offering an opinion as to the settlement value), or mixed approach.**

I do not. I use a facilitative approach if it means helping with the parties' communications and generation of their own solutions as defined in the memorandum. I do not use an evaluative approach with respect to cases before me if it means discussions of the strengths and weaknesses of the parties' cases and/or opinions with regard to the settlement value. I do not use an evaluative approach with respect to cases before my colleagues without the parties' requests if it means discussions of the strengths and weaknesses of the parties' cases and/or opinions with regard to the settlement value. I do not use a mixed approach with the exception of the aforementioned.

**11. Are you willing to conduct more than one session per claim?**

Yes.

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

No.