

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?

My hearings will now be slotted for the indefinite future. Therefore, it is important that the parties arrive on time to ensure that the case can be heard.

All first hearings will be pre-trials. I will not hear any testimony at first hearings. On a Claimant-driven petition, Claimant may either testify by deposition, or I will reschedule for a second hearing within 30 days for Claimant's live testimony.

The matter will be scheduled for a mandatory mediation and a mandatory trial schedule will be set, with the moving party expected to complete their case first.

2. List any documents required at the first Event: The moving party should upload to WCAIS the controlling Bureau document (or Judge's Decision) prior to the first hearing.

3. Should docs be uploaded as Exhibits or Letters to the Judge? Exhibits

a. Should docs be uploaded before or after the first Event? Before - Please note that all exhibits are to be uploaded to WCAIS prior to the hearing at which they are being submitted.

SUPERSEDEAS PROCEDURES

1. What are your procedures for supersedeas hearings? Click or tap here to enter text.

a. Will testimony be heard? No However, it will be permitted if requested by either party.

b. Is additional time generally granted to obtain medical evidence? Yes Presumably Employer already has its medical evidence in hand. Claimant will have 14 days from the first hearing in order to submit his or her documents in opposition to Employer's request for supersedeas. In limited cases, Claimant may be given up to 21 days to submit supersedeas if there are extenuating circumstances necessitating the extension.

c. Under what circumstances will you reconsider a supersedeas order? Upon submission of new evidence and a WCAIS request for reconsideration.

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 denial of supersedeas based on Claimant's submission of evidence in opposition to Employer's request for supersedeas, including an Affidavit from Claimant concerning the fee agreement and a copy of the fee agreement itself.

f. Describe any other procedures for supersedeas hearings: Click or tap here to enter text.

g. Describe procedures for special supersedeas hearings, if different: Claimant's evidence in opposition to Employer's request for supersedeas must be uploaded to WCAIS within 7 days of the supersedeas hearing. This timeframe can be modified only by agreement of the parties.

HEARINGS

1. **Describe the structure of your hearings and whether you are willing to change your hearing format:** I slot my hearings and I use serial hearings. The matter will be relisted for a hearing for submission of the moving party's evidence approximately 90 days following the first hearing, with the final hearing to take place approximately 90 days following the second hearing. I would consider changing my hearing format only upon a showing of good cause by the 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?** No However, there may be extreme circumstances that would warrant the same, so I would consider it in a limited manner on a case-by-case basis.
3. **What procedure do you follow if a party fails to appear at a hearing?** The matter may be rescheduled for another hearing in 30 days. In certain circumstances, the matter may be disposed of without scheduling another hearing,
4. **Do you have special procedures for psychological injury cases?** No However, a closed hearing for Claimant's testimony can be arranged if requested by counsel.

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?** Desposition , although it is up to the parties how they wish to present their respective cases. 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 parties are permitted to take fact witness testimony by deposition. However, they may also present witness testimony live at a hearing. The party presenting the witness is to notify me and opposing counsel via WCAIS of their intention to do so at least two weeks in advance of the hearing. The matter may need to be rescheduled depending on whether sufficient time was allotted for 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?** Witnesses are always permitted to testify by deposition, unless the opposing party provides a specific reason as to why they want the witness to be presented live. I may still allow a deposition if it would be a hardship for the witness to appear live or if live testimony would cause an unnecessary delay to the litigation. I would allow a witness to testify by phone, at a hearing, only in limited circumstances on a case-by-case basis, as a deposition may be more appropriate in this instance.
3. **What is your procedure regarding the order of testimony with respect to submission of medical evidence, particularly when cross petitions are filed?** Usually the party that bears the burden on the petition that was filed first would complete its evidence first, unless the parties agree to a different order.
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?** Before **If before:**
 - a. **What is the latest day before the hearing that they may be uploaded?** The day prior to the final hearing. Please note that I no longer accept hardcopies of the evidence, except for surveillance video or evidence that can only be submitted in a physical form. Therefore, if a party does not upload its exhibits in a timely fashion, the exhibit that are not uploaded may not be considered in the final decision.
6. **Do you require counsel to bring exhibit hard copies to the hearing?** No – See above answer.

