

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?** My first hearing is a pretrial. At that time, the Parties can submit documentary evidence, such as bureau documents or supersedeas materials.
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?** Choose an item. Click or tap here to enter text.
 - b. **Should docs be uploaded before or after the first Event?** Choose an item. 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 I will give Claimant 14 days to respond. I occasionally will extend to 21 days if there is no objection.
 - c. **Under what circumstances will you reconsider a supersedeas order?** Claimant has returned to work or there is newly obtained medical 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?** I require Claimant's Affidavit and a signed 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:** At the pre-trial, I will put the case into the mandatory mediation pool and give the parties a 6-month re-list for a status hearing. During those six months, Claimant is to testify by trial deposition and the parties can schedule their fact witness and/or medical depositions in accordance with the Judge's Rules. At the status hearing, the parties are to give me an update on their progress and I will schedule a Final listing so that Claimant can testify in order for me to assess credibility and for an update on their current physical condition.
 - 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 Click or tap here to enter text.
3. **What procedure do you follow if a party fails to appear at a hearing?** I will generally follow up with an e-mail or letter to counsel

4. **Do you have special procedures for psychological injury cases?** Yes I will give them a special listing in the afternoon.

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?** Desposition 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?** I have two categories of days. The Pre Trial and Status Days (P&S Days) are days in which no testimony will be taken, except for C&Rs and the description of a scar in a specific loss case. The days set aside for testimony are Final Days (F days). I do them in alternate weeks. To fairly apportion time on the F days, I would like two weeks' notice for witnesses other than the Claimant.
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?** The adjuster/employer witness is out of state and more than 3 hours away by car.
3. **What is your procedure regarding the order of testimony with respect to submission of medical evidence, particularly when cross petitions are filed?** The Party seeking to change the status quo with respect to indemnity benefits must go 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 I mark the exhibits and give them back to be uploaded **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?** I will rule on the record 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.?** I will generally use telephone conferences. In cases where the Parties are overly contentious and no meaningful examination of the witness will take place, I will attend the deposition.
9. **What is the last day to file written preservations of deposition objections?** One week prior.

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 The Child Support Information is attached to the Agreement. I mark the whole packet as a Judge's exhibit

- 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, if not already in evidence and the Waiver of Appeal. The Alternative Delivery Authorization is nice, but not necessary
- 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?** Whenever possible
- 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?** I will mark the Stipulation as an exhibit and circulate a decision adopting by reference. The Stipulation itself is attached to the decision.
- 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 They can attach this as an exhibit to the Stipulation
- 4. **What other exhibits should be uploaded (i.e. medical bills, etc.)?** The Fee Agreement should be an attachment
 - 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?** Whenever possible
- 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 I always review the exhibits on the record at the final hearing
- 2. **What are the time requirements for submissions and what procedures are taken when time requirements aren't met?** Party changing the status quo regarding indemnity gets 60 days and the other Party gets 60 days thereafter. If there are no issues involving indemnity, then the Parties go in order of filing. All requests for extensions must be made in WCAIS or by letter. They will generally be granted so long as there is no objection
- 3. **Describe any preferences regarding the format and content of submissions:** I like to get e-mailed copies in Microsoft Word.

MANDATORY MEDIATIONS

- 1. **List the offices where you conduct mandatory mediations:** Philadelphia
- 2. **Do you require all participants to attend in-person?** No
 - a. **Under what circumstances do you permit attendance by phone?** Many of the Insurers are out of State (Alabama, Ohio, etc.) and can only participate by phone.
- 3. **Do you require a Mediation Statement?** Yes **If yes:**

- a. **What information do you require in that Statement?** A basic outline of the procedural posture of the case, the basic underlying facts, the Bureau information (Accepted injury, AWW, and Comp rate.) and a summary of prior negotiations (if any).
 - b. **What documents, if any, must accompany the Statement?** The most recent narrative from the treating doctor and the IME report are helpful. Under no circumstances should a party give me their brief. This isn't a summary judgment hearing.
 - c. **How far in advance of the mediation must the parties submit the Statement and accompanying documents?** One week is preferred, but not necessary. 10 PM the night before is not acceptable.
4. **After you approve a Mediation Request, how long until it's scheduled?** Robert does the scheduling of the MMs
 5. **Are you willing to conduct more than one session per Dispute?** Yes When the Parties have a basic agreement, but need to investigate additional circumstances (pension and/or Medicare status)
 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 me for a postponement; contact assigned WCJ for a cancellation **If you:**
 - a. **What is the latest day before the mediation that cancellation or postponement, absent an emergency, can be requested?** I do my mandatory mediations on Fridays. The request should be made by Wednesday at the latest. I wish that I could fill the mandatory cancellations with voluntaries, but the request for cancellation/postponement usually comes too late.
 7. **What else should the parties know or do before the mediation?** Talk to each other and their respective clients. Don't come into a mediation cold and expect miracles

VOLUNTARY MEDIATIONS

1. **Do you conduct Voluntary Mediations?** Yes As time permits, I like to reserve 1 Friday per month for VMs. I also like to fit VMs into openings on my Mandatory days.
2. **List the offices where you conduct voluntary mediations:** Philadelphia
3. **Do you mediate Disputes assigned to you for hearing and decision?** Yes have been doing this more sparingly as the years have passed. Mediating my own case is fraught with peril.
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?** Yes I do this when mediating my own cases. **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?** See above
7. **Do you require a Mediation Statement?** Yes, see above **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?** I generally schedule 6 weeks in advance on a day reserved for VMs; when I am filling an MM cancellation, it could be a day or two beforehand.

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?** The mediating Judge for a postponement; they should contact me for a cancellation. **If you:**
- a. **What is the latest day before the mediation that cancellation or postponement, absent an emergency, can be requested?** I like at least 48 hours
11. **What else should the parties know or do before the mediation?** See above

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 want them in writing with the reason set forth in the letter. I prefer a letter, but have started to accept e-mails as well
2. **Under what circumstances do you conduct conference calls?** My conference calls usually involve discovery issues
3. **Under what circumstances do you accept faxes and e-mails from parties?** Yes
4. **Do you adhere strictly to duration listed for a Hearing or Mediation?** No
5. **What is the best way to contact you in an urgent situation?** I regularly check my e-mail.
6. **What is your snow/emergency cancellation policy (i.e., do you follow a specific school district closing schedule, etc.)?** link my cancellation policy to the Philadelphia School District