

Workers' Compensation Judges' Procedural Questionnaire

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.

Table of Contents

- A. [First Event/First Hearing](#)
- B. [Witnesses/Exhibits](#)
- C. [C&Rs/Stipulations](#)
- D. [Close of Record/Briefs](#)
- E. [Mandatory Mediations](#)
- F. [Voluntary Mediations](#)
- G. [Requests/Miscellaneous](#)

First Event/Hearings:

1. What is the first Event (i.e., pretrial, hearing, conference call) and what will occur at the first Event with the judge?

Hearing. In cases involving a Claim, Reinstatement, or Review Petition, the Claimant will be expected to testify at the first hearing.

2. Are any first hearing filings or documents required at the first Event with the judge? If so, what are they? **Yes** **No**

Further explanation:

In Claim Petition proceedings only, Claimant must file a First Hearing Filing and Defendant must file a 45-Day Responding Party Filing.

- a. Should first hearing filings or documents be uploaded as Exhibits or as Documents?

Exhibits **Documents**

Further explanation:

[Click here to enter text.](#)

- b. Should first hearing filings be uploaded before or after the first hearing?

Before **After**

Further explanation:

[Click here to enter text.](#)

3. What are your procedures for supersedeas hearings?

a. Will testimony be heard? **Yes** **No**

Further explanation:

[Click here to enter text.](#)

b. Is additional time generally granted to obtain medical evidence? **Yes** **No**

Further explanation:

[Click here to enter text.](#)

c. Under what circumstances will you reconsider a supersedeas order?

If either party obtains additional relevant information subsequent to the supersedeas hearing.

d. Do you generally use written orders for denials? **Yes** **No**

Further explanation:

[Click here to enter text.](#)

e. What is required for employee's counsel to obtain interim fee approval?

Submit a copy of the fee agreement with a copy sent to their client.

f. Do you have any other procedures for supersedeas hearings not described above? If so, what are they? **Yes** **No**

Further explanation:

[Click here to enter text.](#)

g. Do you have different procedures for special supersedeas hearings? If so, please describe them? **Yes** **No**

Further explanation:

Click here to enter text.

4. Do you use a one-day/one-hearing format or serial hearings? Please describe the structure of your hearings. Please indicate if you are willing to change your hearing format upon request of all parties.

Serial Hearings. The hearings are scheduled every 60 to 90 days. Yes, the format can be changed upon request of all parties if appropriate in a given case.

5. Are you willing to allow counsel to participate in hearings by telephone? **Yes** **No**

Further explanation:

Click here to enter text.

6. What procedure do you follow if a party fails to appear at an Event?

Either the Petition(s) are granted/dismissed or another hearing is scheduled, depending on the circumstances of the case.

7. Do you have any special procedures for psychological injury cases? **Yes** **No**

Further explanation:

Click here to enter text.

Witnesses/Exhibits:

8. What are your rules regarding the taking of testimony?

- a. Do you prefer the testimony be taken at a hearing or by deposition?

Hearing **Deposition**

- b. If counsel wishes to bring a witness to a hearing, do you require prior notice? If so, how much notice do you require? **Yes** **No**

Further explanation:

The parties must notify in writing at least 45 days prior to the next scheduled hearing.

9. Under what circumstances will you permit a party or witness (including an expert witness) to testify by deposition or by phone, rather than appear at the hearing?

Witnesses may not testify by phone. Depositions are permitted if requested in advance and approved by this Judge.

10. What is your procedure regarding the order of testimony with respect to submission of medical evidence, particularly when cross petitions are filed?

Determined on a case by case basis depending on the facts and burdens of proof.

11. Do the parties need to upload the Bureau documents as exhibits or will they automatically be made Judge Exhibits? **Parties Upload** **Judge**

12. Do you require that counsel upload exhibits to WCAIS before or after the hearing? If before, what is the latest day before the hearing that they may be uploaded? **Before** **After**

Further explanation:

After a hearing it is required for all exhibits to be uploaded by counsel except depositions, which may be uploaded before the hearing.

13. Do you require counsel to bring hard copies of the exhibits to the hearing? **Yes** **No**

Further explanation:

Hard copies of exhibits are preferred, but not required.

14. When will you rule on objections to exhibits?

At a hearing or in writing.