7. **When will you rule on objections to exhibits?** If it is an objection to the submission of the exhibit itself, I will rule on the objection as it is raised at a hearing. If it is an objection contained in a deposition transcript, I will rule on the objection in the final decision, if the same is preserved in accordance with the WCJ rules.
8. **What is your procedure for handling discovery disputes, e.g. do you employ telephone conferences, do you prefer to attend certain depositions, etc.?** The matter will be scheduled for a hearing on the record.
9. **What is the last day to file written preservations of deposition objections?** I strictly follow the WCJ Rules regarding the preservation of objections.

COMPROMISE & RELEASES (C&Rs)

1. **Describe your procedures regarding the review of C&R Agreements:** A fully-executed, unredacted copy of the C&R needs to be emailed to me in advance of the hearing. A fully-executed, redacted copy of the C&R needs to be uploaded to WCAIS either before or after the hearing.
 - 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?** Any time prior to the hearing. Again, it needs to be a fully-executed, unredacted copy that is emailed to me.
 - c. **Should the parties upload the C&R Agreement, including the fee agreement and any other attachments, before or after the hearing?** Either is fine.
 - d. **Should child support docs be uploaded as a separate exhibit?** No [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.)?** Any item that was attached to the Compromise and Release Agreement as marked should be uploaded as part of the Compromise and Release Agreement itself, not a separate exhibit. This may include the fee agreement, the Act 109 documents, waiver of appeal, Authorization for Alternative Delivery, etc.
 - f. **Should they be a part of the C&R Agreement or separate exhibits?** Part of the C&R. Please note that I do not consider resignation letters, separation agreements, or general releases to be part of the C&R.
 - 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 prior to the document being uploaded to WCAIS. It is also preferable for the date of birth to be redacted prior to being uploaded to WCAIS.
 - 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 to WCAIS with any necessary documentation, such as the child support documents and the fee agreement, attached.
2. **Should the fee agreement be part of the stip or separate exhibit?** Part of Stipulation [Click or tap here to enter text.](#)
3. **Should child support documents be uploaded as a separate exhibit?** No [Click or tap here to enter text.](#)
4. **What other exhibits should be uploaded (i.e. medical bills, etc.)?** None, unless the Stipulation specifically references the same as being attached. If additional items are to be attached to the Stipulation, they should be uploaded as part of the Stipulation.

- 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?** Prior to being uploaded to WCAIS.
6. **Describe any other procedures you have for stips:** 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?** Final Hearing
2. **What are the time requirements for submissions and what procedures are taken when time requirements aren't met?** A briefing schedule is set at the final hearing. I will allow the moving party anywhere from 30 to 60 days for submission of it's brief, depending on the age of the petitions. The responding party will then have 30 days from the date that the moving party's brief is due. The responding party's brief is due within the time specified per the briefing schedule regardless of when or whether the moving party's brief has been submitted, unless an extension is expressly requested. This is to ensure that there is a definitive date by which the parties can expect to receive a Decision. If an extension is required by either side, the parties are encouraged to request the same in accordance with the WCJ rules and prior to the expiration of the briefing deadline as noted in WCAIS. If the briefing schedule expires without the submission of one or both briefs, a Decision will be issued accordingly
3. **Describe any preferences regarding the format and content of submissions:** The same are to be uploaded to WCAIS.

MANDATORY MEDIATIONS

1. **List the offices where you conduct mandatory mediations:** The Philadelphia hearing office.
2. **Do you require all participants to attend in-person?** No
- a. **Under what circumstances do you permit attendance by phone?** Counsel and/or unrepresented parties are expected to attend in person. While I prefer for the Claimant to be present, the Claimant must at least be available by phone. An individual with the Employer/insurance carrier/TPA with decision-making authority must be available by phone to speak with the attorney attending the mediation, if necessary.
3. **Do you require a Mediation Statement?** No **If yes:**
- a. **What information do you require in that Statement?** While a mediation statement is not required, a one-page summary is appreciated. This should contain as much of the following information as possible: Case name, submitting party, presiding judge, date of injury, accepted/alleged injury, petitions pending, average weekly wage and compensation rate, status of settlement negotiations, Claimant's age, Claimant's length of employment, medical experts, status of litigation, Claimant's pre-injury title, mechanism of injury, the amount of outstanding medical expenses (to be provided by Claimant, if applicable), the amount of the unemployment credit (to be provided by Claimant, if applicable), the amount of the short-term disability or long-term disability credit (to be provided by Employer, if applicable), whether Claimant is receiving/applied for Social Security Disability benefits and is a Medicare beneficiary, whether there is a 3rd party case (and amount of the Employer's lien, to be provided by Employer, if applicable), whether any Utilization Review Requests are outstanding, whether a resignation letter is required (to be specified by Employer), and the amount of Claimant's counsel's litigation costs to date. Although a mediation statement is not required, the parties should be prepared to provide the aforementioned information at the time of the mediation if they do not submit a mediation statement. Mediation statements should be uploaded under the Mediation tab in WCAIS.
- b. **What documents, if any, must accompany the Statement?** There should be no accompanying documents.
- c. **How far in advance of the mediation must the parties submit the Statement and accompanying documents?** If submitting a Statement, the same should be provided no later than the day prior to

