

**JUDGE'S PROCEDURAL RULES AND POLICIES**

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.

**[CLICK HERE TO VIEW THE JUDGE'S SPECIAL PROCEDURES DURING THE GOVERNOR'S EMERGENCY DECLARATION DUE TO COVID-19.](#)**

**FIRST EVENTS**

1. **What is the first event (i.e. pretrial, hearing, conference call) and what will occur?** ? The first hearing is a pretrial conference and hearing in one. Scheduling will be discussed; a mediation date chosen (unless the case is not ripe or mediation would be futile); and deadlines will be set. Following the hearing, a scheduling order will be promulgated. Testimony will be taken.
2. **List any documents required at the first Event:** Fee Agreement
  - a. **Should docs be uploaded as Exhibits or Letters to the Judge?** Exhibits [Click or tap here to enter text.](#)
  - b. **Should docs be uploaded before or after the first Event?** Before [Click or tap here to enter text.](#)

**SUPERSEDEAS PROCEDURES**

1. **What are your procedures for supersedeas hearings?** [Click or tap here to enter text.](#)
  - a. **Will testimony be heard?** Yes If the hearing is scheduled to be brief (fifteen minutes) or limited, testimony should be limited to the issues at bar.
  - b. **Is additional time generally granted to obtain medical evidence?** Yes
  - c. **Under what circumstances will you reconsider a supersedeas order?** If there is new and material evidence, that was not available or known at the time of the hearing, supersedeas may be reconsidered.
  - d. **Do you generally use written orders for denials?** Yes
  - e. **What is required for employee's counsel to obtain interim fee approval?** A signed fee agreement and a denial of supersedeas.
  - f. **Describe any other procedures for supersedeas hearings:** None.
  - g. **Describe procedures for special supersedeas hearings, if different:** : Hearings will be scheduled as soon as possible.

**HEARINGS**

1. **Describe the structure of your hearings and whether you are willing to change your hearing format:** I use serial hearings. A hearing will begin with an off the record discussion of pending issues, case status, and scheduling items. On the record, I will recap the off the record discussion, rule on exhibits, and then hear testimony.
  - a. **Are you willing to change the hearing format upon request?** Yes With good cause shown.
2. **Are you willing to allow counsel to participate by telephone?** Yes With good reason, such as being far away, ill, or conflicted. I will not permit Claimant's counsel to attend a hearing by phone at which Claimant will be present.

3. **What procedure do you follow if a party fails to appear at a hearing?** I will write a letter to an unrepresented party who does not show up giving them thirty days to respond and explaining what may happen if they fail to appear. I will relist the hearing as soon as possible.
4. **Do you have special procedures for psychological injury cases?** No

### WITNESSES/EXHIBITS

1. **What are your rules regarding taking testimony?** [Click or tap here to enter text.](#)
  - a. **Do you prefer testimony at a hearing or by deposition?** Hearing
  - b. **If a counsel wishes to bring a witness to a hearing, do you require prior notice?** Yes **If yes:**
    - i. **How much notice do you require?** As soon as possible, but at least thirty days in advance to allow for adequate allocation of time for the hearing.
2. **Under what circumstances will you permit a party or witness (including an expert witness) to testify by deposition, phone, or videoconference, rather than appear at the hearing?** I will allow testimony by deposition or phone for doctors; witnesses unable to travel; witnesses who live too far away to reasonably travel; and other good cause.
3. **What is your procedure regarding the order of testimony with respect to submission of medical evidence, particularly when cross petitions are filed?** The original, moving party goes first.
4. **Do the parties need to upload the Bureau and WCOA documents as exhibits or will you admit them electronically as Judge exhibits?** Judge [Click or tap here to enter text.](#)
5. **Do you require counsel to upload exhibits to WCAIS before or after the hearing?** Before **If before:**
  - a. **What is the latest day before the hearing that they may be uploaded?** Exhibits must be uploaded one day prior to the hearing. When uploading exhibits, or anything else, please convert them to a PDF, as opposed to scanning a hardcopy, where possible.
6. **Do you require counsel to bring exhibit hard copies to the hearing?** No
7. **When will you rule on objections to exhibits?** At the hearing where the exhibit is offered
8. **What is your procedure for handling discovery disputes, e.g. do you employ telephone conferences, do you prefer to attend certain depositions, etc.?** I will address these on a case by case basis, generally in a phone conference
9. **What is the last day to file written preservations of deposition objections?** The day briefs are due.

