

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 hearing shall be a pre-trial hearing on ALL petitions, including Claimant generated Petitions. On Claimant generated petitions, Claimant's testimony shall be taken by deposition and Claimant shall provide updated testimony before this Judge at the final hearing. If there are special circumstances where the parties require Claimant's testimony at the first hearing, the parties must advise this judge of this fact and provide the specific reason for this request no later than seven (7) days before the scheduled hearing. This request must be made through WCAIS to be considered. The parties shall advise the judge of the issues in dispute, stipulations and evidence to be presented. A Mandatory Trial Schedule will be issued and a mandatory mediation will be scheduled for the month selected by the parties. All bureau documents shall be submitted into evidence. On a Defendant generated petition, a hard copy of supersedeas exhibits shall be presented by the parties and uploaded into WCAIS.
2. **List any documents required at the first Event:** A hard copy of all bureau documents shall be submitted at the first hearing and are to be uploaded into WCAIS.
 - 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?** After Bureau documents should be uploaded after admitted into the record at a hearing.

SUPERSEDEAS PROCEDURES

1. **What are your procedures for supersedeas hearings?** [Click or tap here to enter text.](#)
 - a. **Will testimony be heard?** No [Click or tap here to enter text.](#)
 - b. **Is additional time generally granted to obtain medical evidence?** Yes Additional time for submissions of supersedeas exhibits may be granted.
 - c. **Under what circumstances will you reconsider a supersedeas order?** Supersedeas will be reconsidered only upon submissions of new, relevant evidence.
 - 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 copy of the fee agreement must be presented at the hearing and uploaded into WCAIS.
 - 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:** The case will be scheduled for an initial hearing, an interim hearing and a final hearing. Additional hearings may be scheduled depending on circumstances.
 - 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 Permission for counsel to attend by telephone will be granted only under very limited circumstances and only for good cause. Any request to participate by telephone must be made seven (7) days in advance of the scheduled hearing and must set forth the specific reason why counsel is unable to attend.
3. **What procedure do you follow if a party fails to appear at a hearing?** No set procedure. It depends on the circumstances of each individual case. However repeated failure to attend hearings without good cause may result in disposition of the petition upon motion of opposing counsel.
4. **Do you have special procedures for psychological injury cases?** Yes Upon request of counsel, I will allow a “closed” hearing for claimant’s testimony.

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 must be provided at least seven days in advances of a scheduling hearing for the testimony of any witnesses. If no notice of the anticipated testimony is not provided, testimony of additional witnesses may only be presented at a hearing if there is sufficient court time. Any witness may testify by deposition upon agreement of counsel.
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 parties agree, deposition testimony of witnesses are permitted.
3. **What is your procedure regarding the order of testimony with respect to submission of medical evidence, particularly when cross petitions are filed?** The moving party shall present its medical evidence first. With cross petitions, the party that filed the first petition is required to present its medical evidence first.
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?** After Bureau documents must be uploaded as exhibits. The parties are required to upload all exhibits. Exhibits can be uploaded after the record is closed, however, all exhibits MUST BE UPLOADED prior to the expiration of the respective party’s briefing schedule. Any exhibits not uploaded after the briefing schedule has expired will generate a further 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?** No set policy or procedure.
8. **What is your procedure for handling discovery disputes, e.g. do you employ telephone conferences, do you prefer to attend certain depositions, etc.?** Discovery disputes shall be put in writing by both parties. Each party shall advise of any and all issues in dispute, set forth each party’s respective position and provide relevant case law, regulation or special rule which would control the issue. The parties must upload this writing through the Request tab in WCAIS.

9. **What is the last day to file written preservations of deposition objections?** Written preservations of objections shall be submitted pursuant to the Special Rules of Practice and Procedure and are due no later than the date that the party's brief is due.

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 The agreement and attachments must be uploaded immediately after the hearing. The parties must ensure that the personal information regarding Claimant's date of birth and social security number is redacted
 - 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.?)** Click or tap here to enter text.
 - 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?** Prior to uploading the documentation.
 - 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:** Hearings on compromise and release hearings are scheduled for the next available hearing date at the parties' request.

STIPULATIONS (STIPs) RESOLVING DISPUTES

1. **What are your usual procedures regarding the submission, review, and adoption?** Stipulations, fee and ACT 109 documents should be uploaded into Exhibits tab; party uploading the Stipulation must also send a request notifying me that the Stipulation has been uploaded.
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** Act 109 documents should be part of Stipulation.
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?** Click or tap here to enter text.
5. **When should SSNs and other confidential information be redacted from the stip and Act 109 documents?** Click or tap here to enter text.
6. **Describe any other procedures you have for stips:** 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?** The matter will be moved to waiting for decision status once the deadline in the briefing schedule has expired.
3. **Describe any preferences regarding the format and content of submissions:** Briefs need only contain statement of facts, issues, argument and a brief conclusion. When presenting your argument, the parties must clearly set forth the reasons why the party's evidence and testimony should be accepted as credible and persuasive.

MANDATORY MEDIATIONS

1. **List the offices where you conduct mandatory mediations:** Click or tap here to enter text.
2. **Do you require all participants to attend in-person?** No
 - a. **Under what circumstances do you permit attendance by phone?** Click or tap here to enter text.
3. **Do you require a Mediation Statement? Yes If yes:**
 - a. **What information do you require in that Statement?** Only the relevant information is necessary for mediation statements. Provide specific basis and reasoning for demand and/or response to demand.
 - 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?** Click or tap here to enter text.
4. **After you approve a Mediation Request, how long until it's scheduled?** Depends on scheduling.
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?** Contact assigned judge for mandatory mediation cancellations; contact mediating judge for cancellation/continuance of voluntary mediations. **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?** 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:** Click or tap here to enter text.
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?** No **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?** Click or tap here to enter text.
7. **Do you require a Mediation Statement? Yes If yes:**
 - a. **What information do you require in that Statement?** Relevant information necessary for mediation.

- 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?** Click or tap here to enter text.
8. **After you approve a Mediation Request, how long until it's scheduled?** Click or tap here to enter text.
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?** Contact assigned judge for cancellation of mandatory mediations; contact mediating judge for cancellation/continuance of voluntary mediations. **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?** 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?** Seven days before the event.
2. **Under what circumstances do you conduct conference calls?** Yes
3. **Under what circumstances do you accept faxes and e-mails from parties?** Under limited circumstances emails will be accepted; parties should generally use the request tab in WCAIS for communication.
4. **Do you adhere strictly to duration listed for a Hearing or Mediation?** Upon good cause, trial schedules will be extended.
5. **What is the best way to contact you in an urgent situation?** Contact my assistant, Remus Lee, or send email to me directly.
6. **What is your snow/emergency cancellation policy (i.e., do you follow a specific school district closing schedule, etc.)?** Click or tap here to enter text.