

**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, they should be completely redacted before the document is uploaded, unless otherwise specified below. All communications with the Judge, including but not limited to requests, should be submitted through WCAIS unless otherwise specified by the Judge.

**HEARING PROCEDURES**

**1. What is the first event and what will occur?**

Pretrial to schedule procedure to be followed and set date for Claimant's testimony on petitions other than Claim Petitions. The testimony of Claimant will take place at the first hearing on a Claim Petition and the first hearing will be live unless other arrangements are requested. Scheduling procedure will be addressed at the first hearing.

**a. List any documents required at the first event:**

none

**b. Should documents be uploaded as Exhibits or Letters to the Judge?**

Exhibits. Letters are not necessary as most issues can be resolved by Request.

**2. Describe the format of your hearings (e.g., serial, one day – one trial).**

Serial. Most hearings will be virtual since they will usually address status issues. Hearings involving testimony will be live unless other arrangements are Requested.

**3. Are you willing to change the hearing format upon request?**

Yes

**4. What factors will you consider in deciding whether to conduct a hearing in-person?**

Whether or not counsel would like to have testimony taken in person.

**5. What factors will you consider in deciding whether to conduct a virtual hearing by audio only or by audio with video?**

The desires of the party's counsel

**6. What procedure do you follow if a party fails to appear at a hearing?**

Relist and give the party a second chance to attend

**7. Do you have special procedures for psychological injury cases?**

No

## **SUPERSEDEAS PROCEDURES**

### **1. What are your procedures for supersedeas hearings?**

See below

#### **a. Will testimony be heard?**

No

#### **b. Is additional time generally granted to obtain medical evidence?**

Yes 14 days

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

Reasonable additional evidence

#### **d. Do you generally use written orders for denials?**

Yes usually

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

An accepted injury and a fee agreement

#### **f. Describe any other procedures for supersedeas hearings:**

N/A

#### **g. Describe procedures for special supersedeas hearings, if different:**

N/A

## **WITNESSES/EXHIBITS**

### **1. What are your rules regarding taking testimony?**

Polite direct and cross examination and more if necessary

### **2. Do you require testimony at a virtual hearing, an in-person hearing, or by deposition?**

I will take the testimony the way the parties request and we discuss the matter

### **3. Under what circumstances will you change your requirements for presentation of testimony?**

Request of counsel if appropriate

### **4. If counsel wishes to present the testimony of a witness (either virtually or in-person), do you require prior notice? I will now If yes, how much notice do you require? 30 days to properly schedule the testimony**

### **5. What is your procedure regarding the order of expert medical testimony when cross petitions are filed?**

Party filing the first petition will usually proceed first

6. Do the parties need to upload the Bureau and WCOA documents as exhibits or will you admit them electronically as Judge exhibits?

Judge will generally do that

7. Do you require counsel to upload exhibits to WCAIS before or after the hearing? Either will be acceptable If before, how far in advance of the hearing must they be uploaded? Whenever and will discuss them at the last hearing

8. When will you rule on objections to exhibits?

At the last hearing

9. What is your procedure for handling discovery disputes?

Resolve after discussion at hearing or on conference call

10. What is the last day to file written preservations of deposition objections?

With Briefs

### COMPROMISE & RELEASES (C&Rs)

1. Describe your procedures regarding the review of C&R Agreements:

I expect the parties to have reviewed them thoroughly prior to the hearing and I will review them also

- 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?

Amending existing petitions is very acceptable

- b. Are parties required to provide a draft of the C&R Agreement before the hearing? If yes, how far in advance of the hearing do you need to receive it?

No

- c. Should the parties upload the signed C&R Agreement, including the fee agreement and any other attachments, before or after the hearing?

Before the hearing

- d. Should child support documents be uploaded as a separate exhibit?

Yes

- e. Should Social Security numbers and other confidential information be redacted from the C&R Agreement and Act 109 documents?

Yes

- f. Will you sign bench orders?

