

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?** At all first hearings, the trial and mandatory mediation schedule will be set forth in a statement on the record. Any amendments to the pleadings, pre-trial stipulations, and bureau documents should also be offered on the record at this time. For most Claimant-generated Petitions, the testimony of the Claimant should be presented, and for Employer-generated Petitions, a supersedeas hearing will be held. All proceedings and submissions shall be in accordance with the Special Rules of Administrative Practice and Procedure before Workers' Compensation Judges.
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?** Exhibits 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
 - c. **Under what circumstances will you reconsider a supersedeas order?** Upon good cause shown.
 - 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?** Upon good cause shown.
 - 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:** A modified serial hearing format will be used consisting of an initial hearing followed by a final hearing approximately 8 months later for all evidence and to close the record. Interim hearings will be scheduled at the request of the parties, and in the Judge's discretion.
 - 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?** No Click or tap here to enter text.
3. **What procedure do you follow if a party fails to appear at a hearing?** To be determined on a case by case basis, and in accordance with the Act and applicable case law.

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?** Claimants are required to testify live, unless there are compelling reasons for the taking of a deposition. All medical experts may testify by trial deposition. Vocational and lay witnesses also may testify by trial deposition, unless circumstances require live testimony. Two weeks notice to all parties is suggested for live witness testimony.
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?** Witnesses may testify by trial deposition, but testimony by phone will only be permitted upon good cause shown.
3. **What is your procedure regarding the order of testimony with respect to submission of medical evidence, particularly when cross petitions are filed?** Testimony is to be presented by the moving party first, followed by the responding party. Cross petitions will be heard in chronological order according to the filing date of each petition.
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 admitted into the record should be uploaded into WCAIS by the submitting party prior to the filing of briefs and 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?** At the time the exhibit is offered into evidence 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.?** Discovery disputes may be addressed at a hearing, or by telephone conference. Telephone conference requests require a letter stating the reason for the conference, and the position of each party.
9. **What is the last day to file written preservations of deposition objections?** At 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 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 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.)?** All attachments to C&R Agreements should be uploaded as part of the agreement itself.
- 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?** At the time the exhibit is 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?** In accordance with 34 PA Code Section 131.91.
- 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.)?** As part of the Stipulation.
 - 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?** At the time the exhibit is 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?** Final Hearing
- 2. **What are the time requirements for submissions and what procedures are taken when time requirements aren't met?** Briefs, Proposed Findings of Fact, and other post-trial submissions are to be filed in accordance with Section 131.101 of the Special Rules of Practice and Procedure. Specific time frames will be given at the close of the record as circumstances dictate. Requests for extension of time must be made in writing, and in WCAIS before the original due date. It will be within the Judge's discretion to dispose of a case in the absence of a brief, or to not consider a brief that is untimely.
- 3. **Describe any preferences regarding the format and content of submissions:** In accordance with Section 131.101(h) of the Special Rules of Practice and Procedure.

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?** All Counsel and Claimant are required to attend the mediation. Employer representatives are encouraged to attend in person, but must be available by telephone for consultation with their counsel.
- 3. **Do you require a Mediation Statement?** Yes **If yes:**
 - a. **What information do you require in that Statement?** The information requested in the Mediation Disclosure Statement is to be supplied by each party participating in the 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?** The Statement must be submitted within five days of the mediation.
4. **After you approve a Mediation Request, how long until it's scheduled?** As scheduling and circumstances permit.
 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?** Philadelphia office procedures require that requests for postponement be made to the Mediating Judge, and requests for cancelation be made to the Assigned Judge. **If you:**
 - a. **What is the latest day before the mediation that cancellation or postponement, absent an emergency, can be requested?** Five days in advance of the mediation.
 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:** Philadelphia. Upper Darby and Malvern may also be considered.
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?** Yes
 - a. **Under what circumstances do you permit attendance by phone?** See above
7. **Do you require a Mediation Statement?** Yes **If yes:**
 - a. **What information do you require in that Statement?** Same as above
 - 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?** Same as above
8. **After you approve a Mediation Request, how long until it's scheduled?** Same as above
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 should be contacted for voluntary mediations. **If you:**
 - a. **What is the latest day before the mediation that cancellation or postponement, absent an emergency, can be requested?** Five days in advance of 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?** Continuances may be granted upon good cause shown and must be made in accordance with Section 131.13(a) through (n) of the Special Rules. Such requests must contain the information required in Section 131.13(g), and must be made within the time frames set forth in Section 131.13(d) and (f).
- 2. Under what circumstances do you conduct conference calls?** Yes
- 3. Under what circumstances do you accept faxes and e-mails from parties?** Email communications will be accepted by way of the Philadelphia Resource User Account: WCOA-PhilaArchStreet@pa.gov and copied to all parties.
- 4. Do you adhere strictly to duration listed for a Hearing or Mediation?** Additional time may be allotted as circumstances require.
- 5. What is the best way to contact you in an urgent situation?** By phone or by email to the Resource User Account as stated above.
- 6. What is your snow/emergency cancellation policy (i.e., do you follow a specific school district closing schedule, etc.)?** In accordance with the Southeastern District Snow/Emergency Policy posted at the Philadelphia Office. In addition, please note that when the Philadelphia School District has a two hour delay, it is this Judge's policy to cancel hearings scheduled on that day.