

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?** Testimony will be taken from the claimant, exhibits are marked, and the parties will advise what further evidence they anticipate. First Hearings are scheduled for 30 minutes. Additional time may be requested in advance of the hearing. If the parties wish to present testimony from other witnesses, they should obtain permission prior to the hearing, and provide an estimate of the time required for the hearing.
2. **List any documents required at the first Event:** None
 - a. **Should docs be uploaded as Exhibits or Letters to the Judge?** Choose an item. Click or tap here to enter text.
 - b. **Should docs be uploaded before or after the first Event?** Choose an item. 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 Testimony from the claimant will be taken at the supersedeas hearing.
 - b. **Is additional time generally granted to obtain medical evidence?** Yes. Medical evidence should be submitted within 14 days of the supersedeas hearing.
 - c. **Under what circumstances will you reconsider a supersedeas order?** Supersedeas will be reconsidered if requested prior to a hearing.
 - d. **Do you generally use written orders for denials?** Yes Written orders are issued following the hearing.
 - e. **What is required for employee's counsel to obtain interim fee approval?** Provide a copy of the Fee Agreement.
 - f. **Describe any other procedures for supersedeas hearings:** None.
 - g. **Describe procedures for special supersedeas hearings, if different:** None.

HEARINGS

1. **Describe the structure of your hearings and whether you are willing to change your hearing format:** Serial hearings. The initial hearing is scheduled for testimony of the claimant, following hearings are 15 minute status hearings unless the parties request additional time. If depositions are required, the next hearing will be scheduled in 120 days. If depositions are not required, a further hearing will be scheduled in 30 to 90 days depending on the complexity of the case. Scheduling may also be modified to take into consideration mandatory mediation or voluntary settlement conferences.
 - a. **Are you willing to change the hearing format upon request?** Choose an item. Click or tap here to enter text.

2. **Are you willing to allow counsel to participate by telephone?** Yes Counsel may participate by phone for status hearings and other hearings that do not require testimony from a witness. Participation by phone is discouraged when a witness is testifying. Employer counsel may participate by phone for Compromise and Release Hearings if the paperwork is prepared in advance of the hearing.
3. **What procedure do you follow if a party fails to appear at a hearing?** The petition may be disposed of in the absence of the party, depending on the nature of the petition. Depending on the circumstances correspondence or interlocutory orders may be issued to the absent party.
4. **Do you have special procedures for psychological injury cases?** Yes I offer the opportunity to bifurcate the issues if the parties are in agreement.

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?** I require prior notice of any witness, other than the claimant, for a hearing. I also request an estimate of time for the testimony.
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?** If the issue does not involve credibility issues the witness may testify by deposition. Medical and Vocational experts should testify by deposition. Surveillance testimony should be taken by deposition. The claimant may testify by phone if he/she resides out of the area.
3. **What is your procedure regarding the order of testimony with respect to submission of medical evidence, particularly when cross petitions are filed?** Generally, the party filing the first petition would be considered as the moving party. Consideration would be made regarding the nature of the petitions.
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?** The parties may upload exhibits through the day of the hearing.
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?** At the hearing
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 prefer to handle discovery disputes at hearings. However, I do allow telephone conferences and if requested, I will attend depositions.
9. **What is the last day to file written preservations of deposition objections?** Counsel may preserve objection with the filing of the Proposed Findings of Fact and Conclusions of Law.

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 I prefer amending a pending petition.

- b. **Are parties required to provide a draft of the C&R Agreement before the hearing?** No **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?** Choose an item. The parties are not required to upload the Compromise and Release Agreement. My office uploads the Compromise and Release Agreement after the hearing.
- d. **Should child support docs be uploaded as a separate exhibit?** Yes The child support documents may be uploaded in advance of the hearing and marked as a claimant's exhibit.
- 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 Waiver of Appeal may be uploaded as a separate exhibit. I may review the medical bills and other documents at the time of the hearing to determine if they will be considered as part of the Compromise and Release Agreement.
- f. **Should they be a part of the C&R Agreement or separate exhibits?** The Waiver of Appeal may be uploaded as a separate exhibit. I may review the medical bills and other documents at the time of the hearing to determine if they will be considered as part of the Compromise and Release Agreement.
- g. **When should SSNs and other confidential information be redacted from the C&R Agreement and Act 109 documents?** My office will redact the social security number and other confidential information.
- 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:** None

