

WORKERS' COMPENSATION JUDGES' MEDIATION PROCEDURES

NAME: William Lowman

OFFICE: Uniontown

DISTRICT: Western

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

Uniontown, Washington, Greensburg, and Pittsburgh.

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.

No.

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

I allow as much time as necessary. I will schedule a mediation session for all morning or all afternoon.

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

No.

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

No.

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 request that claimants attend personally, and that adjusters/employer representatives must be available by phone.

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

As soon as the parties can find a mutually agreeable date in their schedules; usually two to three weeks.

10. Describe generally how you conduct a mediation session.

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

I will talk to both parties separately to see what each party's concerns are, then I bring the parties together to see if an accord can be reached. This will be repeated until an accord is reached.

- **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 will use a mixed approach. The actual approach will be determined by the issues presented by each case.

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.