

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, they should be completely redacted before the document is uploaded, unless otherwise specified below. All communications with the Judge, including but not limited to requests, should be submitted through WCAIS unless otherwise specified by the Judge.

HEARING PROCEDURES

1. What is the first event and what will occur?

The first event is a 15 minute pre-trial hearing. We will discuss the issues being litigated, schedule a hearing for Claimant's testimony, set time limits for medical and/or vocational evidence and refer for mediation unless futile. Claimant will testify if it is a first hearing on a C&R Petition.

a. List any documents required at the first event:

None.

b. Should documents be uploaded as Exhibits or Letters to the Judge?

Exhibits.

2. Describe the format of your hearings (e.g., serial, one day – one trial).

Serial.

3. Are you willing to change the hearing format upon request?

Yes.

4. What factors will you consider in deciding whether to conduct a hearing in-person?

If requested by one or both Parties. If I feel that I need to see the witness testify in-person.

5. What factors will you consider in deciding whether to conduct a virtual hearing by audio only or by audio with video?

All hearings that are not in-person should be audio and video. Attending a hearing by audio is discouraged. Attending via audio only will be allowed if it is impossible for the participant/witness to join via video.

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

I will re-list the petitions for another hearing in approximately 30 days.

7. Do you have special procedures for psychological injury cases?

No.

SUPERSEDEAS PROCEDURES

1. What are your procedures for supersedeas hearings?

Click or tap here to enter text.

a. Will testimony be heard?

No.

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.

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

Request interim approval.

f. Describe any other procedures for supersedeas hearings:

None.

g. Describe procedures for special supersedeas hearings, if different:

None.

WITNESSES/EXHIBITS

1. What are your rules regarding taking testimony?

No special rules.

2. Do you require testimony at a virtual hearing, an in-person hearing, or by deposition?

Virtual or in-person is preferred for all fact witnesses. Experts may be deposed.

3. Under what circumstances will you change your requirements for presentation of testimony?

If all parties agree and I feel that I am able to issue a reasoned decision based on how the parties wish to present testimony.

4. If counsel wishes to present the testimony of a witness (either virtually or in-person), do you require prior notice? Yes. If yes, how much notice do you require? As soon as they know that they want to present a witness.

5. What is your procedure regarding the order of expert medical testimony when cross petitions are filed?

Whoever files the first petition must depose their medical expert first.

6. 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 them.

7. Do you require counsel to upload exhibits to WCAIS before or after the hearing? Before. If before, how far in advance of the hearing must they be uploaded? As soon as possible.

8. When will you rule on objections to exhibits?

When raised or at the next scheduled hearing.

9. What is your procedure for handling discovery disputes?

Discuss them on the record at a hearing.

10. What is the last day to file written preservations of deposition objections?

With 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?

Yes.

b. Are parties required to provide a draft of the C&R Agreement before the hearing? No. If yes, 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 signed C&R Agreement, including the fee agreement and any other attachments, before or after the hearing?

Before.

d. Should child support documents be uploaded as a separate exhibit?

Yes, unless redacted.

e. Should Social Security numbers and other confidential information be redacted from the C&R Agreement and Act 109 documents?

Yes.

f. Will you sign bench orders?

Yes.

g. Describe any other procedures you have for C&R Agreements:

None.

STIPULATIONS RESOLVING DISPUTES

1. What are your usual procedures regarding the submission, review, and adoption of stipulations?

They are reviewed and adopted when submitted.

2. Should the fee agreement be part of the stipulation or separate exhibit?

Separate exhibit.

3. Should child support documents be uploaded as a separate exhibit?

Yes.

4. What other exhibits should be uploaded (i.e. medical bills, etc.)?

Whatever is specifically reference in the stipulation.

5. Should other exhibits uploaded as be part of the stipulation or as separate exhibits?

Separate unless the parties want them attached to the final decision.

6. When should Social Security numbers and other confidential information be redacted from the stipulation and Act 109 documents?

All the time.

