

**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 meeting is a Pre-trial hearing for all cases, except for Petitions to Seek Approval of a Compromise and Release Agreement. If a supersedeas hearing was requested, the first hearing will serve both as a Supersedeas hearing and a Pre-trial hearing. Timeliness is expected. Your late appearance is disruptive to the court, discourteous to your opponent, and adversely affects those individuals scheduled for hearings after you. In the event that you anticipate that you will be late or in another hearing/mediation room at the time of your scheduled hearing, please advise the court reporter or contact my secretary at the Arch Street office [(215) 560-2488] regarding your whereabouts.

Pre-trial hearings are generally held at 9:00 a.m. for a five minute time allotment in a call-of-the-list format. However, there may be occasions when Pre-trial hearings are held at other times of the day based on docket constraints. Please review the Notice of Hearing, which will provide information about the nature of the hearing. The Claimant's testimony will NOT be heard at the Pre-trial hearing, unless the matter is an Employee Challenge that requires testimony.

Please consult the Dispute Summary Hearing Information tab on WCAIS regarding the date, time and nature of your hearing before contacting the Judge's office.

Generally, I will not grant a continuance of the Pre-trial hearing. Requests by attorneys to participate by telephone will be entertained on a case-by-case basis in the event of conflicts in scheduling. The request should be made at least two days in advance of the hearing through the Dispute Summary Requests tab (miscellaneous request).

**USE OF THE WCAIS SYSTEM:**

This Workers' Compensation Judge prefers that all communications regarding a Dispute be made through the WCAIS system. All parties should follow the Special Rules of Administrative Practice and Procedure before Workers' Compensation Judges, all ethical guidelines, and this Judge's procedures when using the WCAIS system. Ensure that your staff understands these rules and procedures.

- All uploading of documentation and requests must be done through the Dispute Summary and not the Claims summary.
- Double check all information that you enter on WCAIS, particularly the information you enter on your pleadings. (proper spelling of names, correct addresses, correct injury dates, etc.)
- Please review your Attorney Profile and fill out all fields, whether they are required or not. Please make sure that your telephone number and e-mail address is in your profile, even if you have chosen to receive WCAIS communications through regular mail rather than e-mail. This is necessary for proper communication with all counsel.
- Please use the Requests tab and not the Documents and Correspondence tab of the Dispute Summary when you are requesting an action by this Workers' Compensation Judge such as an interpreter request, continuance request, motion to quash subpoena, objection, withdrawal of petition, request for withdrawal of counsel, etc.
- Please use the appropriate request type in the Dispute Summary Requests tab.

- The withdrawal petition request is used to withdraw a Petition NOT to withdraw your appearance. Requests for withdrawal of appearance should be made as a miscellaneous request from the Dispute Summary Requests tab.
- An indefinite postponement request is used for a stay due to bankruptcy or other reason. Please do not use this request as a continuance request; use the continuance request designation in the Dispute Summary Requests tab.
- An informal conference is defined by the Pennsylvania Workers' Compensation Act. Please do not use the informal conference request to request a conference call; use the miscellaneous request from the Dispute Summary Requests tab.
- An external party may choose to send a miscellaneous request if a request does not fit into one of the pre-determined WCAIS categories shown in the Dispute Summary Requests tab (e.g. requests for withdrawal or substitution of appearance, motions, requests for approval of stipulation, etc.)
- When you make a request through the Dispute Summary Requests tab, you will have the option to enter details about the request in a details box, to upload any letters or documents relevant to the request, and to choose the parties' positions regarding the request. Provide as much detail about the request as possible.
- The Dispute Summary Documents and Correspondence tab should be used to upload Notices of Deposition and any correspondence not requiring Judge action. A Notice of Deposition should be uploaded as a Notice of Deposition and not as a Letter to the Judge.
- Please familiarize yourself with the Quick Links Widget on your dashboard. A link to the "WCOA Dashboard" is located on the upper right hand side of the dashboard and contains widgets for "Upcoming Briefs", "WCOA Petitions/Answers", "WCOA requests", and "Judge Communication". Most communications from my office will appear in the Judge Communications table. You can see the Judge Communications in real time, even if you have elected to receive WCAIS communications by regular mail rather than e-mail.
- If you upload a document through the Exhibits tab on WCAIS and can see the document through the view hyperlink, WCAIS will provide notice of the upload to the Judge's office. There is no need to send an additional copy by any other method, unless specifically requested by the Judge.
- If you upload a document through the Documents and Correspondence tab on WCAIS and receive confirmation of the upload, WCAIS will provide notice of the upload to the Judge's office. There is no need to send an additional copy by any other method, unless specifically requested by the Judge.
- All exhibits should be uploaded through the Exhibits tab. Do NOT upload exhibits through any other tab.
- If you feel it is necessary to communicate with the Judge's office outside of the WCAIS system, then choose one communication method. Do NOT send the same correspondence by e-mail, regular mail, fax, and hand delivery. There is no need to send multiple copies of correspondence, particularly if it has been uploaded on WCAIS.

