

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?** Pretrial conference. Depending on the circumstances, testimony may be taken.
2. **List any documents required at the first Event:** First Hearing Filings are not required but will be accepted.
 - 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?** Before. If possible.

SUPERSEDEAS PROCEDURES

1. **What are your procedures for supersedeas hearings?** [Click or tap here to enter text.](#)
 - a. **Will testimony be heard?** Yes. This is up to the attorney.
 - b. **Is additional time generally granted to obtain medical evidence?** Yes. Usually two (2) to four (4) weeks.
 - c. **Under what circumstances will you reconsider a supersedeas order?** Any new evidence.
 - 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?** Both the Fee Agreement and Supersedeas exhibits must have been offered at a hearing and uploaded to WCAIS by counsel.
 - f. **Describe any other procedures for supersedeas hearings:** [Click or tap here to enter text.](#)
 - g. **Describe procedures for special supersedeas hearings, if different:** Must be scheduled in 10 days.

HEARINGS

1. **Describe the structure of your hearings and whether you are willing to change your hearing format:** Unless the case is complicated, one-day hearings are standard.
 - a. **Are you willing to change the hearing format upon request?** Yes [Click or tap here to enter text.](#)
2. **Are you willing to allow counsel to participate by telephone?** Yes. Barring special circumstances, counsel are generally not permitted to attend final hearings by telephone. Requests for first and interim hearings will be considered on the merits.
3. **What procedure do you follow if a party fails to appear at a hearing?** I generally relist, but may dismiss or grant the petition(s) depending upon the circumstances, particularly for repeat no-shows. A single no-show may sometimes be considered grounds for dismissal/granting.
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?** At discretion of counsel.
 - 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?** We request timely notice for witnesses other than the Claimant so that sufficient time may be allotted for the 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?** Reasonable explanation must be given for testimony by phone, with both parties consenting.
3. **What is your procedure regarding the order of testimony with respect to submission of medical evidence, particularly when cross petitions are filed?** If the petitions are filed almost simultaneously, it will be discussed at the first hearing.
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?** Exhibits may be submitted at any time prior to close of record but must be uploaded to WCAIS by counsel, even if physical copies were accepted at a hearing. My office will only upload Compromise and Release Agreements (with the fee/child support), Stipulations offered at hearings, and exhibits submitted by pro se Claimants. Exceptions may be made at my discretion, under reasonable circumstances. **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 request that hard copies of exhibits be provided to me at hearings. Counsel remain responsible for uploading these exhibits to WCAIS.
7. **When will you rule on objections to exhibits?** If offered at the hearing, decision at that time; otherwise in the final decision.
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 if possible or a hearing.
9. **What is the last day to file written preservations of deposition objections?** No set time.

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?** My staff will upload the Compromise and Release Agreement and supporting documentation after counsel presents the same at the hearing. Counsel may upload the Fee Agreement before the hearing themselves if they so choose.
 - d. **Should child support docs be uploaded as a separate exhibit?** Yes 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 documents apart from the Compromise and Release Agreement should be uploaded as separate exhibits. Counsel must advise if they want any other exhibits apart from the C&R and Fee printed with the Decision.
- f. **Should they be a part of the C&R Agreement or separate exhibits?** Exhibits to C&R.
- g. **When should SSNs and other confidential information be redacted from the C&R Agreement and Act 109 documents?** Counsel should ensure all social security numbers and confidential information are redacted before presenting them at the hearing.
- h. **Will you sign bench orders?** No [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?** I review Stipulations to ensure the parties comply with the Rules of Procedure.
- 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.)?** None required.
 - a. **Should they be part of the stip or a separate exhibit?** Part of the stip.
- 5. **When should SSNs and other confidential information be redacted from the stip and Act 109 documents?** Counsel should ensure all social security numbers and confidential information are redacted before submission.
- 6. **Describe any other procedures you have for stip:** IMPORTANT: All Stipulations uploaded to WCAIS by counsel without having been presented at a hearing beforehand must be NOTARIZED to be accepted. Stipulations resolving PHYSICAL EXAMINATION PETITIONS ONLY do not need to be notarized.

