

### 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 is a hearing. On a claim or reinstatement petition, claimant's testimony will usually be taken and a scheduling order given. Where defendant is the moving party, supersedeas documents will be accepted and a scheduling order will be given.
2. **List any documents required at the first Event:** Click or tap here to enter text.
  - a. **Should docs be uploaded as Exhibits or Letters to the Judge?** Letter to Judge Click or tap here to enter text.
  - b. **Should docs be uploaded before or after the first Event?** After 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 Click or tap here to enter text.
  - b. **Is additional time generally granted to obtain medical evidence?** Yes. Only for cause shown and if opposing party does not object.
  - c. **Under what circumstances will you reconsider a supersedeas order?** Only after an additional hearing has been held and new evidence 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?** A written fee agreement and a denial of supersedeas.
  - 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:** Serial hearings
  - 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. Only upon a showing of extraordinary circumstances and never in a hearing involving lengthy testimony.
3. **What procedure do you follow if a party fails to appear at a hearing?** Usually, I will wait 24 hours before taking action. If I do not hear from the non-appearing party, appropriate action will be taken.

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?** 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?** At least 30 days so that the time can be reserved.
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?** Upon agreement of the parties.
3. **What is your procedure regarding the order of testimony with respect to submission of medical evidence, particularly when cross petitions are filed?** This is decided on a case by case basis at the first hearing.
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 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. Hard copies are appreciated and encouraged so that timely rulings can be made on objections.
7. **When will you rule on objections to exhibits?** When they are offered.
8. **What is your procedure for handling discovery disputes, e.g. do you employ telephone conferences, do you prefer to attend certain depositions, etc.?** Telephone conferences are preferred. I do not attend depositions.
9. **What is the last day to file written preservations of deposition objections?** With their briefs in a separate writing.

### 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. Hard copies must be supplied at the time of the hearing.
  - d. **Should child support docs be uploaded as a separate exhibit?** No. I consider them part of the agreement, as well as fee agreements, appeal waivers, medical bills, etc.
  - 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?** Social Security numbers should be redacted by counsel when documents are uploaded 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?** Stipulations will be accepted by mail or in person.
2. **Should the fee agreement be part of the stip or separate exhibit?** Separate Exhibit. If a fee agreement has already been submitted, it is not necessary to attach it to a Stipulation.
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.)?** Only those items referenced in the stipulation need to be attached.
  - 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?** Social Security numbers should be redacted by counsel when documents are uploaded into WCAIS.
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. Usually, an announcement will be made at a hearing concerning the final submissions and the time for closing.
2. **What are the time requirements for submissions and what procedures are taken when time requirements aren't met?** A briefing schedule will be issued after the exhibits are all in.
3. **Describe any preferences regarding the format and content of submissions:** At the discretion of counsel.

### **MANDATORY MEDIATIONS**

1. **List the offices where you conduct mandatory mediations:** Wilkes Barre and the Tannersville and Wysox hearing sites.
2. **Do you require all participants to attend in-person?** No
  - a. **Under what circumstances do you permit attendance by phone?** Under most circumstances, both counsel must be present. Claimant is required to attend if practical. Adjusters should be available by telephone.
3. **Do you require a Mediation Statement? Yes If yes:**
  - a. **What information do you require in that Statement?** The average weekly wage, a synopsis of the case and a brief history of negotiations.
  - b. **What documents, if any, must accompany the Statement?** Up to the discretion of counsel.
  - c. **How far in advance of the mediation must the parties submit the Statement and accompanying documents?** 24 Hours would be appreciated.
4. **After you approve a Mediation Request, how long until it's scheduled?** Click or tap here to enter text.
5. **Are you willing to conduct more than one session per Dispute?** Yes. If the parties believe that an additional session would be productive.
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?** 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. Upon request.
2. **List the offices where you conduct voluntary mediations:** Wilkes Barre and the Tannersville and Wysox hearing sites.
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?** A synopsis of the case, Claimant's AWW, and a history of negotiations.
- b. **What documents, if any, must accompany the Statement?** At the discretion of counsel.
- c. **How far in advance of the mediation must the parties submit the Statement and accompanying documents?** 24 hours would be appreciated.
8. **After you approve a Mediation Request, how long until it's scheduled?** Within two weeks.
9. **Are you willing to conduct more than one session per Dispute?** Yes. If the parties feel it would be productive.
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?** 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?** I follow the Rules of Practice. Cause must be shown and opposing parties' positions must be made known.
2. **Under what circumstances do you conduct conference calls?** Upon request by the parties.
3. **Under what circumstances do you accept faxes and e-mails from parties?** I accept faxes followed by a hard copy. I do not accept e-mails.
4. **Do you adhere strictly to duration listed for a Hearing or Mediation?** I try to follow the allotted times to the extent possible.

5. **What is the best way to contact you in an urgent situation?** Call my secretary.
6. **What is your snow/emergency cancellation policy (i.e., do you follow a specific school district closing schedule, etc.)?** Because my hearings are at remote sites, I do not follow a specific policy. Check WCAIS and my office on the morning of the scheduled hearing.