- 2. List any documents required at the first Event:** The preparation and submission of a written Pre-trial stipulation is optional. However, all parties must be prepared to orally advise the judge, on the record, regarding the allegations and issues of fact and law concerning the presentation or defense of the case; regarding any proposed amendments to the pleadings; regarding any stipulations of fact; regarding the average weekly wage; regarding the names and addresses of medical and fact witnesses; regarding the current address of the Claimant; and regarding any other subjects which may aid in the disposition of the proceedings.

The parties should consult the WCAIS system prior to the Pre-trial hearing to ensure that all information in the Interested Parties & Associated Recipients tab of the Dispute Summary is accurate. In the event of any inaccuracies, an Interested Party form (LIBC-113) should be completed and provided at the hearing. The form may also be completed and forwarded prior to the hearing by sending a request through the Dispute Summary requests tab (miscellaneous request).

At the first hearing, the parties are required to provide all Bureau documentation or Workers' Compensation Judge's decisions that control payment or non-payment of workers' compensation benefits in the matter. A statement of wages should also be provided. The documentation should be uploaded into the Dispute Summary Exhibits tab after the hearing in the manner marked and admitted at the hearing.

- a. **Should docs be uploaded as Exhibits or Letters to the Judge?** Do not upload these documents. No first hearing filings are required.
- b. **Should docs be uploaded before or after the first Event?** After the event except during the COVID period.

### SUPERSEDEAS PROCEDURES

1. **What are your procedures for supersedeas hearings?** [Click or tap here to enter text.](#)
  - a. **Will testimony be heard?** No The usual procedure is that evidence in the form of records, reports, and affidavits of the Claimant and other witnesses will be permitted. If a party wishes to present testimony in support of or in opposition to the supersedeas request, a written request must be made at least fourteen days prior to the hearing, and the request must be approved by the Judge. The request will usually be granted but the testimony should be brief. All requests for testimony on supersedeas should be made through the Dispute Summary Requests tab (miscellaneous request) on WCAIS.
  - b. **Is additional time generally granted to obtain medical evidence?** Yes Requests for additional time to submit supersedeas documentation will usually be granted to allow the responding party an additional fourteen (14) days to submit this evidence. The moving party should have all of its supersedeas evidence available at the Pre-trial hearing.
  - c. **Under what circumstances will you reconsider a supersedeas order?** Requests for reconsideration will be considered only if compelling and new evidence is presented. Requests for reconsideration should be made through the Dispute Summary Requests tab (miscellaneous request) on WCAIS.
  - d. **Do you generally use written orders for denials?** Yes The granting or denial of the supersedeas request is generally memorialized in a written order.
  - e. **What is required for employee's counsel to obtain interim fee approval?** Counsel may request an order for payment of interim counsel fees upon submission of an executed counsel fee agreement. Any such request should be made through the Dispute Summary Requests tab (miscellaneous request) of WCAIS.
  - f. **Describe any other procedures for supersedeas hearings:** Supersedeas documentation should be uploaded into the Dispute Summary Exhibits tab after the supersedeas hearing. The Exhibit name and Exhibit description should be entered as "Claimant's supersedeas documentation" or "Employer's supersedeas documentation". When entering the Exhibit information, please remember to check off the supersedeas box located next to the Exhibit description box.
  - g. **Describe procedures for special supersedeas hearings, if different:** Brief testimony from the Claimant will be heard on an Employee Challenge.