BRIEFS AND POST-HEARING SUBMISSIONS

- 1. **Will you close a case via WCAIS submission or is a final hearing required?** Final Hearing. Most cases will have a final hearing, and counsel will be informed of the record closure date via letter afterward. In the event the record closes prematurely (such as in the case of dismissal), counsel may not be informed. Not all cases will have a briefing schedule; the parties will be informed if one is anticipated in the closing letter.
- 2. **What are the time requirements for submissions and what procedures are taken when time requirements aren't met?** Counsel are generally allotted approximately one (1) month to submit their briefs once the schedule is issued. Tardy briefs may be disregarded at my discretion.
- 3. **Describe any preferences regarding the format and content of submissions:** No preference.

MANDATORY MEDIATIONS

- 1. **List the offices where you conduct mandatory mediations:** Scranton
- 2. **Do you require all participants to attend in-person?** Yes
 - a. **Under what circumstances do you permit attendance by phone?** Adjustor available by phone.
- 3. **Do you require a Mediation Statement?** Not required but preferred. **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?** Sixty (60) to ninety (90) days.
 5. **Are you willing to conduct more than one session per Dispute?** Only under special circumstances. Generally, the parties receive only one (1) mandatory mediation per dispute.
 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 **If you:**
 - a. **What is the latest day before the mediation that cancellation or postponement, absent an emergency, can be requested?** Counsel may cancel mediations at any time if they are futile, but last-second cancellations may be denied due to the problems that arise from them. Counsel are to inform all parties – especially the Claimant – of the cancellation and ensure they do not appear at this office.
 7. **What else should the parties know or do before the mediation?** Contact opponent to see if there is any good faith effort to settle.

VOLUNTARY MEDIATIONS

1. **Do you conduct Voluntary Mediations?** No Click or tap here to enter text.
2. **List the offices where you conduct voluntary mediations:** Click or tap here to enter text.
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?** No **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?** Adjustor by phone.
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?** Click or tap here to enter text.
9. **Are you willing to conduct more than one session per Dispute?** No 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?** Choose an item. **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?** 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?** Below are my policies regarding continuances:

Continuances are to be filed solely in the “Requests” section of the case’s relevant dispute on WCAIS. Any continuances filed under “Documents and Correspondence” or any other incorrect section will not be acknowledged, nor will requests mailed or faxed to this office that have not also been uploaded under “Requests.” Exceptions may be made in certain instances, such as with pro se Claimants.

Requests must be made no later than ten (10) days before the event in question, as set forth in Section 131.13 (d) (2) of the Special Rules of Administrative Practice and Procedure Before Workers’ Compensation Judges. Exceptions will be granted only in reasonable circumstances, or if the case has resolved in its entirety. Please note that attempting settlement or failing to coordinate scheduling are not considered reasonable circumstances.

In the event a cancellation or continuance request is granted three (3) days or fewer before a hearing, Claimant’s counsel is to verify in writing that Claimant has not only been informed of the cancellation, but is aware of it and will not appear at this office. If the Claimant is pro se, Defense counsel is to verify instead. Failure to comply with this policy without sufficient excuse may result in the hearing remaining scheduled.

In the event a case is resolved via Withdrawal or Notarized Stipulation three (3) days or fewer before a hearing, the above policy still applies.

These policies are strictly enforced due to the frequent confusion and frustration resulting from last-second continuances.

- 2. Under what circumstances do you conduct conference calls?** Conference calls are permitted. I will initiate the conference call, and counsel are to provide my staff with a contact number; in the event a phone number is not provided, the first one listed under counsel’s WCAIS profile will be used.
- 3. Under what circumstances do you accept faxes and e-mails from parties?** We accept all documents if there is no objection; however, the submitting party is responsible for uploading the same to WCAIS before or after the fact, either under “Exhibits” or “Documents and Correspondence,” depending on the circumstances.
- 4. Do you adhere strictly to duration listed for a Hearing or Mediation?** No. I permit flexibility to conclude the hearing.
- 5. What is the best way to contact you in an urgent situation?** Call the office.
- 6. What is your snow/emergency cancellation policy (i.e., do you follow a specific school district closing schedule, etc.)?** I don’t cancel if the office is open; however, I allow liberal continuances for weather conditions. My normal continuance policies do not apply in the event of weather continuances; counsel, however, should still upload them under “Requests” if possible.