15. What is your procedure for handling discovery disputes, e.g., do you employ telephone conferences, do you prefer to attend certain depositions, etc.?

The disputes are handled at a hearing or in writing. If approved by this Judge, a telephone conference will be utilized.

16. What is the last day the parties may file written preservations of deposition objections?

The parties may submit deposition objections at the final hearing or with their briefs.

C&Rs/Stipulations:

17. Please describe your procedures regarding the review of Compromise and Release Agreements.

a. Are you willing to allow amendments of existing petitions or do you require the filing of a separate Petition Seeking Approval of a Compromise and Release Agreement?

Amendments **New Petition**

Further explanation:

[Click here to enter text.](#)

- b. Do you require the parties to provide you with a draft of the Compromise and Release Agreement to review before the hearing? If so, how far in advance of the hearing do you need to receive it? **Yes** **No**

Further explanation:

However, if there is any uncommon provision(s) in the Compromise and Release Agreement, the Agreement should be sent seven days prior to the hearing.

- c. Should the parties upload the Compromise and Release Agreement, including the fee agreement and any other attachments, before or after the hearing?

Before **After**

Further explanation:

[Click here to enter text.](#)

- d. Should the child support documents be uploaded as a separate exhibit? **Yes** **No**

Further explanation:

[Click here to enter text.](#)

- e. What other exhibits should be uploaded as part of the Compromise and Release Agreement or as separate exhibits (i.e., waiver of appeal, medical bills, etc.). Please indicate whether they should be uploaded as part of the Compromise and Release Agreement or as separate exhibits.

[Click here to enter text.](#)

- f. When should the social security number and other confidential information be redacted from the C&R agreement and Act 109 documents?

When the Agreement is uploaded to WCAIS after the hearing.

- g. Will you sign bench orders? **Yes** **No**

Further explanation:

[Click here to enter text.](#)

- h. Do you have any other procedures for Compromise and Release Agreements not described above? If so, what are they? **Yes** **No**

Further explanation:

If the Claimant resides out of state and both parties agree to permit the Claimant to testify by telephone, the Compromise and Release Agreement must be notarized prior to the hearing.

18. Please provide the following information regarding Stipulations resolving Disputes:

- a. What are your usual procedures regarding the submission, review, and adoption of such Stipulations?

Stipulations may be submitted by mail without the need of a hearing. The Stipulation must be signed by the Claimant. The Stipulation will be approved in a Decision unless a change is deemed necessary by this Judge or it is not properly signed by all parties.

- b. Should the fee agreement be uploaded as part of the Stipulation or as a separate exhibit? **Part of Stipulation** **Separate Exhibit**

Further explanation:

[Click here to enter text.](#)

- c. Should the child support documents be uploaded as a separate exhibit? **Yes** **No**

Further explanation:

[Click here to enter text.](#)

- d. What other exhibits should be uploaded as part of the Stipulation or as separate exhibits (i.e., medical bills, etc.)? Please indicate whether they should be uploaded as part of the Stipulation or as separate exhibits.

[Click here to enter text.](#)

- e. When should the social security number and other confidential information be redacted from the Stipulation and Act 109 documents?

When the documents are uploaded to WCAIS.

- f. Do you have any other procedures for Stipulations not described above? If so, what are they? **Yes** **No**

Further explanation:

[Click here to enter text.](#)

Close of Record/Briefs:

19. Are you willing to close a case by electronic submission via WCAIS or is a final hearing required? **Electronic Submission** **Final Hearing**

Further explanation:

If done by electronic submission, the party should also send a letter/facsimile to this Judge’s office.

20. What are the time requirements for the submission of briefs and other post-hearing submissions? Do you have any procedure if the briefs or post-hearing submissions are not received in a timely manner?

Briefs/Proposed Findings are due concurrently from the parties with the time period given at the final hearing or by correspondence.

21. Please describe your preferences for the format and content of briefs and post-hearing submissions.

Briefs and post-hearing submissions must be accurate.

Mandatory Mediations

22. Please list the offices at which you conduct mandatory mediations.

Bristol

23. Do you require the parties to execute an agreement to mediate? If so, please describe the matters to be addressed by the agreement. **Yes** **No**

Further explanation:

[Click here to enter text.](#)

24. Do you require all participants (claimant, adjustor/employer representative, counsel) to attend the mediation personally? Under what circumstances do you permit a participant to attend by telephone, if any? **Yes** **No**

Further explanation:

All parties must attend the mediation personally. However, if the adjustor or employer representative is not available to attend, then he/she must be available by phone.