### HEARINGS

1. **Describe the structure of your hearings and whether you are willing to change your hearing format:** A one day/one trial format will be used that will consist of a Pre-trial hearing and a Final hearing. The Final hearing will be held approximately nine months from the date of the Pre-trial hearing or sooner, if the parties are ready to proceed. At the Final hearing, the Claimant must be present to testify in person before the Judge. Any exception to this requirement will only be made for good cause shown. At the Final hearing, all depositions and other evidence will be introduced, the record will close, and a briefing schedule will be set. Any requests to re-open the record must be made in writing through the Dispute Summary Requests tab (miscellaneous request). All deposition transcripts, litigation costs, itemization of quantum meruit attorney fees, medical bills etc. must be submitted at the Final hearing. No evidence will be accepted after the Final Hearing except for an updated bill of costs, updated quantum meruit fee request, and updated child support documentation. All parties must preserve any objections made at a deposition at the time of the Final hearing in writing or the objections will be waived.
  - a. **Are you willing to change the hearing format upon request?** Not usually but will be considered on a case-by-case basis.

2. **Are you willing to allow counsel to participate by telephone?** Yes Participation by telephone will only be permitted at hearings when testimony will not be taken and only when the request is made in advance through the Dispute Summary Requests tab (miscellaneous request), except during the COVID period.
3. **What procedure do you follow if a party fails to appear at a hearing?** There is no standard procedure. The consequences of non-attendance at a hearing when a party is provided with proper notice will depend upon the circumstances of the case and will include dismissal of the matter, if warranted.
4. **Do you have special procedures for psychological injury cases?** No If you need a special accommodation for reasons related to the psychological condition of your client or a witness, a written request should be made in advance of the hearing through the Dispute Summary Requests tab (miscellaneous request).

### 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?** Deposition.
  - 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?** The Claimant must testify at the Final hearing. Expert witnesses (medical, vocational, investigative, etc.) and fact witnesses may testify by trial deposition. A special listing to hear the testimony of fact witnesses at a hearing will be scheduled if written notification is provided at least sixty days in advance of the Final hearing date through the Dispute Summary requests tab (miscellaneous request). Otherwise, the testimony must be taken by deposition.
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?** All testimony may be taken by deposition, but the Claimant must testify at the Final hearing. A witness may testify by telephone if all parties are in agreement. If there is an objection to testimony by telephone, then the objection should be made through the Dispute Summary Requests tab (objection request).
3. **What is your procedure regarding the order of testimony with respect to submission of medical evidence, particularly when cross petitions are filed?** All testimony may be taken by deposition, but the Claimant must testify at the Final hearing. A witness may testify by telephone if all parties are in agreement. If there is an objection to testimony by telephone, then the objection should be made through the Dispute Summary Requests tab (objection request).
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 All exhibits should be uploaded through the Dispute Summary Exhibits tab on WCAIS. Do not upload Exhibits through any other Dispute Summary tab. When uploading Exhibits, you must include an accurate description of the Exhibit in the Exhibit name and Exhibit description fields. The same information should be entered into both of these fields. The Exhibit should be uploaded exactly as marked and admitted at the hearing. Avoid uploading Exhibits in parts. Use the WCAIS Help instructions to reduce the file size. If you must upload an Exhibit in parts, designate the individual parts as part one, part two, etc. If you are uploading a Deposition Transcript, designate the document as a Deposition Transcript and not as an exhibit. All other exhibits can be uploaded as exhibits. Do not forget to upload any exhibits attached to the deposition transcript. Do not upload exhibits on the WCAIS system after the close of the record if they were not previously entered into evidence at a hearing. The only exception are updated litigation costs, updated quantum meruit fee statements, and updated child support documentation submitted with Proposed Findings of Fact, Conclusions of Law, and Brief. You must make a formal request to re-open the record in order to submit additional evidence after the close of the record. The request should be made through the Dispute Summary Requests tab (miscellaneous request). All permitted exhibits submitted with the Proposed Findings of Fact, Conclusions of Law, and Brief should also be uploaded individually in the Exhibits tab. Litigation costs should be contained in a separate writing with supporting documentation, which should be uploaded through the Exhibits tab and not just listed in the Proposed Findings of Fact. **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?** Generally, objections are ruled upon at the time of submission 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.?** In general, discovery disputes are discouraged, and the parties are encouraged to communicate with each other to resolve such disputes. However, when necessary, discovery disputes may be presented in writing through the Dispute Summary Requests tab (miscellaneous request). The dispute will be resolved by telephone conference on the record, or by order or other writing at the Judge's discretion. This Judge does not accept spur-of-the-moment conference calls off the record. If this Judge determines that a conference call is necessary, a call will take place on a hearing day to obtain an accurate record of the dispute. Attendance at depositions will not be considered.
9. **What is the last day to file written preservations of deposition objections?** The Final hearing before the record is closed. No written preservation of deposition objections will be accepted after the close of the record.

