

**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 usually provided at the first hearing for Claimant's testimony, regardless of whether Claimant is the moving party. 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 pre-hearing memorandum is required, but will be accepted. 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. A first hearing filing or document (not required) should be uploaded as a document.
  - b. Should docs be uploaded before or after the first Event?** Before [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?** Yes. Testimony of the Claimant and exhibits are expected at a hearing when supersedeas is at issue.
  - b. Is additional time generally granted to obtain medical evidence?** Upon request of a party, I will diary the file to rule on supersedeas on the fourteenth (14th) day following the hearing, or seventh (7th) day on a special supersedeas request.
  - c. Under what circumstances will you reconsider a supersedeas order?** Reconsideration of supersedeas may be had only after a hearing as provided in Section 131.41(a) of the Special Rules.
  - 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?** The fee agreement must be uploaded to WCAIS. The request for interim fee approval may be made by 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, but the hearing format may be changed upon request and consent of all parties.

- 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?** Yes. Permission to appear by telephone must be granted in advance of the hearing, and is dependent upon consent of all parties. Requests should indicate the position of each party regarding the request.
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 to meet the burden of proof. The moving party may rest and move to close the record.
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?** Unless testimony of witnesses (other than Claimant) is discussed on the record at the first hearing, written notice is required. Counsel should identify the name and address of the witness and include a brief offer of proof, as well as an estimate of the time needed to complete the testimony. At least 30 days' notice is preferred so that sufficient hearing time can be scheduled.
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 experts may testify by deposition. Lay witnesses may testify by deposition or by phone, upon agreement of all parties. A request should be made via WCAIS in such circumstances.
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 expecting to take the testimony of the Claimant, and be prepared to argue the order of the evidence.
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?** I prefer that exhibits be uploaded to WCAIS before the hearing, when practicable.
6. **Do you require counsel to bring exhibit hard copies to the hearing?** No. Hard copies are not required. Any hard copies brought to the hearing will be marked for identification, then returned to the submitting party for uploading to WCAIS.
7. **When will you rule on objections to exhibits?** At the hearing in which the exhibits are offered, when practicable. 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
9. **What is the last day to file written preservations of deposition objections?** Before the close of the record. A written preservation of objection, and any response thereto, should be uploaded as an exhibit.

## 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 **If yes:**
    - i. **How far in advance of the hearing do you need to receive it?** At least 48 hours.
  - 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 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.?)** The Waiver of Appeal, if any, and Bill of Costs
  - f. **Should they be a part of the C&R Agreement or separate exhibits?** Separate exhibits
  - g. **When should SSNs and other confidential information be redacted from the C&R Agreement and Act 109 documents?** The social security number should be redacted before any document is uploaded.
  - 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:** N/A

## STIPULATIONS (STIPs) RESOLVING DISPUTES

1. **What are your usual procedures regarding the submission, review, and adoption?** Stipulations must be in writing, and signed by the parties and their counsel. 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.)?** Click or tap here to enter text.
  - a. **Should they be part of the stip or a separate exhibit?** Ordinarily, all other exhibits should be uploaded as separate exhibits.
5. **When should SSNs and other confidential information be redacted from the stip and Act 109 documents?** The social security number should be redacted before the document is uploaded.
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?** 30 days for moving party, after which non-moving party will have 30 days. These time limitations may be adjusted depending on the circumstances.
3. **Describe any preferences regarding the format and content of submissions:** Proposed Findings of Fact, Conclusions of Law and Order are preferred. The parties may submit a Brief or Memorandum of Law if legal arguments cannot be effectively addressed in the Proposed Findings format.

## MANDATORY MEDIATIONS

1. **List the offices where you conduct mandatory mediations:** Greensburg.
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 in person, 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:**
  - a. **What information do you require in that Statement?** 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?** At least 72 hours is preferred.
4. **After you approve a Mediation Request, how long until it's scheduled?** 30 to 60 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?** Ten (10) days is preferred.
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:** Voluntary Mediations are scheduled in Greensburg. I will conduct Voluntary Mediations in other locations at the request of the parties, and subject to availability.
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?** 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?** 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?** Requirements are the same as for Mandatory Mediation. See above.
  - b. **What documents, if any, must accompany the Statement?** Requirements are the same as for Mandatory Mediation. See above.

- c. **How far in advance of the mediation must the parties submit the Statement and accompanying documents?** Requirements are the same as for Mandatory Mediation. See above.
8. **After you approve a Mediation Request, how long until it's scheduled?** 30 to 60 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:** On cases in which I am the assigned judge, all such requests should be directed to me.
- a. **What is the latest day before the mediation that cancellation or postponement, absent an emergency, can be requested?** Ten (10) days is preferred.
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 10 days in advance and must include: a) A statement of the position of counsel of record and any unrepresented parties pursuant to Section 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 10 days of the hearing date if Section 131.13(f) of the Special Rules applies.
2. **Under what circumstances do you conduct conference calls?** Conference calls are conducted to resolve discovery disputes, and address scheduling requests.
3. **Under what circumstances do you accept faxes and e-mails from parties?** All written communications should be conducted through WCAIS. Faxes and e-mails are accepted only in exceptional circumstances.
4. **Do you adhere strictly to duration listed for a Hearing or Mediation?** Ordinarily, time limitations for hearings are adhered to strictly, but can be exceeded in the interest of judicial economy if and when the day's hearing schedule permits.
5. **What is the best way to contact you in an urgent situation?** Contact my secretary at 724-832-5310. Urgent communications will be forwarded to me as soon as possible.
6. **What is your snow/emergency cancellation policy (i.e., do you follow a specific school district closing schedule, etc.)?** No specific policy. Hearing cancellations due to emergency conditions will be posted to WCAIS.