

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?** At the first hearing the moving party will present testimony and exhibits in support of its case. The responding party will have the opportunity to question the claimant and present exhibits. Exceptions to this rule are: A vocational expert will ordinarily testify by deposition. Thirty minutes is provided at the first hearing for the claimant's testimony. The judge's office must be notified of any need for additional hearing time when the petition is assigned to the judge.
2. **List any documents required at the first Event:** No first hearing filings or documents are required. Counsel must be prepared to state the client's position on the issues
 - a. **Should docs be uploaded as Exhibits or Letters to the Judge?** Letter to Judge
 - b. **Should docs be uploaded before or after the first Event?** Before

SUPERSEDEAS PROCEDURES

1. **What are your procedures for supersedeas hearings?** Testimony of the Claimant and exhibits are expected at a hearing when supersedeas is at issue. Supersedeas is ruled on by written order circulated immediately after the hearing.
 - a. **Will testimony be heard?** Yes
 - b. **Is additional time generally granted to obtain medical evidence?** Yes. Upon request of a party, I will diary the file to rule on supersedeas on the fourteenth day (or the seventh day on a special supersedeas request).
 - c. **Under what circumstances will you reconsider a supersedeas order?** Reconsideration of supersedeas may only be had after a hearing as provided in Section 131.41(a) of the Special Rules. 34 Pa. Code §131.41(a).
 - d. **Do you generally use written orders for denials?** Yes
 - e. **What is required for employee's counsel to obtain interim fee approval?** The fee agreement must be uploaded to WCAIS. The request for interim fee approval may be made by the letter to judge function in WCAIS, or on the record at a hearing. When a fee is approved, an interim order approving a fee will be circulated.
 - 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:** Hearings are serial.
 - a. **Are you willing to change the hearing format upon request?** Yes The hearing format may be changed upon the request of all parties.

2. **Are you willing to allow counsel to participate by telephone?** Yes Counsel must request and be granted permission to participate in hearings by telephone. Counsel cannot participate by telephone in State College due to lack of facilities.
3. **What procedure do you follow if a party fails to appear at a hearing?** If a moving party fails to appear at a hearing without excuse, the responding party may move for dismissal. The motion will ordinarily be granted. If a responding party fails to appear at a hearing without excuse, the moving party may offer evidence calculated to meet the moving party's burden. The moving party may rest and move to close the record. The motion will ordinarily be granted. If the moving party cannot rest, a final hearing will be scheduled to assure the responding party has an opportunity to respond to interpresented evidence.
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?**
 - 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?** A first hearing is scheduled for the Claimant's testimony. The scheduling order at the conclusion of the first hearing will provide for the presentation of additional lay witness testimony. The order will provide the time frame for notice of additional lay witnesses.
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?** A witness including an expert witness may testify by deposition or by phone upon agreement of all parties. Otherwise this request will be addressed when a scheduling order is made.
3. **What is your procedure regarding the order of testimony with respect to submission of medical evidence, particularly when cross petitions are filed?** The parties should come to the first hearing planning to take the testimony of the claimant and should be prepared to discuss the order of the evidence. A scheduling order will be entered.
4. **Do the parties need to upload the Bureau and WCOA documents as exhibits or will you admit them electronically as Judge exhibits?** Judge [Click or tap here to enter text.](#)
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?** Exhibits should be uploaded at least three business days prior to a hearing.
6. **Do you require counsel to bring exhibit hard copies to the hearing?** Yes. Hard copies of exhibits should be brought for all parties and the judge to review at a hearing. Hard copies of depositions should be submitted at the close of the record in cases that will proceed to decision.
7. **When will you rule on objections to exhibits?** Objections to exhibits made on the record will be ruled upon on the record unless briefs are required. Objections to exhibits made between hearings will be ruled upon at the next hearing. An objection made between the final hearing and decision and a response thereto should be made by correspondence uploaded as an exhibit.
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 conferences are preferred.
9. **What is the last day to file written preservations of deposition objections?** Written preservations of deposition objections and a response thereto should be made by correspondence uploaded as an exhibit before the close of the record.

