

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, they should be completely redacted before the document is uploaded, unless otherwise specified below. All communications with the Judge, including but not limited to requests, should be submitted through WCAIS unless otherwise specified by the Judge.

HEARING PROCEDURES

1. What is the first event and what will occur?

First hearing to review case and set a trial schedule, dealing with supersedeas and other preliminary issues if any.

a. List any documents required at the first event:

Bureau documents, fee agreement

b. Should documents be uploaded as Exhibits or Letters to the Judge?

Exhibits

2. Describe the format of your hearings (e.g., serial, one day – one trial).

Serial

3. Are you willing to change the hearing format upon request?

Yes.

4. What factors will you consider in deciding whether to conduct a hearing in-person?

Based on need

5. What factors will you consider in deciding whether to conduct a virtual hearing by audio only or by audio with video?

Virtual for me is the preferred hearing.

6. What procedure do you follow if a party fails to appear at a hearing?

Depends.

7. Do you have special procedures for psychological injury cases?

No.

SUPERSEDEAS PROCEDURES

1. What are your procedures for supersedeas hearings? Documents only

a. Will testimony be heard?

No.

- b. **Is additional time generally granted to obtain medical evidence?**
Yes.
- c. **Under what circumstances will you reconsider a supersedeas order?**
Depends.
- d. **Do you generally use written orders for denials?**
Yes.
- e. **What is required for employee's counsel to obtain interim fee approval?**
A request
- f. **Describe any other procedures for supersedeas hearings:**
None.
- g. **Describe procedures for special supersedeas hearings, if different:**
See above.

WITNESSES/EXHIBITS

1. **What are your rules regarding taking testimony?**
No special rules
2. **Do you require testimony at a virtual hearing, an in-person hearing, or by deposition?**
All three are permitted
3. **Under what circumstances will you change your requirements for presentation of testimony?**
Depends.
4. **If counsel wishes to present the testimony of a witness (either virtually or in-person), do you require prior notice? Yes If yes, how much notice do you require? depends**
5. **What is your procedure regarding the order of expert medical testimony when cross petitions are filed?**
depends
6. **Do the parties need to upload the Bureau and WCOA documents as exhibits or will you admit them electronically as Judge exhibits?**
Upload by parties
7. **Do you require counsel to upload exhibits to WCAIS before or after the hearing? Before if possible If before, how far in advance of the hearing must they be uploaded? 3-4 days**
8. **When will you rule on objections to exhibits?**
When offered into evidence
9. **What is your procedure for handling discovery disputes?**
Conference call if necessary or taking positions by emails
10. **What is the last day to file written preservations of deposition objections?**
With the briefs.

COMPROMISE & RELEASES (C&Rs)

1. Describe your procedures regarding the review of C&R Agreements:

Upload before 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?

Amendment is accepted

b. Are parties required to provide a draft of the C&R Agreement before the hearing? If yes, how far in advance of the hearing do you need to receive? Draft is not necessary

c. Should the parties upload the signed C&R Agreement, including the fee agreement and any other attachments, before or after the hearing?

Before

d. Should child support documents be uploaded as a separate exhibit?

Doesn't matter

e. Should Social Security numbers and other confidential information be redacted from the C&R Agreement and Act 109 documents?

Yes.

f. Will you sign bench orders?

Yes.

g. Describe any other procedures you have for C&R Agreements:

None.

STIPULATIONS RESOLVING DISPUTES

1. What are your usual procedures regarding the submission, review, and adoption of stipulations?

No special rules

2. Should the fee agreement be part of the stipulation or separate exhibit?

Absolutely.

3. Should child support documents be uploaded as a separate exhibit?

Yes.

4. What other exhibits should be uploaded (i.e. medical bills, etc.)?

Depends.

5. Should other exhibits uploaded as be part of the stipulation or as separate exhibits?

Separate.

6. When should Social Security numbers and other confidential information be redacted from the stipulation and Act 109 documents?

Always

7. Describe any other procedures you have for stipulations:

None.

