

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 the actual hearing. The parties inform me how they wish to proceed.
2. **List any documents required at the first Event:** The underlying Bureau documents should always be submitted. In a Claim Petition, the employer should have a Statement of Wages.
 - a. **Should docs be uploaded as Exhibits or Letters to the Judge?** Letter to Judge The Bureau documents should be uploaded after the first hearing.
 - b. **Should docs be uploaded before or after the first Event?** AfterClick 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?** Yes If the parties wish to present testimony, the Court will hear it.
 - b. **Is additional time generally granted to obtain medical evidence?** Yes
 - c. **Under what circumstances will you reconsider a supersedeas order?** If new compelling evidence is obtained and/or submitted.
 - 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 copy of the contingent 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:** I agree with the authors in Torrey-Greenberg, PA Workers Compensation Law and Practice that in a system without a discovery practice, serial hearings are preferred.
 - 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 in an extreme emergency type situation.
3. **What procedure do you follow if a party fails to appear at a hearing?** Generally, I will issue an interlocutory Order that seeks an explanation and/or compels attendance at the next hearing.

4. **Do you have special procedures for psychological injury cases?** Yes I prefer the hearing occur at a special time 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?** 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?** No **If yes:**
 - i. **How much notice do you require?** Click or tap here to enter text.
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 parties choose how they want to present a witness. If I tell them how to do, it is reversible evidence per se. See Otis Elevator v. WCAB, 651 A.2d 667(Pa. Cmwlth. 1994)
3. **What is your procedure regarding the order of testimony with respect to submission of medical evidence, particularly when cross petitions are filed?** It depends on the situation
4. **Do the parties need to upload the Bureau and WCOA documents as exhibits or will you admit them electronically as Judge exhibits?** Judge Click or tap here to enter text.
5. **Do you require counsel to upload exhibits to WCAIS before or after the hearing?** After The parties should not upload any evidence until it is introduced and ruled upon at a hearing. **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 I want a hard copy of all exhibits.
7. **When will you rule on objections to exhibits?** It depends on the situation. At the very least, prior to the close of the record.
8. **What is your procedure for handling discovery disputes, e.g. do you employ telephone conferences, do you prefer to attend certain depositions, etc.?** Via telephone conference
9. **What is the last day to file written preservations of deposition objections?** They can file same with the brief.

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 exhibits that are part of the Agreement should be uploaded.
 - 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?** Click or tap here to enter text.
- 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?** Click or tap here to enter text.
- 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.)?** Medical bills, fee agreement and anything else that is referenced in the Agreement.
 - 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?** Prior to introduction at the hearing.
- 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 We must have a final hearing to ensure all parties know what the record is and to set the briefing schedule. We do not close by mail or “electronic submission”.
- 2. What are the time requirements for submissions and what procedures are taken when time requirements aren’t met?** The parties pick the briefing schedule. If they are not timely submitted, I reserve the right to pick the record and write the decision without benefit of briefs.
- 3. Describe any preferences regarding the format and content of submissions:** I would prefer a narrative letter where the parties address why they should prevail and the other side should not.

MANDATORY MEDIATIONS

- 1. List the offices where you conduct mandatory mediations:** Philadelphia Arch Street
- 2. Do you require all participants to attend in-person?** No
 - a. Under what circumstances do you permit attendance by phone?** A party can appear by telephone. An attorney cannot barring unusual compelling circumstances.
- 3. Do you require a Mediation Statement?** Yes **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.
- 4. After you approve a Mediation Request, how long until it’s scheduled?** If it is a voluntary mediation, it will hopefully take place with 45 days.
- 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?** In a mandatory mediation setting, the party should contact the mediating judge. If I am conducting a voluntary mediation, then contact me. **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 Click or tap here to enter text.
2. **List the offices where you conduct voluntary mediations:** Philadelphia (Arch Street)
3. **Do you mediate Disputes assigned to you for hearing and decision?** Yes Click or tap here to enter text.
4. **Do you mediate Disputes in which one or both parties are unrepresented?** If the parties want me to mediate their claim and I am the assigned Judge, I will do it. **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?** No **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?** See 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?** See above **If you:**
 - a. **What is the latest day before the mediation that cancellation or postponement, absent an emergency, can be requested?** We understand emergencies occur and things happen.
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?** The earlier the better.
2. **Under what circumstances do you conduct conference calls?** If it advances the litigation or resolves an issue.
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?** The hearing goes as long as necessary. If the parties expect a hearing to last in excess of an hour, they can request a special listing.

5. **What is the best way to contact you in an urgent situation?** telephone
6. **What is your snow/emergency cancellation policy (i.e., do you follow a specific school district closing schedule, etc.)?** If the School District cancels, the hearing and mediation are cancelled. Please note however that I will be in the office unless the Governor closes our facility.