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?** Yes
 - i. **How far in advance of the hearing do you need to receive it?** A draft of the Compromise and Release Agreement should be provided for review at least three business days prior to the hearing.
 - c. **Should the parties upload the C&R Agreement, including the fee agreement and any other attachments, before or after the hearing?** After. The WCJ will direct what the exhibits should contain and how they are to be designated at the hearing.
 - d. **Should child support docs be uploaded as a separate exhibit?** Yes. The Act 109 affidavit and web site printout should be uploaded as a single exhibit.
 - 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.?)** The wavier of appeal should be uploaded as a separate exhibit. The bill of costs should be uploaded as a separate exhibit.
 - f. **Should they be a part of the C&R Agreement or separate exhibits?** Seperate
 - g. **When should SSNs and other confidential information be redacted from the C&R Agreement and Act 109 documents?** The first five digits of the social security number should be redacted before any document is uploaded. No information should be redacted on hard copies brought to the hearing for the parties and the WCJ.
 - 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:** N/A

STIPULATIONS (STIPs) RESOLVING DISPUTES

1. **What are your usual procedures regarding the submission, review, and adoption?** Stipulations resolving disputes should be uploaded as an exhibit. A decision will issue.
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.)?** Ordinarily, all other exhibits should be uploaded as separate exhibits.
 - a. **Should they be part of the stip or a separate exhibit?** Seperate
5. **When should SSNs and other confidential information be redacted from the stip and Act 109 documents?** The first five digits of the social security number should be redacted before the document is uploaded. If other confidential information is redacted before a document is uploaded, the document without redaction must be mailed to the WCJ.
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?** A typical briefing schedule provides a moving party's brief is due in twenty days and a responding party's brief is due in thirty days. After thirty days a decision may be issued without receipt of a party's brief.
3. **Describe any preferences regarding the format and content of submissions:** A letter memorandum is preferred. Identify facts (with citations to the record), issues, argument (with citations to statutory and case law), and a statement of the relief requested, including counsel fees, medical expense reimbursement and costs of litigation.

MANDATORY MEDIATIONS

1. **List the offices where you conduct mandatory mediations:** Altoona, State College and Johnstown.
2. **Do you require all participants to attend in-person?** Yes
 - a. **Under what circumstances do you permit attendance by phone?** If it is not practical for a participant to attend the mediation personally, counsel or the party should notify the WCJ at least three business days prior to the mediation.
3. **Do you require a Mediation Statement?** Yes **If yes:** Mediation Statement
 - a. **What information do you require in that Statement?** The mediation statement form is sent with the mediation notice. A mediation statement form may also be requested from the WCJ's office.
 - b. **What documents, if any, must accompany the Statement?** N/A
 - c. **How far in advance of the mediation must the parties submit the Statement and accompanying documents?** The mediation statement and attachments, if any, should be submitted at least three business days prior to the mediation.
4. **After you approve a Mediation Request, how long until it's scheduled?** Thirty to sixty 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?** You **If you:**
 - a. **What is the latest day before the mediation that cancellation or postponement, absent an emergency, can be requested?** Absent an emergency situation a request for cancellation or postponement of a mediation must be made ten days in advance.
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:** Altoona, State College, Johnstown and other offices upon request.
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:** There are no special procedures.
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

- a. **Under what circumstances do you permit attendance by phone?** If it is not practical for a participant to attend the mediation personally, counsel or the party should notify the WCJ at least three business days prior to the mediation.
7. **Do you require a Mediation Statement? Yes If yes:**
- a. **What information do you require in that Statement?** The mediation statement is sent with the mediation notice. A mediation statement form may also be requested from the WCJ's office.
- 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?** The mediation statement and attachments, if any, should be submitted at least three business days prior to the mediation.
8. **After you approve a Mediation Request, how long until it's scheduled?** Thirty to sixty days
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?** Absent an emergency situation a request for cancellation or postponement of a mediation must be made ten days in advance.
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?** A request should be made at least ten days in advance and must include: a) A statement of the position of counsel of record and any unrepresented parties pursuant to §131.13(e) of the special rules; b) A statement of the reasons why the postponement is requested; and c) A statement of the circumstances that occurred within ten days of the hearing date if §131.13(f) of the special rules applies.
2. **Under what circumstances do you conduct conference calls?** To resolve discovery disputes and/or to address scheduling orders.
3. **Under what circumstances do you accept faxes and e-mails from parties?** All written communication should be conducted through WCAIS. Faxes and e-mail are appropriate only in exceptional circumstances.
4. **Do you adhere strictly to duration listed for a Hearing or Mediation?** Yes. The duration listed for a hearing or mediation may be exceeded only when the schedule permits.
5. **What is the best way to contact you in an urgent situation?** Contact my secretary at 814-946-7355. My staff will have a number where I can be reached.
6. **What is your snow/emergency cancellation policy (i.e., do you follow a specific school district closing schedule, etc.)?** Office closings and cancellations will be posted to WCAIS.