

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 will be an on the record hearing. At the hearing, relevant bureau documents will be admitted and a mandatory trial schedule will be issued. Most cases will be placed into the mandatory mediation program. Testimony is NOT required at the first hearing. Any other preliminary matters shall be discussed.
2. **List any documents required at the first Event:** Supersedeas exhibits and relevant bureau documents should be presented at the first hearing.
 - 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?** No Testimony is generally not expected.
 - b. **Is additional time generally granted to obtain medical evidence?** Yes The parties may request additional time at the first hearing. 14 days is typically granted, but additional time may be granted for good cause.
 - c. **Under what circumstances will you reconsider a supersedeas order?** Depends on the case, but typically when new evidence will be presented.
 - 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?** Presentation of a reasonable and fully executed contingent 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:** Most cases will be litigated in a serial hearing format. However, the parties may request a modification to the mandatory trial schedule.
 - 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?** No Generally no phone participation by counsel absent good cause.

3. **What procedure do you follow if a party fails to appear at a hearing?** Depends on circumstances of failure to appear and nature of case.
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?** Deposition [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?** At least two weeks prior notice to all parties and the Court is expected.
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?** Depends on the specific facts of the case. Typically permitted when a witness lives beyond a reasonable commuting distance from the venue or for 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?** Typically, the moving party shall present their medical evidence before the nonmoving party.
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 Parties may however upload exhibits to WCAIS before a hearing. **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?** Yes [Click or tap here to enter text.](#)
7. **When will you rule on objections to exhibits?** At a 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.?** At a hearing or by telephone conference.
9. **What is the last day to file written preservations of deposition objections?** Prior to the close of the evidentiary record per Special Rule 131.66(b).

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? 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?** After [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.)?** A single C&R Agreement shall be uploaded with all attachments. No separate exhibits should normally be uploaded.
- 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?** Before uploading the C&R exhibit into WCAIS.
- 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:** Click or tap here to enter text.

STIPULATIONS (STIPs) RESOLVING DISPUTES

- 1. **What are your usual procedures regarding the submission, review, and adoption?** The parties shall advise the WCJ at a hearing or via WCAIS that a Stipulation will be presented for approval. The parties shall next upload the Stipulation with all attachments into WCAIS and await the WCJ's Order.
- 2. **Should the fee agreement be part of the stip or separate exhibit?** Part of Stipulation Click or tap here to enter text.
- 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.)?** All exhibits shall be uploaded as a single exhibit with 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?** Before uploading the exhibit on WCAIS.
- 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?** Final Hearing
- 2. **What are the time requirements for submissions and what procedures are taken when time requirements aren't met?** Typically, each party will be given at least 30 days after the close of the record to submit a brief. The briefing schedule will be given on the record at the final hearing. If any brief is not filed with the Court within the mandated briefing schedule, the WCJ will typically issue a Decision without the brief. If the attorneys are uncertain as to the briefing schedule, they should check the WCAIS brief tab. Additionally, the parties may request an extension to the briefing schedule via WCAIS. Reasonable extension requests will typically be granted on a case by case basis.
- 3. **Describe any preferences regarding the format and content of submissions:** No specific format is required. However, all briefs should contain a procedural history of the case and a summary of the evidence with proposed findings of fact and conclusions of law. A effective brief is more than a mere summary of the evidence, but instead should explain to the WCJ why a party's evidence is credible or not. Specific reasons for the suggested credibility determinations should be provided along with citations to the record. In some cases, a well written and persuasive brief may be adopted in part by the WCJ.

MANDATORY MEDIATIONS

- 1. **List the offices where you conduct mandatory mediations:** Philadelphia and Upper Darby.
- 2. **Do you require all participants to attend in-person?** No

- a. **Under what circumstances do you permit attendance by phone?** In person participation at the mediation is always helpful, but not required.
3. **Do you require a Mediation Statement?** No **If yes:**
- a. **What information do you require in that Statement?** A formal mediation statement is not required. However, a one page memo can be helpful.
- 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?** Depends on the Philadelphia docket. Typically, a mandatory mediation is scheduled about three months after the request is made.
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?** Cancellation requests must go to the assigned judge. Postponement requests must go to the mediating judge. **If you:**
- a. **What is the latest day before the mediation that cancellation or postponement, absent an emergency, can be requested?** 3 days prior to the mediation.
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 Click or tap here to enter text.
2. **List the offices where you conduct voluntary mediations:** Philadelphia and Upper Darby.
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:** 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?** No
- a. **Under what circumstances do you permit attendance by phone?** In person participation at the mediation is preferred but not required.
7. **Do you require a Mediation Statement?** No **If yes:**
- a. **What information do you require in that Statement?** A formal mediation statement is not required. However, a one page memo can be helpful.
- 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?** 1 to 3 months on average.
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?** N/A

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?** At least one week before the event in most cases.
2. **Under what circumstances do you conduct conference calls?** Conference calls are not preferred by the WCJ, but will be permitted in certain situations.
3. **Under what circumstances do you accept faxes and e-mails from parties?** Correspondence to the Judge uploaded onto WCAIS is the most effective and timely method to contact the WCJ. E-mail and fax should only be utilized if authorized by the WCJ. Further, the parties should avoid contacting the WCJ via multiple methods.
4. **Do you adhere strictly to duration listed for a Hearing or Mediation?** The WCJ is normally flexible when it comes to allotted times.
5. **What is the best way to contact you in an urgent situation?** Correspondence to the Judge uploaded onto WCAIS. If genuine emergency, a phone call to WCJ's secretary is permitted.
6. **What is your snow/emergency cancellation policy (i.e., do you follow a specific school district closing schedule, etc.)?** School District of Philadelphia.