

**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?** I am unsure as to the definition of "event" but first hearings regarding the following Petitions will be call of the list beginning at 9.30am: Supersedeas requests, Penalty Petitions, Employee Challenge Petitions, Physical Examination Petitions and C&R Petitions. First hearings regarding Claim Petitions, Reinstatement Petitions and Review Petitions will be for the presentation of testimony and have dedicated hearing times which will appear on the Hearing Notice.
2. **List any documents required at the first Event:** Bureau Documents
  - a. **Should docs be uploaded as Exhibits or Letters to the Judge?** Letter to Judge If they are simply the parties' statements, they are documents, not exhibits since they are not evidence.
  - b. **Should docs be uploaded before or after the first Event?** Before They may also be handed up at the first hearing.

**SUPERSEDEAS PROCEDURES**

1. **What are your procedures for supersedeas hearings?** [Click or tap here to enter text.](#)
  - a. **Will testimony be heard?** No Exhibits may be submitted and I will announce the scheduling order.
  - b. **Is additional time generally granted to obtain medical evidence?** Yes Upon good cause.
  - c. **Under what circumstances will you reconsider a supersedeas order?** When it is requested and the Claimant is receiving benefits.
  - d. **Do you generally use written orders for denials?** Yes [Click or tap here to enter text.](#)
  - e. **What is required for employee's counsel to obtain interim fee approval?** A request and the fee agreement
  - f. **Describe any other procedures for supersedeas hearings:** [Click or tap here to enter text.](#)
  - g. **Describe procedures for special supersedeas hearings, if different:** [Click or tap here to enter text.](#)

**HEARINGS**

1. **Describe the structure of your hearings and whether you are willing to change your hearing format:**I use both call of the list and serial listings. Physical Exam Petitions, Supersedeas Petitions, Employee Challenge Petitions, Penalty Petitions and C&R will be scheduled for 10am. The remaining Petitions shall be heard in serial format.
  - a. **Are you willing to change the hearing format upon request?** For compelling reasons

2. **Are you willing to allow counsel to participate by telephone?** Yes Under certain circumstances and upon prior approval
3. **What procedure do you follow if a party fails to appear at a hearing?** I generally require a written explanation for the failure to appear. If that is not forthcoming and depending on the type of Petition, I may dismiss the Petition sua sponte.
4. **Do you have special procedures for psychological injury cases?** No I may clear the courtroom gallery during testimony if it is appropriate.

### 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 Click or tap here to enter text.
  - 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?** Notice of intended witnesses must be provided to the court and opposing counsel at east 14 days prior to 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?** It depends upon the content of the testimony. If it is more procedural such as notice or Hearings, I will permit depositions. If it pertains to substantive issues, I require that the witness appear and testify at a hearing.
3. **What is your procedure regarding the order of testimony with respect to submission of medical evidence, particularly when cross petitions are filed?** The party with the burden of proof moves forward 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?** After I generally advise the parties to identify the exhibit on the record and subsequently upload it. **If before:**
  - a. **What is the latest day before the hearing that they may be uploaded?** Click or tap here to enter text.
6. **Do you require counsel to bring exhibit hard copies to the hearing?** No I understood that WCAIS was intended to obviate the need for hard copies.
7. **When will you rule on objections to exhibits?** When they are registered.
8. **What is your procedure for handling discovery disputes, e.g. do you employ telephone conferences, do you prefer to attend certain depositions, etc.?** It was my understanding that judges may not attend depositions outside of the hearing offices. I do employ telephone conferences or informal conferences in the hearing offices if both sides are present.
9. **What is the last day to file written preservations of deposition objections?** The day the party files the Brief.

### 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 To do otherwise would not be expedient, unless the parties request a decision on the merits of one of the Petitions and so nothing remains to amend.
  - b. **Are parties required to provide a draft of the C&R Agreement before the hearing?** No I do not have time to preview Agreements prior to the hearing. **If yes:**

- i. **How far in advance of the hearing do you need to receive it?** Click or tap here to enter text.
- c. **Should the parties upload the C&R Agreement, including the fee agreement and any other attachments, before or after the hearing?** After There may be changes to the Agreement during the hearing.
- d. **Should child support docs be uploaded as a separate exhibit?** Yes Click or tap here to enter text.
- 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.?)** It depends upon what they are. If the documents pertain to a resignation or some other issue over which the court has no jurisdiction, it should not be attached.
- f. **Should they be a part of the C&R Agreement or separate exhibits?** Click or tap here to enter text.
- g. **When should SSNs and other confidential information be redacted from the C&R Agreement and Act 109 documents?** It is not my policy to require the redaction of such information since the entire process is a matter of public record. If the parties wish to redact that information, they are free to do so.
- h. **Will you sign bench orders?** Yes Click or tap here to enter text.
- i. **Describe any other procedures you have for C&R Agreements:** The time of the hearing is the time to proceed with testimony, it is not the opportunity to meet with the Claimant for the first time to review the documents.