Yes

**g. Describe any other procedures you have for C&R Agreements:**

**A virtual hearing will be held for approval of the Agreement, except in extenuating circumstances.**

**STIPULATIONS RESOLVING DISPUTES**

**1. What are your usual procedures regarding the submission, review, and adoption of stipulations?**

**When uploaded I will review them and approve them if properly completed and requested**

**2. Should the fee agreement be part of the stipulation or separate exhibit?**

**Separate**

**3. Should child support documents be uploaded as a separate exhibit?**

**Separate**

**4. What other exhibits should be uploaded (i.e. medical bills, etc.)?**

**Yes if they are at issue**

**5. Should other exhibits uploaded as be part of the stipulation or as separate exhibits?**

**Separate**

**6. When should Social Security numbers and other confidential information be redacted from the stipulation and Act 109 documents?**

**Prior to uploading for request and approval**

**7. Describe any other procedures you have for stipulations:**

**N/A**

**BRIEFS AND PROPOSED FINDINGS**

**1. Will you close a case via WCAIS submission or is a final hearing required?**

**Final hearing usually to ensure correct exhibits are being admitted**

**2. What are the time requirements for final submissions and what procedures are taken when time requirements are not met?**

**Submit request when due and extension will be considered**

**3. Describe any preferences regarding the format and content of final submissions:**

**N/A**

## **MANDATORY MEDIATIONS**

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

I'll go anywhere if permitted

- 2. What factors will you consider in deciding whether to conduct a mandatory mediation virtually or in-person?**

Would like to do in person but circumstances may prevent that

- 3. What factors will you consider in deciding whether to conduct a virtual mandatory mediation by audio only or by audio with video?**

Preference of the parties

- 4. Are you willing to allow counsel or a party to participate virtually in an in-person mandatory mediation? If so, under what circumstances?**

Yes if properly Requested

- 5. Do you require a Mediation Statement? No but one is helpful If yes:**

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

Basic information on the issues

- 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?**

Three days

- 6. If there is a request to postpone a mandatory mediation, will it be rescheduled? yes If so, how long until it is rescheduled? Immediately if the parties know when they want to meet**

- 7. Are you willing to conduct more than one mandatory mediation session per Dispute?**

Yes

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

2 days

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

Their position in the case

## **VOLUNTARY MEDIATIONS**

**1. Do you conduct Voluntary Mediations?**

**Yes**

**2. How should the parties request a Voluntary Mediation?**

**By Request through WCIAS**

**3. List the locations where you conduct in-person voluntary mediations:**

**Anywhere**

**4. Will you conduct virtual voluntary mediations? If yes, for which WCOA Districts will you conduct them?**

**Yes any office**

**5. Do you mediate Disputes assigned to you for hearing and decision?**

**Yes**

**6. Do you mediate Disputes in which one or both parties are unrepresented? If yes, describe any special procedures you have for such cases:**

**Yes no special procedure**

**7. What factors will you consider in deciding whether to conduct a voluntary mediation virtually or in-person?**  
**Desire of the parties**

**8. What factors will you consider in deciding whether to conduct a virtual voluntary mediation by audio only or by audio with video?**

**Desire of the parties**

**9. Are you willing to allow counsel or a party to participate virtually in an in-person voluntary mediation? If so, under what circumstances?**

**Yes after proper Request and discussion for the need**

**10. Do you require a Mediation Statement? No If yes:**

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

**N/A**

**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?**

**3 days**

**11. After you approve a Voluntary Mediation Request, how long until it is scheduled?**

**Immediately**

**12. Are you willing to conduct more than one voluntary mediation session per Dispute?**

**Yes**

**13. If the party wants to request cancellation or postponement of a voluntary mediation on a Dispute assigned to you, should they contact you or the mediating Judge?**

**Me**

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

**3 days**

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

**Be prepared**

### **REQUESTS/MISCELLANEOUS**

**1. How far in advance do you require Requests for continuances, changes in hearing times, and extensions to be uploaded into WCAIS?**

**10 days**

**2. Under what circumstances do you conduct off the record conference calls?**

**If agreeable to the parties**

**3. Under what conditions/circumstances do you accept e-mails from parties?**

**Anytime if they are proper and appropriate**

**4. Do you adhere strictly to the duration listed for a Hearing or Mediation?**

**no**

**5. What is the best way to contact you in an emergency situation?**

**By office phone**

**6. What is your snow/emergency cancellation policy regarding in-person and virtual events (i.e., do you follow a specific school district closing schedule, etc.)?**

I will abide by government guidelines and hold virtual hearing if that is what has been scheduled