STIPULATIONS (STIPs) RESOLVING DISPUTES

1. **What are your usual procedures regarding the submission, review, and adoption?** Stipulations will be reviewed and if appropriate adopted. The Stipulation is to be signed by all parties. The Stipulation will be attached to the decision.
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.)?** Click or tap here to enter text.
 - a. **Should they be part of the stip or a separate exhibit?** Other exhibits should be uploaded as separate exhibits.
5. **When should SSNs and other confidential information be redacted from the stip and Act 109 documents?** My office will redact confidential information.
6. **Describe any other procedures you have for stip:** 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?** Proposed Findings of Fact and Conclusions of Law are due as directed at the final hearing or by correspondence. Both sets of findings are due on the same date. A decision may be issued without findings if they are not submitted when due.
3. **Describe any preferences regarding the format and content of submissions:** Proposed Findings of Fact should be concise and accurately summarize the evidence presented.

Arguments should be excluded when summarizing the evidence and any argument should be included in the

resolution section.

The Findings should reference any bureau documents relevant to the decision.

The Findings should identify the burden of proof and whether or not the burden of proof has been met.

Following a summary of the evidence, the Findings should include a resolution of the issues.

The parties should identify the relief that they are seeking.

MANDATORY MEDIATIONS

1. **List the offices where you conduct mandatory mediations:** Pittsburgh and Monaca
2. **Do you require all participants to attend in-person?** No
 - a. **Under what circumstances do you permit attendance by phone?** Claimant and both attorneys attend the mediation. The adjuster/employer representative may participate by phone, but a case where the parties are far apart and the issues more complicated, the presence of the adjuster/employer is very helpful.
3. **Do you require a Mediation Statement? No If yes:**
 - a. **What information do you require in that Statement?** I do not require a Statement but I find them to be very helpful if evidence has not been uploaded into WCAIS.
 - b. **What documents, if any, must accompany the Statement?** N/A
 - c. **How far in advance of the mediation must the parties submit the Statement and accompanying documents?** Up until the time of the mediation.
4. **After you approve a Mediation Request, how long until it's scheduled?** 4 to 6 weeks
5. **Are you willing to conduct more than one session per Dispute?** Yes
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?** The day prior to the mediation.
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:** Pittsburgh and Monaca
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:** None
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?** Claimant and both attorneys attend the voluntary mediation. The adjuster/employer representative may participate by phone, but a case where the parties are far apart and the issues more complicated, the presence of the adjuster/employer is very helpful.
7. **Do you require a Mediation Statement?** No **If yes:**
- a. **What information do you require in that Statement?** I do not require a Statement but I find them to be very helpful if evidence has not been uploaded into WCAIS.
- 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?** Up until the time of the mediation.
8. **After you approve a Mediation Request, how long until it's scheduled?** 4 to 6 weeks
9. **Are you willing to conduct more than one session per Dispute?** Yes
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?** The day prior to the mediation.
11. **What else should the parties know or do before the mediation?** [Click or tap here to enter text.](#)

REQUESTS/MISCELLANEOUS

1. **How far in advance do you require Requests for continuances, changes in hearing times, and extensions to be uploaded into WCAIS?** The earlier the better as the request can be better accommodated. Generally requests will be granted if the opposing side has no objection unless too many continuances have been requested.
2. **Under what circumstances do you conduct conference calls?** I will conduct conference calls.
3. **Under what circumstances do you accept faxes and e-mails from parties?** I accept faxes and e-mails.
4. **Do you adhere strictly to duration listed for a Hearing or Mediation?** If time is available in the schedule I am willing to extend a hearing or a mediation.
5. **What is the best way to contact you in an urgent situation?** Through the Pittsburgh office.
6. **What is your snow/emergency cancellation policy (i.e., do you follow a specific school district closing schedule, etc.)?** Counsel should contact my office if they feel that travel to an event would be hazardous. Postponements will be announced via WCAIS alert.