### STIPULATIONS (STIPs) RESOLVING DISPUTES

- 1. **What are your usual procedures regarding the submission, review, and adoption?** If they are executed fully before a scheduled hearing, they have to be uploaded and the hearing will be canceled. If the parties execute the Stipulation just prior to a hearing, one party must submit it at the hearing.
- 2. **Should the fee agreement be part of the stip or separate exhibit?** Separate Exhibit Click or tap here to enter text.
- 3. **Should child support documents be uploaded as a separate exhibit?** Yes Click or tap here to enter text.
- 4. **What other exhibits should be uploaded (i.e. medical bills, etc.?)** I do not know why there have to be any other exhibits aside from the Stipulation, with the possible exception of the Fee Agreement. Medical bills and other such documents may be identified within the body of the Stipulation.
  - a. **Should they be part of the stip or a separate exhibit?** Click or tap here to enter text.
- 5. **When should SSNs and other confidential information be redacted from the stip and Act 109 documents?** I do not require redaction but of course allow the parties to redact such information.
- 6. **Describe any other procedures you have for stip:** Click or tap here to enter text.

### BRIEFS AND POST-HEARING SUBMISSIONS

- 1. **Will you close a case via WCAIS submission or is a final hearing required?** WCAIS Submission So long as both Briefs are submitted the case will close.
- 2. **What are the time requirements for submissions and what procedures are taken when time requirements aren't met?** When the record closes is dependent upon WCAIS. Once it closes the record, correctly or
- 3. otherwise, I cannot reopen the record without formal approval of my Judge Manager.
- 4. **Describe any preferences regarding the format and content of submissions:** I require that Briefs be brief and contain relevant, accurate information.

### MANDATORY MEDIATIONS

- 1. **List the offices where you conduct mandatory mediations:** Philadelphia

2. **Do you require all participants to attend in-person?** Yes
  - a. **Under what circumstances do you permit attendance by phone?** I require at a minimum that the Claimant and all attorneys attend. I would prefer for the adjuster and/or Employer attend, too. If that is not possible, the person with authority to settle the matter on behalf of the Employer MUST be accessible by phone for the entire duration of the mediation.
3. **Do you require a Mediation Statement?** Yes **If yes:**
  - a. **What information do you require in that Statement?** It is stated on the form
  - b. **What documents, if any, must accompany the Statement?** Perhaps an IME if it is relevant to the litigation.
  - c. **How far in advance of the mediation must the parties submit the Statement and accompanying documents?** 24 hours
4. **After you approve a Mediation Request, how long until it's scheduled?** If it is a mandatory mediation, the timing of it is not up to me. If it is a voluntary mediation, I am presently scheduling two months in advance.
5. **Are you willing to conduct more than one session per Dispute?** Yes [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?** Both **If you:**
  - a. **What is the latest day before the mediation that cancellation or postponement, absent an emergency, can be requested?** 48 hours
7. **What else should the parties know or do before the mediation?** Know the facts of the case including outstanding medical bills, employment status, litigation costs and available medical benefits.

### **VOLUNTARY MEDIATIONS**

1. **Do you conduct Voluntary Mediations?** No longer, as of 4/15/2020
2. **List the offices where you conduct voluntary mediations:** N/A
3. **Do you mediate Disputes assigned to you for hearing and decision?** N/A
4. **Do you mediate Disputes in which one or both parties are unrepresented?** N/A **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?** N/A
  - a. **Under what circumstances do you permit attendance by phone?** N/A
7. **Do you require a Mediation Statement?** **If yes:**
  - a. **What information do you require in that Statement?**
  - b. **What documents, if any, must accompany the Statement?**
  - c. **How far in advance of the mediation must the parties submit the Statement and accompanying documents?** N/A
8. **After you approve a Mediation Request, how long until it's scheduled?** N/A
9. **Are you willing to conduct more than one session per Dispute?**

**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? If you:**

- a. What is the latest day before the mediation that cancellation or postponement, absent an emergency, can be requested?**

**11. What else should the parties know or do before the mediation?**

### REQUESTS/MISCELLANEOUS

- 1. How far in advance do you require Requests for continuances, changes in hearing times, and extensions to be uploaded into WCAIS?** At least 7 days
- 2. Under what circumstances do you conduct conference calls?** Yes
- 3. Under what circumstances do you accept faxes and e-mails from parties?** Yes
- 4. Do you adhere strictly to duration listed for a Hearing or Mediation?** I am happy to extend hearing and/or mediation times if there is a good reason to do so.
- 5. What is the best way to contact you in an urgent situation?** Email
- 6. What is your snow/emergency cancellation policy (i.e., do you follow a specific school district closing schedule, etc.)?** It is the policy of the Philadelphia Office of Adjudication, set forth in written form in the lobby at 801 Arch Street.