### **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 Amendments to existing Petitions will be permitted. The filing of an additional petition is neither necessary nor desired. However, a Petition to Seek Approval of a Compromise and Release Agreement will need to be filed if a) the pending petition must remain open for decision after the resolution and there are no other open petitions under the dispute number or b) the Compromise and Release Agreement resolves claims for multiple injury dates, and there is no open Petition under a particular injury date. In order to close all injury dates, there must be an open Petition under each dispute number/injury date to amend or a Petition to Seek Approval of a Compromise and Release Agreement must be filed under that dispute number.
- b. **Are parties required to provide a draft of the C&R Agreement before the hearing?** Yes **If yes:**
- i. **How far in advance of the hearing do you need to receive it?** Compromise and Release agreements should be submitted prior to the hearing in order to allow for judicial review. The document should be sent through the Dispute Summary Requests tab (miscellaneous request) on WCAIS and by e-mail during the COVID period.
- c. **Should the parties upload the C&R Agreement, including the fee agreement and any other attachments, before or after the hearing?** After The Compromise and Release Agreement should be uploaded through the Dispute Summary Exhibits tab after the hearing in the manner marked and admitted at the Compromise and Release hearing. The Exhibit name and Exhibit description boxes should indicate the following: "Compromise and Release Agreement with attachments". Abbreviations and shorthand notations should not be used in the Exhibit name and description boxes. All attachments should be uploaded with the Agreement. (contingent fee agreement, child support documentation, Medicare documentation, Authorization for Alternative delivery, etc.) Redaction of social security numbers is required on all uploads. On the rare occasion that a Bench Order may be issued, the Bench Order should not be uploaded as part of the Exhibit.
- d. **Should child support docs be uploaded as a separate exhibit?** No All Compromise and Release Agreements and attachments will be marked as Exhibit Joint-1 at the Compromise and Release hearing.
- 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.?)** The Compromise and Release Agreement should be uploaded in the exact manner marked and admitted at the Compromise and Release hearing.
- 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?** The documentation should contain the confidential information when presented at the Compromise and Release hearing for judicial review. Redaction should occur after the hearing and prior to the upload of the document.
- h. Will you sign bench orders?** No A Bench Order will generally not be issued. If immediate circulation of a Decision is required then a request must be made at the hearing.
- i. Describe any other procedures you have for C&R Agreements:** Compromise and Release hearings are normally scheduled at 9:00 a.m. along with all Pre-trial hearings. Compromise and Release hearings will usually be heard at the end of the call of the list at approximately 9:20 a.m. to 9:30 a.m., but may be heard earlier if time permits. You must appear at your hearing at 9:00 a.m. Failure to appear at the scheduled time may result in the hearing being postponed and reconvened at a later date, if there is not sufficient time to complete your hearing before the first slotted listing for testimony.

If you are scheduled for a Pre-trial hearing, and the matter resolves before the scheduled hearing, you must request permission to present a Compromise and Release Agreement at the Pre-trial hearing through the Dispute Summary Requests tab (miscellaneous request).

If you are scheduled for a status hearing or Final hearing, and the matter resolves before the scheduled hearing, you must advise this Judge concerning the resolution and request permission to present a Compromise and Release Agreement at the hearing or on some other date through the Dispute Summary Requests tab (miscellaneous request).

There may be occasions when Compromise and Release hearings are scheduled at other times of the day based on docket constraints.

Compromise and Release Agreements should be uploaded into the WCAIS system within two business days after the Compromise and Release hearing, as time is of the essence.

If any petitions will remain open for decision after the Compromise and Release Agreement, all evidence on the open petitions must be submitted at the Compromise and Release hearing.

