

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?** A 5 minute pre-trial hearing to discuss the case, what evidence will be presented, and to identify the next hearing date and time. The case will be referred for mediation unless it is futile.
2. **List any documents required at the first Event:** None.
 - a. **Should docs be uploaded as Exhibits or Letters to the Judge?** Exhibits.
 - b. **Should docs be uploaded before or after the first Event?** Before.

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?** When requested.
 - 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?** Present the fee agreement and ask for approval.
 - f. **Describe any other procedures for supersedeas hearings:** N/A
 - g. **Describe procedures for special supersedeas hearings, if different:** N/A

HEARINGS

1. **Describe the structure of your hearings and whether you are willing to change your hearing format:** The first hearing is a pre-trial as discussed above. The second hearing is for testimony of the claimant and/or fact witnesses. The third hearing is for additional fact witnesses. Five (5) minute status hearings are held throughout the litigation to make sure the parties complete their depositions in a timely fashion and to discuss ongoing litigation issues, mediation, etc.
 - a. **Are you willing to change the hearing format upon request?** Yes.
2. **Are you willing to allow counsel to participate by telephone?** Yes.

3. **What procedure do you follow if a party fails to appear at a hearing?** If the moving party fails to attend the first hearing I generally dismiss their petitions without prejudice. If the responding party fails to attend the first hearing I generally grant the petitions if the moving party has evidence to support their case. I generally call a missing party in regards to all other hearings and/or re-list the case for another hearing. Mediations are cancelled and not rescheduled unless rescheduling is requested by the parties.
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?** Submit a WCAIS request and I will respond ASAP.
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 fact witnesses should testify in person unless the parties agree that they can testify by phone or deposition. The parties are encouraged to depose all experts.
3. **What is your procedure regarding the order of testimony with respect to submission of medical evidence, particularly when cross petitions are filed?** Whoever files first deposes their experts 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 may upload. I will upload what is in WCAIS and relevant.
5. **Do you require counsel to upload exhibits to WCAIS before or after the hearing? Before If before:**
 - a. **What is the latest day before the hearing that they may be uploaded?** Any time before the hearing.
6. **Do you require counsel to bring exhibit hard copies to the hearing?** No.
7. **When will you rule on objections to exhibits?** When they are made.
8. **What is your procedure for handling discovery disputes, e.g. do you employ telephone conferences, do you prefer to attend certain depositions, etc.?** Status hearings on the record.
9. **What is the last day to file written preservations of deposition objections?** With their written argument.

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 are encouraged.
 - 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 of the C & R documents will be admitted as Joint Exhibit 1. This includes, but is not limited to, the C & R, the Act 109 Documents, the Fee Agreement, and any additional documents the

parties want to attach to the C & R. I will make sure that all social security numbers and date of births are redacted if they are included on any of the documents before I return the original documents to the party uploading the exhibit into WCAIS.

- f. **Should they be a part of the C&R Agreement or separate exhibits?** See above.
- g. **When should SSNs and other confidential information be redacted from the C&R Agreement and Act 109 documents?** See above.
- 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:** If the parties agree the claimant may testify by phone.

STIPULATIONS (STIPs) RESOLVING DISPUTES

- 1. **What are your usual procedures regarding the submission, review, and adoption?** Stipulations may be submitted at a hearing or via WCAIS. I generally issue an order disposing of the petition(s) consistent with the attached stipulation.
- 2. **Should the fee agreement be part of the stip or separate exhibit?** Separate Exhibit [Click or tap here to enter text.](#)
- 3. **Should child support documents be uploaded as a separate exhibit?** Yes [Click or tap here to enter text.](#)
- 4. **What other exhibits should be uploaded (i.e. medical bills, etc.)?** Anything the parties want attached to the stipulation/decision should be attached to the stipulation when submitted.
 - 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?** Stipulation – always. Act 109 documents are not attached to my decisions, except for C & R Decisions. Therefore, social security numbers do not need to be redacted for stipulations.
- 6. **Describe any other procedures you have for stips:** N/A

BRIEFS AND POST-HEARING SUBMISSIONS

- 1. **Will you close a case via WCAIS submission or is a final hearing required?** WCAIS Submission
- 2. **What are the time requirements for submissions and what procedures are taken when time requirements aren't met?** Time limits are established at the last hearing. The parties are asked to pick the date(s) when they will submit any remaining evidence and/or their written argument. I will call a party, or send a WCAIS communication to a party, before I write a decision if they do not submit their written argument or fail to upload an exhibit. They will be given some additional time to submit what is missing before I write the decision.
- 3. **Describe any preferences regarding the format and content of submissions:** Written argument should be as short as possible. The parties should submit a short letter brief and proposed findings. The proposed findings should mirror the way I write decisions.

MANDATORY MEDIATIONS

- 1. **List the offices where you conduct mandatory mediations:** Harrisburg Office, York Hearing Site or Gettysburg Hearing Site.
- 2. **Do you require all participants to attend in-person?** No
 - a. **Under what circumstances do you permit attendance by phone?** They may participate by phone if the other party agrees.

3. **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.
4. **After you approve a Mediation Request, how long until it's scheduled?** 30 - 60 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?** Mediating Judge . The mediating judge has full authority to cancel the mediation. **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?** N/A

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:** Harrisburg Office, York Hearing Site or Gettysburg Hearing Site.
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?** Yes **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?** They may participate by phone if the other party agrees.
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.
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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?** Mediating Judge . The mediating judge has full authority to cancel the mediation. **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.

11. What else should the parties know or do before the mediation? N/A

REQUESTS/MISCELLANEOUS

1. **How far in advance do you require Requests for continuances, changes in hearing times, and extensions to be uploaded into WCAIS?** Most requests to continue hearings are granted if a reasonable excuse is provided. The request should be made as soon as possible. Last minute requests should be made via phone or fax. Otherwise, the request may be made via WCAIS.
2. **Under what circumstances do you conduct conference calls?** Rarely. Status hearings are preferred.
3. **Under what circumstances do you accept faxes and e-mails from parties?** Under any and all circumstances.
4. **Do you adhere strictly to duration listed for a Hearing or Mediation?** I am willing to go over the allotted time if it does not delay the next hearing or mediation from starting on time.
5. **What is the best way to contact you in an urgent situation?** Call the Harrisburg Office at 717-783-4419 and ask for me or my secretary.
6. **What is your snow/emergency cancellation policy (i.e., do you follow a specific school district closing schedule, etc.)?** If my office (Harrisburg) is closed, hearings at all locations (Harrisburg & York) are cancelled. If we are open and a party does not feel that it is safe for them to travel to the hearing due to the weather, ALL requests to cancel will be granted.