BRIEFS AND PROPOSED FINDINGS

1. Will you close a case via WCAIS submission or is a final hearing required?

Generally a final hearing but depends

2. What are the time requirements for final submissions and what procedures are taken when time requirements are not met?

Set at final hearing. Expect no warnings.

3. Describe any preferences regarding the format and content of final submissions:

N/A

MANDATORY MEDIATIONS

1. List the offices where you conduct mandatory mediations:

Philadelphia and Springfield

2. What factors will you consider in deciding whether to conduct a mandatory mediation virtually or in-person?

Depends.

3. What factors will you consider in deciding whether to conduct a virtual mandatory mediation by audio only or by audio with video?

Depends.

4. Are you willing to allow counsel or a party to participate virtually in an in-person mandatory mediation? If so, under what circumstances?

Depends.

5. Do you require a Mediation Statement? Yes, preferred If yes:

a. What information do you require in that Statement?

Answer the questions

b. What documents, if any, must accompany the Statement?

c. How far in advance of the mediation must the parties submit the Statement and accompanying documents?

1-2 days.

6. If there is a request to postpone a mandatory mediation, will it be rescheduled? No. If so, how long until it is rescheduled? Parties may request a voluntary mediation, mandatory will not be rescheduled

7. Are you willing to conduct more than one mandatory mediation session per Dispute?

Yes. And parties may request a voluntary mediation

8. What is the latest day before the mediation that cancellation or postponement, absent an emergency, can be requested?

2-3 days

9. What else should the parties know or do before the mediation?

VOLUNTARY MEDIATIONS

1. Do you conduct Voluntary Mediations?

Yes.

2. How should the parties request a Voluntary Mediation?

Yes.

3. List the locations where you conduct in-person voluntary mediations:

Philadelphia only

4. Will you conduct virtual voluntary mediations? If yes, for which WCOA Districts will you conduct them?

Philadelphia and Springfield

5. Do you mediate Disputes assigned to you for hearing and decision?

No.

6. Do you mediate Disputes in which one or both parties are unrepresented? If yes, describe any special procedures you have for such cases:

Depends.

7. What factors will you consider in deciding whether to conduct a voluntary mediation virtually or in-person?

Depends.

8. What factors will you consider in deciding whether to conduct a virtual voluntary mediation by audio only or by audio with video?

Depends.

9. Are you willing to allow counsel or a party to participate virtually in an in-person voluntary mediation? If so, under what circumstances?

Depends.

10. Do you require a Mediation Statement? Yes. If yes:

a. What information do you require in that Statement?

Enough to understand case

b. What documents, if any, must accompany the Statement?

c. How far in advance of the mediation must the parties submit the Statement and accompanying documents?

11. After you approve a Voluntary Mediation Request, how long until it is scheduled?

Depends.

12. Are you willing to conduct more than one voluntary mediation session per Dispute?

No.

13. If the party wants to request cancellation or postponement of a voluntary mediation on a Dispute assigned to you, should they contact you or the mediating Judge?

Mediating judge

14. What is the latest day before the mediation that cancellation or postponement, absent an emergency, can be requested?

15. What else should the parties know or do before the mediation?

REQUESTS/MISCELLANEOUS

1. How far in advance do you require Requests for continuances, changes in hearing times, and extensions to be uploaded into WCAIS?

2. Under what circumstances do you conduct off the record conference calls?

Not preferred

3. Under what conditions/circumstances do you accept e-mails from parties?

If necessary with cc to opponent

4. Do you adhere strictly to the duration listed for a Hearing or Mediation?

Generally, yes.

5. What is the best way to contact you in an emergency situation?

E-mail.

6. What is your snow/emergency cancellation policy regarding in-person and virtual events (i.e., do you follow a specific school district closing schedule, etc.)?

Philadelphia school closings for in person hearings only.

Please see the Teams/Virtual Events Tips & Training tile on our Website [Home \(pa.gov\)](http://Home.pa.gov) for more information on how to use Microsoft Teams for WCOA Hearings and Mediations.