Please review the following checklist before the Compromise and Release hearing:

- are you using the most current Compromise and Release Agreement form? - is the Claimant's name, current address, social security number, and date of birth properly designated on the form and on any attachments?
- is the Employer/insurance carrier/third party administrator information accurate?
- is an accurate Dispute number on the Agreement?
- have you checked for spelling errors?
- is every agreed upon provision written in understandable form on the agreement form?
- does the agreement state the total amount of the settlement?
- does the agreement explain the net settlement amount by indicating any reductions from the total settlement amount for attorney fees, child support, etc.?
- Are you prepared to present the agreement? (the agreement is completely filled out; all necessary language is included in the agreement; you have met with your client beforehand and familiarized him/her with the terms of the agreement; you have scheduled an interpreter, if needed; the agreement is properly witnessed or notarized)
- Have you properly scheduled an interpreter? You may not use your own interpreter. Interpreters must be requested through the Dispute Summary Requests tab (interpreter request) at least 14 days prior to the hearing with no exceptions. If you have forgotten to request an interpreter, then you must make a continuance request through the Dispute Summary Requests tab (continuance request).
- Are there child support or spousal support issues regarding your case, and do you have the appropriate documentation from the proper authorities?

- Are there Medicare issues regarding your case, and do you have the appropriate documentation from the proper authorities? The parties must seek approval from the Centers for Medicare and Medicaid Services in those cases where this approval is required.

-Does the Agreement specify whether the past medical expenses have been resolved, what past medical expenses will be paid, and adequately consider any pending Petitions for Utilization Review Determination?

- Do you have a Compromise and Release Agreement for each injury date being resolved? Have you filed a Petition to Seek Approval of a Compromise and Release Agreement for any injury dates/dispute numbers that are closed with no open petitions?

### **STIPULATIONS (STIPs) RESOLVING DISPUTES**

- 1. What are your usual procedures regarding the submission, review, and adoption?** All stipulations should comply with the Special Rules of Administrative Procedure before Workers' Compensation Judges. The stipulation will be rejected if it is not signed by the Claimant or unrepresented Employer, if it is not in compliance with the Special Rules, or if child support documentation is not provided when needed. If a stipulation is not submitted at a hearing, it should be submitted through the Dispute Summary Requests tab (miscellaneous request) for judicial review. The request should contain a cover letter and a copy of the stipulation with any attachments including the fee agreement and child support documentation, if needed. The Stipulation and all attachments referred to in the stipulation, as well as the child support documentation, should also be simultaneously uploaded as one document in the Dispute Summary Exhibits tab with the Exhibit name and description as follows: "Stipulation of Facts". All social security numbers should be redacted on the Exhibit upload.
- 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 [Click or tap here to enter text.](#)
- 4. What other exhibits should be uploaded (i.e. medical bills, etc.)?** All attachments referred to in the Stipulation should be made part of the Stipulation Exhibit.
  - 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?** The Stipulation and attached documentation should be redacted before they are uploaded in the Dispute Summary Exhibits tab. The request sent through the Dispute Summary Requests tab should not be redacted so that it can be reviewed by the Judge.
- 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
- 2. What are the time requirements for submissions and what procedures are taken when time requirements aren't met?** The briefing schedule will be set at the Final Hearing in consultation with the parties. If the parties require an extension of the briefing schedule, the parties must make a formal request through the Dispute Summary Briefs tab before the running of the briefing schedule.
- 3. Describe any preferences regarding the format and content of submissions:** All Proposed Findings of Fact, Conclusions of Law, and Briefs should be uploaded in the Dispute Summary Briefs tab on WCAIS. Do not upload these documents in the Exhibits tab or the Documents and Correspondence tab. If you are unable to properly upload your Proposed Findings of Fact, Conclusions of Law, and Briefs, send a request through the Dispute Summary Requests tab (miscellaneous request) and explain your difficulty.

This Judge prefers the following format for all Proposed Findings of Fact, Conclusions of Law, and Briefs: - Times New Roman, 12 point font, single spaced.

