

## 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? The moving party will proceed with its case. If Claimant is the moving party, he/she is expected to testify. Bureau documents are expected to be handed up. If Employer is the moving party and is proceeding by deposition, counsel is to advise the Court of a date certain for its deposition/s. All parties are to proceed with their evidence within the time guidelines specified by the Act. If supersedeas is requested, both sides are expected to introduce documentary evidence.
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:**

Bureau documents, Fee Agreement, and supersedeas documents (if appropriate).

- a. Should first hearing filings or documents be uploaded as Exhibits or as Documents?

**Exhibits**  **Documents**

### **Further explanation:**

Upload only after admitted at the hearing.

b. Should first hearing filings be uploaded before or after the first hearing?

**Before**  **After**

**Further explanation:**

[Click here to enter text.](#)

3. What are your procedures for supersedeas hearings?

a. Will testimony be heard? **Yes**  **No**

**Further explanation:**

Materials will be received from both parties. Claimant may request additional 14 days, but not more, for submission.

b. Is additional time generally granted to obtain medical evidence? **Yes**  **No**

**Further explanation:**

14 days for Claimant upon request.

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

If additional documentary evidence is submitted along with written request.

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

**Further explanation:**

[Click here to enter text.](#)

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

Fee Agreement

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

**Further explanation:**

[Click here to enter text.](#)

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

**Further explanation:**

Click here to enter text.

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.

Serial hearings

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

**Further explanation:**

Click here to enter text.

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

Interlocutory Order to the parties advising that counsel failed to appear and directing attendance and how to proceed in future.

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

**Further explanation:**

Closed courtroom

**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:**

Written notice as to name and offer of proof copied to opponent.

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?

Expert witnesses are deposed. Fact witnesses by deposition unless credibility an issue but at attorney's discretion whether to testify at hearing or by deposition. Claimant must testify live.

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

Depends on whose petition was filed 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:**

[Click here to enter text.](#)

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

**Further explanation:**

I want a hard copy of all exhibits except litigation costs and child support documentation, that can be uploaded onto WCAIS only.

14. When will you rule on objections to exhibits?

When introduced at hearing.

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 conference

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

Those must be made at the time of the last hearing or be deemed waived.

**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:**

[Click here to enter text.](#)

- 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:**

[Click here to enter text.](#)

- 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:**

[Click here to enter text.](#)

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

**Further explanation:**

[Click here to enter text.](#)

- 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.

Fee Agreement, child support documentation all part of Agreement

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

Before the document is uploaded onto WCAIS

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

**Further explanation:**

[Click here to enter text.](#)

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

**Further explanation:**

Click here to enter text.

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?

Via mail or facsimile with Fee Agreement and child support documentation attached.

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

**Further explanation:**

Click here to enter text.

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

**Further explanation:**

Click here to enter text.

- 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.

As part of Exhibit, not separate

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

Prior to uploading.

- f. 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:**

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:**

Click here to enter text.

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?

A briefing schedule is given to the parties at the last listing and then I will write the decision when it expires without any further contact with the parties.

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

Hard copy, WCAIS upload but the most helpful is emailed to me with a copy to counsel as an attachment in MS Word.

### **Mandatory Mediations**

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

Philadelphia

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:**

[Click here to enter text.](#)

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:**

They can always attend by telephone.

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

If so:

a. What information do you require in that Statement?

Anything party believes to be helpful

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?

As late as the day before

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

Same week if necessary

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

**Further explanation:**

[Click here to enter text.](#)

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?

Cancellation is for adjudicating judge and postponement for mediating 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?

The day before

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

**Yes**  **No**

**Further explanation:**

[Click here to enter text.](#)

**Voluntary Mediations:**

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

**Further explanation:**

[Click here to enter text.](#)

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

Philadelphia

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

**Yes**  **No**

**Further explanation:**

[Click here to enter text.](#)

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:**

[Click here to enter text.](#)

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:**

[Click here to enter text.](#)

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:**

[Click here to enter text.](#)

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

**Further explanation:**

It helps me understand the issues involved and is appreciated even as late as the day before the mediation.

If so:

- a. What information do you require in that Statement?

Anything the parties think is important

- 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?

Hopefully by the day before.

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

As soon as parties would like.

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

**Further explanation:**

[Click here to enter text.](#)

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?

If it's a voluntary mediation, contact me directly. If its mandatory, 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?

The day before.

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

**Yes**  **No**

**Further explanation:**

[Click here to enter text.](#)

**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 should be done pursuant to the Judge's rules. If it is not, then I may deny it depending on the nature of the request. If it is last minute, fax it.

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

**Further explanation:**

[Click here to enter text.](#)

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

**Yes**  **No**

**Further explanation:**

Do not email. Fax.

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:**

[Click here to enter text.](#)

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

Conference call

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

According to Philadelphia School District. If Philadelphia schools are delayed or cancelled, then hearings are cancelled for that day and will be rescheduled.