

**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?** 10 minute pretrial.
2. **List any documents required at the first Event:** Click or tap here to enter text.
  - a. **Should docs be uploaded as Exhibits or Letters to the Judge?** Letter to Judge 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?** No Requests for additional time to submit medical evidence may be made at the supersedeas hearing.
  - c. **Under what circumstances will you reconsider a supersedeas order?** Supersedeas orders may be reconsidered for good cause.
  - 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?** A copy of the written fee agreement.
  - 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:** The number and format of hearings is determined at the pretrial hearing.
  - 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 Click or tap here to enter text.
3. **What procedure do you follow if a party fails to appear at a hearing?** Sanctions, if appropriate, will be imposed.
4. **Do you have special procedures for psychological injury cases?** Choose an item. 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?** The decisions as to what witnesses will testify and when is determined at the pretrial hearing. At the end of each hearing at which testimony is taken, counsel are asked whether they require any additional hearings for fact testimony.
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?** Expert witnesses are always taken by way of deposition. Fact witnesses may be taken by deposition under varying circumstances. Telephone testimony is never permitted at a hearing.
3. **What is your procedure regarding the order of testimony with respect to submission of medical evidence, particularly when cross petitions are filed?** This is determined at the pretrial 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? After 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 Click or tap here to enter text.
7. **When will you rule on objections to exhibits?** If offered at the hearing, when offered. If uploaded after the final hearing, at the time of 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.?** Discovery disputes should be addressed in writing. Telephone conferences are never used to resolve discovery disputes.
9. **What is the last day to file written preservations of deposition objections?** The preserved objections should be filed at the time of filing of 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 Amendments may be made to pending Petitions. However, if a decision on the merits of a pending Petition is sought, a separate C&R Petition must be filed.
  - 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 The hard copies of the Agreement and necessary attachments will be uploaded by my staff after the hearing.
  - 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.?)** Only the fee agreement should be attached to the C&R. All other exhibits should be uploaded separately.
  - 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?** This information should appear only on the Act 109 documents. Our office will redact the social security numbers before uploading them.
- 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?** Stipulations should be uploaded as an exhibit.
- 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.)?** All exhibits should be uploaded as separate exhibits.
  - a. Should they be part of the stip or a separate exhibit?** [Click or tap here to enter text.](#)
- 5. When should SSNs and other confidential information be redacted from the stip and Act 109 documents?** Social security numbers should never be included on any document other than as required by the Act 109 documents.
- 6. Describe any other procedures you have for stip:** [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?** WCAIS Submission
- 2. What are the time requirements for submissions and what procedures are taken when time requirements aren't met?** A briefing deadline will be established by written Order in each dispute.
- 3. Describe any preferences regarding the format and content of submissions:** Proposed Findings of Fact and Conclusions of Law should be in the form of the decision you seek to have entered in the dispute.

### MANDATORY MEDIATIONS

- 1. List the offices where you conduct mandatory mediations:** Lancaster
- 2. Do you require all participants to attend in-person?** Yes
  - a. Under what circumstances do you permit attendance by phone?** The Claimant and all attorneys must be personally present for the mediation. A person with actual authority on behalf of the Defendants must be actually reachable by telephone during the mediation.
- 3. Do you require a Mediation Statement?** Yes **If yes:**
  - a. What information do you require in that Statement?** Information which the submitting party believes it will be helpful for me to know.
  - 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?** No later than the Friday before the mediation.
- 4. After you approve a Mediation Request, how long until it's scheduled?** Mediations are generally scheduled by the assigned Judge at a hearing.

5. **Are you willing to conduct more than one session per Dispute?** No In extraordinary circumstances, I would consider holding a second session.
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?** I should be contacted, with a copy to the mediating Judge. **If you:**
  - a. **What is the latest day before the mediation that cancellation or postponement, absent an emergency, can be requested?** At least one week in advance of the mediation date.
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 Only in exceptional circumstances.
2. **List the offices where you conduct voluntary mediations:** Lancaster.
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?** Yes
  - a. **Under what circumstances do you permit attendance by phone?** See above.
7. **Do you require a Mediation Statement?** Yes See answers in section on Mandatory Mediations above. **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?** The date is worked out between my office and counsel.
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?** In a voluntary mediation, both myself and the assigned Judge should be contacted. **If you:**
  - a. **What is the latest day before the mediation that cancellation or postponement, absent an emergency, can be requested?** The Friday prior to the mediation.
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?** Requests should be made in accordance with the applicable Rules of Procedure.
2. **Under what circumstances do you conduct conference calls?** No

- 3. Under what circumstances do you accept faxes and e-mails from parties?** Faxes are acceptable, but please do not fax a document if you have uploaded it into WCAIS. This creates additional unnecessary work for our staff. E-mails are not acceptable.
- 4. Do you adhere strictly to duration listed for a Hearing or Mediation?** I am willing to go overtime when appropriate, but it is not encouraged.
- 5. What is the best way to contact you in an urgent situation?** Contact the Lancaster WCOA Office.
- 6. What is your snow/emergency cancellation policy (i.e., do you follow a specific school district closing schedule, etc.)?** Hearings and mediations will be cancelled 24 hours in advance, except in unforeseen circumstances. When in doubt, contact the Lancaster WCOA Office.