

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.

FIRST EVENTS

1. **What is the first event (i.e. pretrial, hearing, conference call) and what will occur?** In Western District claimant is expected to testify except for IME or penalties before this Judge. **If this hearing is taking place during the Emergency Declaration addition guidance will be found in your e vite.**
2. **List any documents required at the first Event:** No documents are to be uploaded without prior approval from the Judge at a hearing with the exception of settlement documents
 - a. **Should docs be uploaded as Exhibits or Letters to the Judge?** Exhibits
 - b. **Should docs be uploaded before or after the first Event?** No documents are to be uploaded without prior approval from the Judge at a hearing with the exception of settlement documents.

SUPERSEDEAS PROCEDURES

1. **What are your procedures for supersedeas hearings?** [Click or tap here to enter text.](#)
 - a. **Will testimony be heard?** Yes But not mandatory.
 - b. **Is additional time generally granted to obtain medical evidence?** Yes
 - c. **Under what circumstances will you reconsider a supersedeas order?** New medical evidence
 - d. **Do you generally use written orders for denials?** Yes All supersedeas requests will have a written Interlocutory Order.
 - e. **What is required for employee's counsel to obtain interim fee approval?** A Contingent Fee Agreement.
 - f. **Describe any other procedures for supersedeas hearings:** No documents are to be uploaded without prior approval from the Judge at a hearing with the exception of settlement documents.
 - 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:** Counsel are asked at the first listing how they wish to proceed. The court will decide based on feedback how the case will proceed. No documents are to be uploaded without prior approval from the Judge at a hearing with the exception of settlement documents.
 - a. **Are you willing to change the hearing format upon request?** Yes
2. **Are you willing to allow counsel to participate by telephone?** Yes With good cause shown and prior approval. **Please note that during the Emergency Declaration all hearings will be conducted by telephone.**
3. **What procedure do you follow if a party fails to appear at a hearing?** Will call counsel's office and assess the situation. **If good cause is shown, another hearing will be scheduled.**
4. **Do you have special procedures for psychological injury cases?** No

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? This Judge accepts both live and deposition testimony. If this case is heard during the Emergency Declaration testimony will be by telephone reserving the right for live testimony at a later listing**
 - 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? They should advise Judge at the first 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?** Every witness can participate by deposition. **If during the Emergency Declaration all testimony will be taken by phone with leave to present live testimony at a later date.**
3. **What is your procedure regarding the order of testimony with respect to submission of medical evidence, particularly when cross petitions are filed?** Whoever filed the first petition has the burden of going forward.
4. **Do the parties need to upload the Bureau and WCOA documents as exhibits or will you admit them electronically as Judge exhibits? The Defendant should obtain and upload all Bureau documents.** No documents are to be uploaded without prior approval from the Judge at a hearing with the exception of settlement documents.
5. **Do you require counsel to upload exhibits to WCAIS before or after the hearing?** After the first hearing with the exception of settlement documents. **If before:**
 - a. **What is the latest day before the hearing that they may be uploaded? N/A**
6. **Do you require counsel to bring exhibit hard copies to the hearing? No**
7. **When will you rule on objections to exhibits?** When presented at the last hearing unless a telephone conference is requested.
8. **What is your procedure for handling discovery disputes, e.g. do you employ telephone conferences, do you prefer to attend certain depositions, etc.?** Telephone conference. A request should be made in WICAS so the Judge can schedule same
9. **What is the last day to file written preservations of deposition objections?** With post-trial submissions.

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. **This Judge will allow amendments to existing petitions if an existing petition is to remain open, a new C&R Petition may be required consult Judge's office if in doubt.**
 - b. **Are parties required to provide a draft of the C&R Agreement before the hearing? No with the exception of those presented during the Emergency Declaration. Your e vite will contain instructions** **If yes:**
 - i. **How far in advance of the hearing do you need to receive it? 72 hours**
 - c. **Should the parties upload the C&R Agreement, including the fee agreement and any other attachments, before or after the hearing?** Before
 - d. **Should child support docs be uploaded as a separate exhibit? Yes. As should the waiver of Appeal.**

- 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 should be brought to hearing for a ruling. **During the Emergency Declaration, please see your e vite for instructions**
- f. Should they be a part of the C&R Agreement or separate exhibits? **All should be brought to hearing for a ruling.**
During the Emergency Declaration, please see your e vite for instructions **During the Emergency Declaration, please see your e vite for instructions**
- g. When should SSNs and other confidential information be redacted from the C&R Agreement and Act 109 documents? Defense counsel will be asked to upload all fully executed documents upon approval redacting all birthdates and social security numbers.
- 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: Unless claimant is out of state or ill, live testimony is preferred. **If the matter is heard during the Emergency Declaration the matter will be held by telephone**