- Numbered Findings starting at the left hand margin.
- A finding providing a complete list of all litigation costs. The costs should be in two columns (the left hand column with the name of the entity; the right hand column with the amount expended to the entity). The litigation costs should not to be typed into a table/chart/cell.
- Summarize all evidence of record.
- Summarize each deposition and hearing transcript individually; do not combine summaries if the Claimant or a witness testifies on more than one occasion, unless the additional testimony is a continuation of prior testimony (direct is taken one day; cross is taken another day).
- Summaries of evidence should be accurate.
- Address all factual and legal issues.
- Provide reasons why testimony should be found to be credible or not credible.
- Cite to the record. - Clearly state what relief you are seeking from the Judge.
- Address all elements of your claim.
- Address all defenses to the claim. - Address all burdens of proof.
- Provide calculations and the basis for calculations in complex average weekly wage cases, pension offset cases, etc.
- Provide calculations and the basis for calculations in complex average weekly wage cases, pension offset cases, etc.
- Provide accurate dates throughout the document (dates of injury, dates of alleged disability, dates of surgery, dates of termination of employment, etc.)

### **MANDATORY MEDIATIONS**

1. **List the offices where you conduct mandatory mediations:** Philadelphia District office.
2. **Do you require all participants to attend in-person?** Choose an item.
  - a. **Under what circumstances do you permit attendance by phone?** Personal attendance at the mediation is preferred. Requests for telephone participation are considered on a case-by-case basis.
3. **Do you require a Mediation Statement? Yes If yes:**
  - a. **What information do you require in that Statement?** No specific format is required. However, the following information is helpful:
    - Case caption and Dispute Number
    - Date and time of Mediation
    - Type of petitions pending
    - Name of Assigned Judge
    - Date of Injury
    - Claimant's age
    - Claimant's educational level
    - Last date of employment
    - Allegations of pending petitions
    - Average weekly wage and compensation rate
    - Annual compensation rate for one through seven years
    - Description of the accepted injury or alleged injury
    - Names of medical experts
    - Status of litigation
      - Strengths and weaknesses of your case and your opponent's case
    - Last demand and last offer
    - Reasons for the current demand and offer



- Status of settlement negotiations
- Any impediments to settlement
- Special considerations such as liens, child support problems, Medicare issues, third party litigation or other ancillary issues that might impact the resolution
- Summary of past medical bills due and owing
- Summary of litigation costs
- Negotiable and non-negotiable issues affecting settlement

**b. What documents, if any, must accompany the Statement?** No documents are required.

**c. How far in advance of the mediation must the parties submit the Statement and accompanying documents?** At least 48 hours in advance of the mandatory mediation.

4. **After you approve a Mediation Request, how long until it's scheduled?** Mandatory mediations are scheduled during the timeframe requested by the parties at the Pre-trial hearing.
5. **Are you willing to conduct more than one session per Dispute?** Yes Requests for second sessions are considered on a case-by-case basis. These sessions will be scheduled as a voluntary mediation.
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?** Philadelphia District office procedures require that you contact the Mediating Judge for postponements and the Assigned Judge for cancellations due to futility. You may send a letter to the Mediating Judge or Assigned directly through the WCAIS system.
  - a. **What is the latest day before the mediation that cancellation or postponement, absent an emergency, can be requested?** The parties should contact the Mediating Judge as soon as possible before the Mediation date. Requests for postponement or cancellation will be considered on a case-by-case basis.
7. **What else should the parties know or do before the mediation?** The parties should adequately prepare for the mediation by obtaining all required information, by obtaining authority from an adjuster/Employer, and in appropriate instances, by contacting the opposing party to initiate negotiations before the mediation.

### **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:** Philadelphia District office.
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?** Personal attendance at the mediation is preferred. Requests for telephone participation are considered on a case-by-case basis.
7. **Do you require a Mediation Statement?** Yes **If yes:**
  - a. **What information do you require in that Statement?** No specific form is required, but the following information is desired in advance of the mediation.
    - Case caption and Dispute Number
    - Date and time of Mediation
    - Type of petitions pending
    - Name of Assigned Judge

- Date of Injury
- Claimant's age
- Claimant's educational level
- Last date of employment
- Allegations of pending petitions
- Average weekly wage and compensation rate
- Annual compensation rate for one through seven years
- Description of the accepted injury or alleged injury
- Names of medical experts -Status of litigation
- Strengths and weaknesses of your case and your opponent's case
- Last demand and last offer
- Reasons for the current demand and offer
- Status of settlement negotiations
- Any impediments to settlement
- Special considerations such as liens, child support problems, Medicare issues, third party litigation or other ancillary issues that might impact the resolution
- Summary of past medical bills due and owing
- Summary of litigation costs
- Negotiable and non-negotiable issues affecting settlement

**b. What documents, if any, must accompany the Statement?** No documents are required.

**c. How far in advance of the mediation must the parties submit the Statement and accompanying documents?** At least 48 hours in advance of the mediation.