the mediation. Mediation statements received the day of the mediation may not be received in sufficient time to be reviewed.

4. **After you approve a Mediation Request, how long until it's scheduled?** If I am the presiding judge, at the first hearing, I ask the parties to agree upon a month for me to request that the mandatory mediation be scheduled. This usually will not exceed four months from the date of the first hearing. If I am the mediating judge, it is usually scheduled by our mediation scheduler based on the timeframe provided by the presiding judge.
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?** The day prior to the mediation.
7. **What else should the parties know or do before the mediation?** If the Employer does not have settlement authority as of the day prior to the mediation, that should be communicated to Claimant's counsel. Also, a settlement demand, and ideally an offer, should be exchanged prior to the mediation.

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:** The Philadelphia hearing office.
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?** Yes **If yes:**
 - a. **Describe any special procedures:** I do not have any special procedures for such a situation.
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?** The attorneys and/or unrepresented parties need to be present, and the Employer/carrier/TPA and the represented Claimant should at least be available by phone.
7. **Do you require a Mediation Statement?** No **If yes:**
 - a. **What information do you require in that Statement?** See above
 - b. **What documents, if any, must accompany the Statement?** See above
 - c. **How far in advance of the mediation must the parties submit the Statement and accompanying documents?** See above
8. **After you approve a Mediation Request, how long until it's scheduled?** It depends largely on the parties availability, but a month on average.
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?** For voluntary mediations, the parties should contact the mediating judge. **If you:**
 - a. **What is the latest day before the mediation that cancellation or postponement, absent an emergency, can be requested?** That would be up to the mediating judge. In the event that I am the mediating judge, the voluntary mediation can be cancelled anytime 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?** These requests are granted on a case-by-case basis and are dependent on a number of different variables, such as prior continuance/extension requests by the same party in the same matter. Requests should be made via WCAIS at least 24 hours prior to the scheduled event. Continuances: Requests for continuances need to contain sufficient information in order for me to determine whether a continuance is appropriate. Continuance requests must include the status of litigation (i.e. what evidence has been completed to date), when the need for the continuance arose, why the continuance is needed, the opposing party's position regarding the request, and the length of time the requesting party is asking for the matter to be continued. The request may be denied if any of this information is not included. Extension for completion of evidence: See Continuances above. Briefing schedule extensions: Requests to extend the briefing schedule need to be made prior to the expiration of the briefing schedule, and should be made prior to a particular party's brief being due. In addition to being on the record at the final hearing, the briefing schedule can also be found in WCAIS with the exact due dates noted. Please keep in mind that these requests should also conform with the WCJ rules.
2. **Under what circumstances do you conduct conference calls?** I conduct conference calls in the event of an objection to a deposition.
3. **Under what circumstances do you accept faxes and e-mails from parties?** If possible, all written communications should be made through WCAIS. In extenuating circumstances (i.e. WCAIS is down), then an email will be accepted. Also, if I have initiated or otherwise requested the communication, an email will be accepted.
4. **Do you adhere strictly to duration listed for a Hearing or Mediation?** For hearings, as they will now be slotted, I have to strictly adhere to the duration allotted. For mediations, I will go over the duration listed.
5. **What is the best way to contact you in an urgent situation?** Please call my office and/or upload a letter/request to WCAIS. In a true emergency, email would also be appropriate.
6. **What is your snow/emergency cancellation policy (i.e., do you follow a specific school district closing schedule, etc.)?** If the Philadelphia School District has a delayed opening or is closed, then my hearings and mediations are cancelled.