25. Do you require a Mediation Statement? **Yes** **No**

If so:

a. What information do you require in that Statement?

The Statement should include: a summary of the case; a party’s strengths and weaknesses in the pending litigation; and, settlement negotiations that occurred to date.

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?

Seven to 10 days.

26. Once you receive a mediation request, what is the usual amount of time that elapses until the mediation takes place?

Varies depending on this Judge's calendar.

27. Are you willing to conduct more than one session per Dispute? **Yes** **No**

Further explanation:

[Click here to enter text.](#)

28. If a party wants to request cancellation or postponement of a mediation on a Dispute assigned to you:

a. Should the party contact you or the mediating judge?

For Mandatory Mediations in Bristol, the party must contact the adjudicating Judge.

b. If you are to be contacted, what is the latest day before the mediation that cancellation or postponement, absent an emergency situation, can be requested?

A week before the mediation.

29. Is there anything else the parties should know or do in advance of the mediation?

Yes **No**

Further explanation:

[Click here to enter text.](#)

Voluntary Mediations:

30. Do you conduct Voluntary Mediations? **Yes** **No**

Further explanation:

If my schedule permits. Requests for Voluntary Mediations must be put in writing.

31. Please list the offices at which you will mediate a Dispute.

Bristol

32. Are you willing to mediate Disputes that are assigned to you for hearing and decision?

Yes No

Further explanation:

[Click here to enter text.](#)

33. Are you willing to mediate Disputes in which one or both parties are not represented by counsel? If so, do you have any special procedures? Yes No

Further explanation:

[Click here to enter text.](#)

34. Do you require the parties to execute an agreement to mediate? If so, please describe the matters addressed by the agreement. Yes No

Further explanation:

[Click here to enter text.](#)

35. Do you require all participants (claimant, adjustor/employer representative, counsel) to attend the mediation personally? Under what circumstances do you permit a participant to attend by telephone, if any? Yes No

Further explanation:

If the adjustor or employer representative is not able to attend the mediation, he/she must be available by phone.

36. Do you require a Mediation Statement? Yes No

Further explanation:

[Click here to enter text.](#)

If so:

a. What information do you require in that Statement?

The Statement should include: a summary of the case; a party's strengths and weaknesses in the pending litigation; and, settlement negotiations that occurred to date.

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?

Seven to 10 days.

37. Once you receive a mediation request, what is the usual amount of time that elapses until the mediation takes place?

Varies depending on this Judge's calendar.

38. Are you willing to conduct more than one session per Dispute? **Yes** **No**

Further explanation:

[Click here to enter text.](#)

39. If a party wants to request cancellation or postponement of a mediation on a Dispute assigned to you:

a. Should the party contact you or the mediating judge?

The mediating Judge.

b. If you are to be contacted, what is the latest day before the mediation that cancellation or postponement, absent an emergency situation, can be requested?

[Click here to enter text.](#)

40. Is there anything else the parties should know or do in advance of the mediation?

Yes **No**

Further explanation:

[Click here to enter text.](#)

Requests/Miscellaneous:

41. What is your procedure regarding continuances, changes in hearing times and extensions, i.e., how far in advance do you require the Request be uploaded into WCAIS?

In accordance with the Rules.

42. Do you conduct/permit conference call? If so, under what circumstances? **Yes** **No**

Further explanation:

Only in rare instances. The request and reason for the conference call must be put in writing.

43. Do you accept faxes and e-mails from the parties? If so, under what circumstances?

Yes **No**

Further explanation:

Faxes regarding cases or mediations. E-mails only regarding mediations.

44. Do you adhere strictly to duration listed for a hearing or mediation or are you willing to go over the allotted time? **Yes** **No**

Further explanation:

This Judge is willing to go over the allotted time if not excessive.

45. What is the best way to contact you in an urgent/emergency situation?

My secretary or office supervisor if my secretary is not available.

46. What is your snow/emergency cancellation policy (i.e., do you follow a specific school district closing schedule, etc.)?

Hearings/Mediations are cancelled if the Bristol Township School District is closed (does not apply if there is a delay).