### COMPROMISE & RELEASES (C&Rs)

1. **Describe your procedures regarding the review of C&R Agreements:** [Click or tap here to enter text.](#)
  - a. **Are you willing to allow amendments of existing petitions or do you require the filing of a separate Petition Seeking Approval of a C&R Agreement?** Amendments
  - b. **Are parties required to provide a draft of the C&R Agreement before the hearing?** Yes **If yes:**
    - i. **How far in advance of the hearing do you need to receive it?** Drafts must be provided at least two full business days prior to the hearing.
  - c. **Should the parties upload the C&R Agreement, including the fee agreement and any other attachments, before or after the hearing?** Neither. I will take the signed, executed, and marked exhibits and have WCOA staff upload them as exhibits.

- d. **Should child support docs be uploaded as a separate exhibit?** No. I will take the signed, executed, and marked exhibits and have WCOA staff upload them as exhibits.
- e. **What other exhibits should be uploaded as part of the C&R Agreement or as separate exhibits (i.e., waiver of appeal, medical bills, etc.)?** The only exhibits I will generally allow as part of a C&R will be the agreement, Act 109 documents, bill of costs, MSA, medical bills, and fee agreement. Specific medical bills to be paid should be spelled out in the agreements (Dates of service and amounts to be paid).
- f. **Should they be a part of the C&R Agreement or separate exhibits?** Part of the agreement.
- g. **When should SSNs and other confidential information be redacted from the C&R Agreement and Act 109 documents?** WCOA staff will handle redactions.
- h. **Will you sign bench orders?** Yes
- i. **Describe any other procedures you have for C&R Agreements:** The agreements must be fully executed and witnessed or notarized prior to the hearing.

### STIPULATIONS (STIPs) RESOLVING DISPUTES

- 1. **What are your usual procedures regarding the submission, review, and adoption?** Once they are finalized and signed by all parties, they should be uploaded as an exhibit. I will review them and adopt them via an order.
- 2. **Should the fee agreement be part of the stip or separate exhibit?** Separate Exhibit
- 3. **Should child support documents be uploaded as a separate exhibit?** Yes
- 4. **What other exhibits should be uploaded (i.e. medical bills, etc.)?** Any exhibits which are necessary for the Stipulations. For example, where the Stipulation says, “the attached medical bills will be paid by employer.” It is necessary to attach said bills to the stipulation.
  - a. **Should they be part of the stip or a separate exhibit?** Part of the stip
- 5. **When should SSNs and other confidential information be redacted from the stip and Act 109 documents?** When uploaded to WCAIS.
- 6. **Describe any other procedures you have for stips:** None.

### BRIEFS AND POST-HEARING SUBMISSIONS

- 1. **Will you close a case via WCAIS submission or is a final hearing required?** WCAIS Submission
- 2. **What are the time requirements for submissions and what procedures are taken when time requirements aren’t met?** I will typically grant thirty to forty-five days for the moving party’s brief, with responding party’s brief due two weeks later.
- 3. **Describe any preferences regarding the format and content of submissions:** The should be done in the same format as my decisions. Brevity is supreme!