7. Describe any other procedures you have for stipulations:

None.

BRIEFS AND PROPOSED FINDINGS

1. Will you close a case via WCAIS submission or is a final hearing required?

I will close a case via WCAIS.

2. What are the time requirements for final submissions and what procedures are taken when time requirements are not met?

I ask the parties to determine a time limit for submission of final exhibits. I will e-mail a party if they miss a deadline.

- 3. Describe any preferences regarding the format and content of final submissions:**
None.

MANDATORY MEDIATIONS

- 1. List the offices where you conduct mandatory mediations:**

Click or tap here to enter text.

Harrisburg and York.

- 2. What factors will you consider in deciding whether to conduct a mandatory mediation virtually or in-person?**

I will conduct the mediation in whatever format the parties prefer.

- 3. What factors will you consider in deciding whether to conduct a virtual mandatory mediation by audio only or by audio with video?**

I will conduct the mediation in whatever format the parties prefer.

- 4. Are you willing to allow counsel or a party to participate virtually in an in-person mandatory mediation? If so, under what circumstances?**

Yes. If all parties agree.

- 5. 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.

- 6. If there is a request to postpone a mandatory mediation, will it be rescheduled? If requested. If so, how long until it is rescheduled? 30 to 60 days.**

- 7. Are you willing to conduct more than one mandatory mediation session per Dispute?**

Yes.

- 8. What is the latest day before the mediation that cancellation or postponement, absent an emergency, can be requested?**

Day of the mediation.

9. What else should the parties know or do before the mediation?

Nothing.

VOLUNTARY MEDIATIONS

1. Do you conduct Voluntary Mediations?

Yes.

2. How should the parties request a Voluntary Mediation?

E-mail or WCAIS Request.

3. List the locations where you conduct in-person voluntary mediations:

Harrisburg or York.

4. Will you conduct virtual voluntary mediations? If yes, for which WCOA Districts will you conduct them?

Yes. All WCOA Districts.

5. Do you mediate Disputes assigned to you for hearing and decision?

If requested by all parties.

6. Do you mediate Disputes in which one or both parties are unrepresented? If yes, describe any special procedures you have for such cases:

Yes. No special procedures.

7. What factors will you consider in deciding whether to conduct a voluntary mediation virtually or in-person?

I will conduct the mediation in whatever format the parties prefer.

8. What factors will you consider in deciding whether to conduct a virtual voluntary mediation by audio only or by audio with video?

I will conduct the mediation in whatever format the parties prefer.

9. Are you willing to allow counsel or a party to participate virtually in an in-person voluntary mediation? If so, under what circumstances?

Yes. If all parties agree.

10. 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.

11. After you approve a Voluntary Mediation Request, how long until it is scheduled?

30 to 60 days.

12. Are you willing to conduct more than one voluntary mediation session per Dispute?

Yes.

13. If the party wants to request cancellation or postponement of a voluntary mediation on a Dispute assigned to you, should they contact you or the mediating Judge?

Mediating Judge.

14. What is the latest day before the mediation that cancellation or postponement, absent an emergency, can be requested?

The day of the mediation.

15. What else should the parties know or do before the mediation?

Nothing.

REQUESTS/MISCELLANEOUS

1. How far in advance do you require Requests for continuances, changes in hearing times, and extensions to be uploaded into WCAIS?

As soon as possible.

2. Under what circumstances do you conduct off the record conference calls?

Almost never.

3. Under what conditions/circumstances do you accept e-mails from parties?

Always.

4. Do you adhere strictly to the duration listed for a Hearing or Mediation?

Yes.

5. What is the best way to contact you in an emergency situation?

A WCAIS Request.

6. What is your snow/emergency cancellation policy regarding in-person and virtual events (i.e., do you follow a specific school district closing schedule, etc.)?

Virtual hearings will not be cancelled. In-person hearings will be cancelled if the Harrisburg or York Offices are closed. If any party or witness does not feel comfortable traveling to the in-person hearing, I will cancel the hearing.