

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?** Pretrial Hearing
- 2. List any documents required at the first Event:** First Hearing Filing should be submitted by the Moving Party identifying therein nature of petition and relief requested; identity of all witnesses including medical doctors and vocational and whether testimony will be live or by deposition and with dates of depositions.
 - 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. Before is preferred but some times it is understood the same may not be able to be accomplished.

SUPERSEDEAS PROCEDURES

- 1. What are your procedures for supersedeas hearings?** [Click or tap here to enter text.](#)
 - a. Will testimony be heard?** No. Rarely take testimony.
 - b. Is additional time generally granted to obtain medical evidence?** Yes
 - c. Under what circumstances will you reconsider a supersedeas order?** When the evidence warrants a reconsideration.
 - 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?** Submit a signed fee agreement and have supersedeas denied.
 - 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:** One Day/One Hearing format for the most part.
 - a. Are you willing to change the hearing format upon request?** I am willing to change hearing format where warranted. Situations do arise on cases where there is need for more than one hearing and in some cases even several hearings. The same would/should be discussed at the first pretrial hearing (or when the situation arises) so the case can be scheduled appropriately so as to allow the parties adequate time to present their cases and at the same time not delay the final adjudication of the case.

2. **Are you willing to allow counsel to participate by telephone?** Yes. At pretrials where circumstances warrant and in rare circumstances at hearings - usually only C&R Hearings.
3. **What procedure do you follow if a party fails to appear at a hearing?** Case by case basis. Any determination made is done after consideration of the explanation/ reason for the non-appearance and what, if any, prejudice has been caused due to the same.
4. **Do you have special procedures for psychological injury cases?** Yes. For the most part usually try to schedule hearing for claimant testimony before employer IME and before any medical depositions are taken.

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?** Preferred to have notice before hearing scheduled so sufficient time can be set aside for 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?** Where circumstances would warrant, e.g. travel distance, illness. Vocational and medical usually always by deposition. I prefer claimant however to testify live.
3. **What is your procedure regarding the order of testimony with respect to submission of medical evidence, particularly when cross petitions are filed?** If parties agree I usually have no procedure who goes first; otherwise, moving party would proceed first. With cross-petitions the order of testimony would be the first cross-petition filed would then proceed followed in sequence then by any subsequent petitions in the order that they were filed.
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? Before If before:**
 - a. **What is the latest day before the hearing that they may be uploaded?** As soon as possible before the hearing. It is okay to upload the day of the hearing if absolutely necessary.
6. **Do you require counsel to bring exhibit hard copies to the hearing?** Yes. Only if not uploaded prior to the hearing I would like the parties to bring hard copies so that I can use the same to follow along during hearing if necessary.
7. **When will you rule on objections to exhibits?** When appropriate and after considering the arguments of all the parties.
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 hearing or by telephone or by mail. Case by case basis determination made. I rarely, if ever, attend depositions.
9. **What is the last day to file written preservations of deposition objections?** The close of the record date.

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. I try to scan and upload everything pertaining to the C&R at the conclusion of all C&R Hearings so as not to delay the circulation of the decision.
- d. **Should child support docs be uploaded as a separate exhibit?** Yes 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.?)** Fee Agreement, litigation costs and medical bills should be uploaded as separate exhibits.
- f. **Should they be a part of the C&R Agreement or separate exhibits?** Separate exhibits.
- g. **When should SSNs and other confidential information be redacted from the C&R Agreement and Act 109 documents?** Always
- h. **Will you sign bench orders?** Yes. Rarely, but if necessary. My decisions are usually circulated within a day or two.
- 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?** Hearing not necessary to submit the same. Can be uploaded to WCAIS. They should be signed by all parties and identify how it resolves the existing petition(s).
2. **Should the fee agreement be part of the stip or separate exhibit?** Separate Exhibit Click or tap here to enter text.
3. **Should child support documents be uploaded as a separate exhibit?** Yes Click or tap here to enter text.
4. **What other exhibits should be uploaded (i.e. medical bills, etc.)?** Any exhibits should be uploaded as separate exhibits.
 - 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?** Always
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?** WCAIS Submission
2. **What are the time requirements for submissions and what procedures are taken when time requirements aren't met?** Briefs and/or Proposed Findings of Fact and Conclusions of Law due 30 days following close of record. Parties usually given 10 day extension if not submitted timely.
3. **Describe any preferences regarding the format and content of submissions:** The same should summarize the testimony and evidence and identify the issue(s) presented for decision. The proposed findings and conclusions should follow based on the testimony and evidence of record with a proposed order identifying specifically how the petition(s) should be decided.

MANDATORY MEDIATIONS

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

2. **Do you require all participants to attend in-person?** No
 - a. **Under what circumstances do you permit attendance by phone?** I do prefer the attorneys to be present. Claimant, if unable to attend, should be available by telephone as well as the insurance adjuster.
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?** Between 30 to 120 days on average.
5. **Are you willing to conduct more than one session per Dispute?** Yes. Any subsequent sessions I usually do by telephone.
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?** I would prefer to have 10 days notice.
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:** Scranton
3. **Do you mediate Disputes assigned to you for hearing and decision?** Yes. For Voluntary Mediations on cases that are assigned to me (which I do on occasion) I do request however that the attorneys advise me in writing or place on the record at hearing that after performing the voluntary mediation if the matter is not resolved that neither party will request me to recuse myself from handling the case through final decision.
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?** I prefer the attorneys to attend personally. Claimant and adjuster if need be may participate by telephone. However, on voluntary mediations of my own cases I do not talk with either the claimant or insurance adjuster. I only will speak with the attorneys.
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?** 30 to 60 days.

9. **Are you willing to conduct more than one session per Dispute?** Yes. Additional sessions I usually do by telephone.
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?** I prefer 10 days 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?** As soon as the situation arises the party or parties should provide notice of the issue.
2. **Under what circumstances do you conduct conference calls?** Most of the time in order to consider as expeditiously as possible the issue at hand so as not to delay the matter.
3. **Under what circumstances do you accept faxes and e-mails from parties?** I do not accept emails from attorneys. I will accept faxes if an emergency arises in which time is of the essence to act on a request.
4. **Do you adhere strictly to duration listed for a Hearing or Mediation?** No. Case by case basis within reason so as not to delay hearings appearing on the list later the same day.
5. **What is the best way to contact you in an urgent situation?** Fax transmittal copied to opposing counsel or request conference call through my secretary.
6. **What is your snow/emergency cancellation policy (i.e., do you follow a specific school district closing schedule, etc.)?** If office is closed then hearings are cancelled.