

**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 trial schedule will be issued. Claimant's testimony is expected for Claimant filed petitions. Supersedeas documents are to be submitted on Employer filed petitions and Claimant can testify by deposition and at the final hearing. Mediation is scheduled and Bureau documents are to be submitted.
2. **List any documents required at the first Event:** Parties are expected to bring all Bureau documents which will be marked as a Judge's exhibit and returned for uploading.
  - 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?** Click or tap here to enter text.
  - 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:** Serial hearings with cases listed every 90 days. The scheduling may change with certain petitions, ie. Penalty, Utilization Review.
  - 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 Unless emergency
3. **What procedure do you follow if a party fails to appear at a hearing?** To be determined case by case
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 must testify live unless there are compelling reasons for the taking of a deposition. At least 2 weeks notice should be given if a witness other than Claimant will be testifying at a hearing.
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?** Medical and vocational witnesses should testify by deposition. Whether testimony of a fact witness is live or by deposition depends on the nature of the testimony. Testimony by phone would 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 moving party first followed by responding party. With cross petitions, the party that filed first proceeds 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 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 after they are admitted into the evidentiary record and 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 I will mark the Exhibit and admit into the record and return to the submitting party for uploading.
7. **When will you rule on objections to exhibits?** At the time of submission or upon request of a party.
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 must be requested in WCAIS and state the reason for the conference and the position of each party.
9. **What is the last day to file written preservations of deposition objections?** It depends on nature of the objection and impact on the case. They can file written preservations with the submission of the deposition, at the close of the record or with their 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 attachments which will be noted on the record are to be uploaded as part of the Agreement as one document. Do not upload Bench Orders.
- 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.)?** Click or tap here to enter text.
  - a. **Should they be part of the stip or a separate exhibit?** As part of the Stipulation.
- 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 and Proposed Findings of Fact are to be filed in accordance with Section 131.101 of the Special Rules of Practice and Procedure. The record will be certified at the final hearing. A briefing schedule will be issued at the final hearing as circumstances dictate. Requests for extensions must be made in writing and WCAIS before the original due date. It will be within the Judge's discretion to issue a decision without a Brief or not to consider an untimely Brief.
- 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 and Upper Darby
- 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.
- 3. **Do you require a Mediation Statement?** Yes **If yes:**
  - a. **What information do you require in that Statement?** The Statement should not be more than 2 pages and should give me Claimant's age, job title and job duties, date of injury and disability, nature of injury and how

injury happened, nature of petition, status of litigation, average weekly wage, compensation rate, if there was an IRE, whether Claimant is on SSDI/ SSI, whether Claimant is medicare eligible or a medicare beneficiary, all outstanding medical bills, the status of negotiations, has Claimant received any other benefit/ income, strengths and weaknesses of the case

- 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?** One day
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?** Cancellation requests go to the adjudicating Judge. There are no postponements. If the parties have to reschedule, they will need to schedule a voluntary mediation. **If you:**
    - a. **What is the latest day before the mediation that cancellation or postponement, absent an emergency, can be requested?** As soon as possible. Last minute cancellation requests are frowned upon.
  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, Dresher and Bristol
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?** 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?** Same requirements as mandatory as set forth above.
7. **Do you require a Mediation Statement?** Yes **If yes:**
  - a. **What information do you require in that Statement?** Same information as mandatory as set forth above.
  - 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?** One day
8. **After you approve a Mediation Request, how long until it's scheduled?** I conduct mediations in Philadelphia on Fridays. I conduct mediations in Upper Darby 2 times a month and Dresher/ Bristol once a month. I schedule them myself. Parties are to email me requests for dates and times and once coordinated, upload the request in WCAIS.
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?** As soon as possible

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?** I accept emails only with respect to voluntary mediations. We do not accept faxes in Philadelphia.
4. **Do you adhere strictly to duration listed for a Hearing or Mediation?** No
5. **What is the best way to contact you in an urgent situation?** Phone or email, or contact my secretary Alice Tran at 215-560-2488
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 Policy, if Philadelphia schools are closed or delayed, all hearings and mediations are cancelled. Alerts will be posted on WCAIS.