**8. After you approve a Mediation Request, how long until it's scheduled?** The timeframe is variable.

**9. Are you willing to conduct more than one session per Dispute?** Yes Requests for additional sessions will be considered on a case-by-case basis.

**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?** The parties should contact the Voluntary Mediation Judge as soon as possible before the Mediation date. Requests for postponement or cancellation will be considered on a case-by-case basis.

**11. What else should the parties know or do before the mediation?** The parties should adequately prepare for the mediation by obtaining all required information, by obtaining authority from an adjuster/Employer, and in appropriate instances, by contacting the opposing party to initiate negotiations before the mediation.

### REQUESTS/MISCELLANEOUS

**1. How far in advance do you require Requests for continuances, changes in hearing times, and extensions to be uploaded into WCAIS?** All requests should comply with the Special Rules of Administrative Procedure before Workers' Compensation Judges. Continuance requests should be submitted through the Dispute Summary Requests tab on WCAIS as a continuance request. Other requests that are not continuance requests should be submitted through the Dispute Summary Requests tab on WCAIS as a miscellaneous request, unless the request fits within one of the pre-determined categories in the drop down box on WCAIS. See Question #1 for a complete outline regarding the use of WCAIS.

**2. Under what circumstances do you conduct conference calls?** This Judge does not accept spur-of-the-moment conference calls that are off-the-record. Requests for a conference call should be made in writing through the Dispute Summary Requests tab (miscellaneous request). If this Judge determines that a conference call is necessary, a call will take place on the first available hearing day to obtain an accurate record of the dispute.

**3. Under what circumstances do you accept faxes and e-mails from parties?** Faxes will no longer be accepted. Communications can be accomplished through WCAIS. Communications by e-mail should be limited to responses to

e-mail transmissions initiated by this Judge or to communications requested by this Judge, such as Confidential Mediation Memoranda. The subject of most e-mail transmissions can be accomplished through WCAIS.

4. **Do you adhere strictly to duration listed for a Hearing or Mediation?** This Workers' Compensation Judge endeavors to stay within the allotted time scheduled for a hearing or mediation. The allotted time may be extended if there is sufficient time available to do so on the day of the hearing or mediation.
5. **What is the best way to contact you in an urgent situation?** Make a request through the Dispute Summary Requests tab (continuance or miscellaneous request).
6. **What is your snow/emergency cancellation policy (i.e., do you follow a specific school district closing schedule, etc.)?** In the event that the Philadelphia public schools are closed for the day due to inclement weather (meaning snow, sleet, hail, freezing rain or ice) during the fall/winter months, any hearings and mediations scheduled for that day will automatically be cancelled and re-scheduled. The hearings will be re-listed as soon as possible. This policy does not mean that the office is closed, but merely that the hearings/mediations have been cancelled.

Closings in school districts other than Philadelphia do not apply. You must request a continuance through the Dispute Summary Requests tab (continuance request), if you have a basis for a continuance request due to inclement weather in your area.

A delayed closing by the Philadelphia school district or any other school district during the school day does not apply (i.e. if your child's school unexpectedly decides to close the school at noon, when it was open earlier in the day). You must request a continuance through the Dispute Summary Requests tab (continuance request), if you have a basis for a continuance request due to a school closing.

If there are any delays in school starting times due to inclement weather (such as a two hour delay), this will not affect the hearing/mediation schedule. Your hearing/mediation will not automatically be cancelled or delayed in starting time. You must request a continuance through the Dispute Summary Requests tab (continuance request), if you have a basis for a continuance request.

If there are any school closings in the Philadelphia school district or any other school district for reasons other than inclement weather (such as gas main breaks, heater malfunctions, mold, etc.), this will not affect the hearing/mediation schedule. Your hearing/mediation will not automatically be cancelled. You must request a continuance through the Dispute Summary Requests tab (continuance request), if you have a basis for a continuance request.

This policy only applies to inclement weather during the fall/winter months. In the event of other emergency situations during the remainder of the year, use a common sense approach. If it is too dangerous to travel or attend a hearing due to an emergency, natural disaster, or other unanticipated event, make a continuance request through WCAIS and check the Judge communication widget for a response. All reasonable requests will be accommodated.