STIPULATIONS (STIPs) RESOLVING DISPUTES

1. What are your usual procedures regarding the submission, review, and adoption? Counsel should upload the Stipulation as an Exhibit for review. A request to review same should be accompanied in WICAS. The notification shall inform the Judge if the Stipulation resolves all outstanding issues. If not, the parties are to inform the judge of the issues left to be decided
2. Should the fee agreement be part of the stip or separate exhibit? A separate Exhibit.
3. Should child support documents be uploaded as a separate exhibit? If applicable ;yes.
4. What other exhibits should be uploaded (i.e. medical bills, etc.)? The exhibits which are being relied upon.
 - a. Should they be part of the stip or a separate exhibit? Attached to the stipulation as an exhibit.
5. When should SSNs and other confidential information be redacted from the stip and Act 109 documents? Judges' office will redact.
6. Describe any other procedures you have for stips: None.

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? Neutral Findings of Fact are required. The Findings must address all evidence of record. This includes, but it is not limited ,to addressing both direct and cross-examination of all witnesses in full.
3. Describe any preferences regarding the format and content of submissions: Neutral Findings of Fact, see above.

MANDATORY MEDIATIONS

1. List the offices where you conduct mandatory mediations: Pittsburgh. **If during the Emergency Declaration, this Judge will entertain requests from other Jurisdictions.**
2. Do you require all participants to attend in-person? **Yes unless conducted during the Emergency Declaration**
 - a. Under what circumstances do you permit attendance by phone? Claimant unless out of state should attend. Adjusters/employers are also encouraged to attend. If defense representative are unable, they should be readily

available by phone.

3. **Do you require a Mediation Statement?** Yes **If yes:** I do require a Mandatory Mediation Disclosure Form outlining the issues.
 - a. **What information do you require in that Statement?** See Mandatory Mediation Disclosure Form. Judge's office has it if you cannot find it.
 - b. **What documents, if any, must accompany the Statement?** Parties' discretion.
 - c. **How far in advance of the mediation must the parties submit the Statement and accompanying documents?** Seven days prior.
4. **After you approve a Mediation Request, how long until it's scheduled? It can be scheduled as soon as required.**
5. **Are you willing to conduct more than one session per Dispute?** Yes Sometimes it takes multiple sessions.
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? Me If you:**
 - a. **What is the latest day before the mediation that cancellation or postponement, absent an emergency, can be requested?** One week except for bad weather or emergency so slot can be filled.
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:** See above section
3. **Do you mediate Disputes assigned to you for hearing and decision?** Yes If the parties agree that they will not ask me to recuse myself if the matter does not settle.
4. **Do you mediate Disputes in which one or both parties are unrepresented?** Yes **If yes:**
 - a. **Describe any special procedures:** Under special circumstances and prior approval as required.
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. **But if the mediation is taking place during the Emergency Declaration telephone appearances are required.**
 - a. **Under what circumstances do you permit attendance by phone?** Claimant unless out of state should attend. Adjusters/employers are also encouraged to attend. If defense representative are unable, they should be readily available by phone.
7. **Do you require a Mediation Statement?** Yes **If yes:**
 - a. **What information do you require in that Statement?** Mediation Disclosure Statement. Contact Judge's office for copy of same.
 - b. **What documents, if any, must accompany the Statement?** Discretionary
 - c. **How far in advance of the mediation must the parties submit the Statement and accompanying documents?** Seven days
8. **After you approve a Mediation Request, how long until it's scheduled?** 90 days or before depending on schedule

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? You If you:
- a. What is the latest day before the mediation that cancellation or postponement, absent an emergency, can be requested? One week
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? Requests will be entertained as tasks not letters in WCAIS unless an emergency one week in advance. **During the Emergency Declaration request may be made via e mail if there are time constraints involved.**
2. Under what circumstances do you conduct conference calls? Telephone conferences are normally held on Mondays. Contact Judge's office with appropriate time for both parties. **While Mondays are generally available for telephone conferences, this Judge is available any time by scheduling same with this Judge or my Administrative Assistant, Mary Corwin, who can be reached via email at mcorwin@pa.gov.**
3. Under what circumstances do you accept faxes and e-mails from parties? Faxes and e-mails accepted. Hard copies of all requests are appreciated.
4. Do you adhere strictly to duration listed for a Hearing or Mediation? The times will be strictly adhered to unless there is no event following your event. Should additional time be required, this Judge will schedule the matter at a future time upon agreement of counsel.
5. What is the best way to contact you in an urgent situation? Contact the Judges' office via email
6. What is your snow/emergency cancellation policy (i.e., do you follow a specific school district closing schedule, etc.)? This Judge follows the procedures set forth for the Western District