

**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 event is the initial hearing on the pending petition(s), at which time the petitioning party should be prepared to proceed on the merits of the petition, inclusive of testimony.
2. **List any documents required at the first Event:** N/A
  - 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?** Preferably before, but afterward is acceptable, as well.

**SUPERSEDEAS PROCEDURES**

1. **What are your procedures for supersedeas hearings?** [Click or tap here to enter text.](#)
  - a. **Will testimony be heard?** Yes [Click or tap here to enter text.](#)
  - b. **Is additional time generally granted to obtain medical evidence?** Yes. Normally—14 days.
  - c. **Under what circumstances will you reconsider a supersedeas order?** Only when there is additional evidence to be considered.
  - 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 written Fee Agreement.
  - f. **Describe any other procedures for supersedeas hearings:** N/A
  - g. **Describe procedures for special supersedeas hearings, if different:** N/A

**HEARINGS**

1. **Describe the structure of your hearings and whether you are willing to change your hearing format:** The serial hearing format is utilized, and the parties should be fully prepared to proceed on the merits at the initial hearing, and subsequent thereto in accordance with applicable rules of procedure.
  - a. **Are you willing to change the hearing format upon request?** The hearing format can be altered for any reason which is sensible or reasonable.
2. **Are you willing to allow counsel to participate by telephone?** Yes. If there is telephone capability, and depending on the reason they want to participate by telephone, as well as the nature of the proceeding.
3. **What procedure do you follow if a party fails to appear at a hearing?** Normally reset next available.
4. **Do you have special procedures for psychological injury cases?** No [Click or tap here to enter text.](#)

## 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?** Sufficient notice is required so as to allot sufficient 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?** This is determined by considering notions of sensibility and reasonableness, along with—hopefully—agreement of the parties.
3. **What is your procedure regarding the order of testimony with respect to submission of medical evidence, particularly when cross petitions are filed?** All parties should be prepared to proceed on the merits at the initial hearing, and subsequent thereto in accordance with applicable procedural requirements.
4. **Do the parties need to upload the Bureau and WCOA documents as exhibits or will you admit them electronically as Judge exhibits?** Parties Upload Click or tap here to enter text.
5. **Do you require counsel to upload exhibits to WCAIS before or after the hearing?** Preferably before, but afterward is also acceptable.
  - 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 Click or tap here to enter text.
7. **When will you rule on objections to exhibits?** Normally during the course of hearings, on the record, but—if applicable—in the context of an adjudication on the merits, under the Conclusions of Law section of the adjudication.
8. **What is your procedure for handling discovery disputes, e.g. do you employ telephone conferences, do you prefer to attend certain depositions, etc.?** Telephone conferences normally, unless something needs to be placed on the record, at which time the matter will be set on the next available hearing date.
9. **What is the last day to file written preservations of deposition objections?** At the conclusion of the diary date for closing documents.

## 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 Click or tap here to enter text.
  - 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?** Preferably a day or two before the hearing.
  - c. **Should the parties upload the C&R Agreement, including the fee agreement and any other attachments, before or after the hearing?** Before Click or tap here to enter text.
  - d. **Should child support docs be uploaded as a separate exhibit?** No 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.?)** None.
  - 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?** Whenever appropriate.
- 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:** N/A

### **STIPULATIONS (STIPs) RESOLVING DISPUTES**

- 1. What are your usual procedures regarding the submission, review, and adoption?** No special procedures or requirements
- 2. Should the fee agreement be part of the stip or separate exhibit?** Part of Stipulation, if applicable.
- 3. Should child support documents be uploaded as a separate exhibit?** No [Click or tap here to enter text.](#)
- 4. What other exhibits should be uploaded (i.e. medical bills, etc.)?** Whatever is applicable.
  - 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?** Whenever appropriate.
- 6. Describe any other procedures you have for stips:** N/A

### **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?** Normally 30 days subsequent to the final hearing.
- 3. Describe any preferences regarding the format and content of submissions:** The preferred format should include a summary of the testimony of the various witnesses, followed by the most compelling reasons why the requested relief should be granted or denied.

### **MANDATORY MEDIATIONS**

- 1. List the offices where you conduct mandatory mediations:** Any field office, which is requested.
- 2. Do you require all participants to attend in-person?** No
  - a. Under what circumstances do you permit attendance by phone?** Participation by telephone is almost always acceptable.
- 3. Do you require a Mediation Statement?** No **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?** We schedule mediations at the time they are requested, on a date—and at a time—agreeable to the parties.
- 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?** 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?** N/A

### **VOLUNTARY MEDIATIONS**

1. **Do you conduct Voluntary Mediations?** Yes Click or tap here to enter text.
2. **List the offices where you conduct voluntary mediations:** Any field office.
3. **Do you mediate Disputes assigned to you for hearing and decision?** No Click or tap here to enter text.
4. **Do you mediate Disputes in which one or both parties are unrepresented?** Yes **If yes:**
  - a. **Describe any special procedures:** No special procedures.
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?** No
  - a. **Under what circumstances do you permit attendance by phone?** Participation by telephone is almost always acceptable.
7. **Do you require a Mediation Statement?** No **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.
8. **After you approve a Mediation Request, how long until it's scheduled?** They are scheduled at the time of request, on a date—and at a time—agreeable to the parties.
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:**
  - 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.
11. **What else should the parties know or do before the mediation?** N/A

### **REQUESTS/MISCELLANEOUS**

1. **How far in advance do you require Requests for continuances, changes in hearing times, and extensions to be uploaded into WCAIS?** Normal sensibilities and reasonableness, along with, and in accordance with, professional considerations and courtesies.
2. **Under what circumstances do you conduct conference calls?** Any
3. **Under what circumstances do you accept faxes and e-mails from parties?** Any

4. **Do you adhere strictly to duration listed for a Hearing or Mediation?** As much time as is needed will be utilized.
5. **What is the best way to contact you in an urgent situation?** Any way is acceptable.
6. **What is your snow/emergency cancellation policy (i.e., do you follow a specific school district closing schedule, etc.)?** Be guided by sensibility. Please do not risk life, limb, or property to attend any event. Nothing we do is so urgent that it cannot wait until travel or participation can be done safety and sensibly.