### MANDATORY MEDIATIONS

- 1. **List the offices where you conduct mandatory mediations:** I DO NOT CONDUCT MANDATORY MEDIATIONS AT THIS TIME
- 2. **Do you require all participants to attend in-person?**
  - a. **Under what circumstances do you permit attendance by phone?** Click or tap here to enter text.
- 3. **Do you require a Mediation Statement?** If yes:

- a. **What information do you require in that Statement?** Click or tap here to enter text.
  - b. **What documents, if any, must accompany the Statement?** Click or tap here to enter text.
  - c. **How far in advance of the mediation must the parties submit the Statement and accompanying documents?** Click or tap here to enter text.
4. **After you approve a Mediation Request, how long until it's scheduled?** Click or tap here to enter text.
  5. **Are you willing to conduct more than one session per Dispute?** Choose an item. Click or tap here to enter text.
  6. **If the party wants to request cancellation or postponement of a mediation on a Dispute assigned to you, should they contact you or the mediating Judge? If you:**
    - a. **What is the latest day before the mediation that cancellation or postponement, absent an emergency, can be requested?** Click or tap here to enter text.
  7. **What else should the parties know or do before the mediation?** Click or tap here to enter text.

### VOLUNTARY MEDIATIONS

1. **Do you conduct Voluntary Mediations?** Yes
2. **List the offices where you conduct voluntary mediations:** Pittsburgh
3. **Do you mediate Disputes assigned to you for hearing and decision?** No
4. **Do you mediate Disputes in which one or both parties are unrepresented?** Yes **If yes:**
  - a. **Describe any special procedures:** Click or tap here to enter text.
5. **Do you require parties to execute an agreement to mediation?** No **If yes:**
  - a. **Describe the matters addressed by the agreement:** Click or tap here to enter text.
6. **Do you require all participants to attend in-person?** Yes
  - a. **Under what circumstances do you permit attendance by phone?** : Where a Claims Representative does not live or work within a reasonable driving distance of Pittsburgh, I will permit them to attend by phone. But they MUST be available during the entire time scheduled for the mediation.
7. **Do you require a Mediation Statement?** Yes **If yes:**
  - a. **What information do you require in that Statement?** A complete picture of the case. A sample is available from my office.
  - b. **What documents, if any, must accompany the Statement?** None.
  - c. **How far in advance of the mediation must the parties submit the Statement and accompanying documents?** One week, at a minimum.
8. **After you approve a Mediation Request, how long until it's scheduled?** Mediations will occur as schedule permits.
9. **Are you willing to conduct more than one session per Dispute?** Yes Click or tap here to enter text.
10. **If the party wants to request cancellation or postponement of a mediation on a Dispute assigned to you, should they contact you or the mediating Judge?** Mediating Judge **If you:** The mediating Judge is the final authority on all scheduling matters.
  - a. **What is the latest day before the mediation that cancellation or postponement, absent an emergency, can be requested?** Twenty-four hours prior to the mediation.

- 11. What else should the parties know or do before the mediation?** : Come prepared and, if counsel is coming alone, with reasonable authority (\$) to resolve the case.

### REQUESTS/MISCELLANEOUS

- 1. How far in advance do you require Requests for continuances, changes in hearing times, and extensions to be uploaded into WCAIS?** As soon as a situation warranting it arises
- 2. Under what circumstances do you conduct conference calls?** Under limited circumstances, on a case by case basis
- 3. Under what circumstances do you accept faxes and e-mails from parties?** When I initiate such a conversation, email communications will be accepted. All replies should include the other party/counsel. All other communications should be through WCAIS.
- 4. Do you adhere strictly to duration listed for a Hearing or Mediation?** Counsel should be mindful of the nature of the petition at bar (and the time allotted for the hearing) when planning their questioning. If you anticipate needing more time, make a WCAIS request for a longer hearing.
- 5. What is the best way to contact you in an urgent situation?** Call the office.
- 6. What is your snow/emergency cancellation policy (i.e., do you follow a specific school district closing schedule, etc.)?** I follow the guidelines previously published by the WCOA.