



DAVID B. TORREY
Workers' Compensation Judge
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Education

Fort Hunt High School, Alexandria, VA, 1976
A.B., *magna cum laude*, 1982, West Virginia University
J.D., 1985, Duquesne University School of Law
Editor-in-Chief, *Duquesne Law Review*, Volume 23 (1984-85)

Bar and Related Activities

Member, Pennsylvania Bar Association Workers' Compensation Law Section
Past Chair (1998-99); *Newsletter* Writer & Editor (1988-present);
Member, Lawyer Certification Committee (2007-2017);
Examination Draftsman (2007-present)
Founder & Steering Committee Member,
PA Workers' Compensation Centennial Committee (2012-2015)
Member, American Bar Association, TTIPS Section (1987-92; 2007-present);
& Associate Editor, *ABA TTIPS Law Journal* (2015-present)
Member, Labor & Employment Law Section (2007-present)
Member, American Bar Association, *AMA Guides 6th Edition* Taskforce (2008)
Fellow (2007), and Secretary (2013-present),
The College of Workers' Compensation Lawyers (www.cwclawyers.org/)
Member, Allegheny County Bar Association Workers' Compensation Section (2014-present)
Member and President, 2012-2013, Nat'l Ass'n of Workers' Compensation Judiciary (www.NAWCJ.org)
Member, Bd. of Directors, Commonwealth Court Historical Society (2008-present)
Member, National Academy of Social Insurance (2010-present)
Member (via Commw. of PA), International Ass'n of Indus. Acc. Bd's & Comm's (IAIABC)
Member, Department of Labor & Industry (L&I) Rules Committee (1995-present)
Member, L&I Annual Conference Planning Committee (2015-present)
Member, L&I Adjudication Reform Taskforce (1995-96)

Academic Appointment

Adjunct Professor of Law, University of Pittsburgh (Pitt) School of Law (1996-present)
Extern Preceptor, Pitt Student Externship Program (1996-2006, 2008, 2011-2014, 2017, 2018)
Fac. Sponsor/Coach, Pitt Law Zehmer WC Appellate Moot Court Team (2013, 2014, 2015, 2016)

Prior Employment

Attorney (1987-91) and Partner (1992), *Thomson, Rhodes & Cowie, PC*, Pittsburgh, PA
Judicial Clerk (1985-87), Honorable Francis A. Barry, Commonwealth Court of PA

Publications

~ Books

1. David B. Torrey & Andrew E. Greenberg, *Pennsylvania Workers' Compensation: Law & Practice* (4 Volumes: Thomson Reuters/West 3rd ed. 2008 supplemented every July; also on Westlaw)
2. David B. Torrey, ed., *The Centennial of the Pennsylvania Workers' Compensation Act: A Narrative and Pictorial Celebration* (Pennsylvania Bar Association 2015)

~ Book Chapters

1. David B. Torrey & Michael C. Duff, "Workers' Compensation and Employers Liability", *Resolving Insurance Disputes before Trial* (American Bar Association 2018)
2. Torrey, "Workers' Compensation," in Keller & Darby, *International Labor & Employment Laws* (Bloomberg BNA 4th ed. 2015 & Supp. 2018)
3. Torrey, "Reflections of a Jurist on the Durability of Workers' Compensation Law Against its Adversaries," in *Workers' Compensation Centennial Commemorative Volume: Reflections on the History and Development of Workers' Compensation in the United States* (IAIABC 2011)

~ Manual Chapter

- Torrey, "Mediation Techniques and Practices, In General," in *IAIABC Mediation Handbook* (2005)

~ Published Articles

1. Torrey (Book Review), "The Religion of Chiropractic: Populist Healing from the American Heartland," by Holly Folk, *Workers' First Watch*, p.49 *et seq.* (Summer 2018)
2. Torrey, McIntyre, Black & Beck, "Recent Developments in Workers' Compensation and Employers' Liability Law" (2017 Survey Issue), 54 *ABA TTIPS Law Journal* 703 (2018)
3. Torrey (Book Review), "John Henry Wigmore and the Rules of Evidence: The Hidden Origins of Modern Law," *Workers' First Watch*, p.34 (Winter 2017)
4. Torrey, "The Opt-out of Workers' Compensation Legislation: A Critical Briefing and the *Vasquez v. Dillard's Case*," 52 *ABA TTIPS Law Journal* 39 (2017)
5. Torrey (Book Review), "Is Heroism the Standard?" (Review of Christina Crosby, *A Body, Undone: Living on After Great Pain* (2016)), *Lex & Verum*, p.14 (August 2016)
6. Torrey, McIntyre, Black & Beck, Recent Developments in Workers' Compensation and Employers' Liability Law (2016 Survey Issue), 52 *ABA TTIPS Law Journal* 709 (2017).
7. Torrey & McIntyre, "Workers' Compensation and Employers' Liability Law," 51 *ABA TTIPS Law Journal* 749 (2015 Annual Survey Issue) (Winter 2016)
8. Torrey, "100 Years of Pennsylvania Workers' Compensation: History, the Current Scene, and Challenges Ahead," 87 *Pennsylvania Bar Association Quarterly* 6 (January 2016)
9. Torrey, "Workers' Compensation and Employers' Liability Law," 50 *ABA TTIPS Law Journal*, p. 667 (2014 Annual Survey Issue) (Winter 2015)
10. Torrey, "Workers' Compensation and Employers' Liability Law," 49 *ABA TTIPS Law Journal*, p.475 (2013 Annual Survey Issue) (Fall 2014)
11. Drenfeld, Torrey, Black, Haley, & Brigham, "Fit Vs Faint: Assessing Work Causation in 'Idiopathic Fall' Cases," in *AMA Guides Newsletter* (AMA Sept./Oct. 2014).
12. Torrey, "Master or Chancellor? The Workers' Compensation Judge and Adjudicatory Power," 32 *Journal of the National Association of Administrative Law Judges* 21 (2012)
13. Torrey, Book Review, "Questioning the Evidence-Based Medicine Movement," Review of *How Doctors Think*, by Dr. Jerome Groopman, p.5, *Workers' First Watch* (WILG (Spring 2012)
14. Torrey, "The Intersection of Workplace Safety and Workers' Compensation," 39 *Labor and Employment Law* (ABA) 7 (Summer 2011)
15. Torrey (Book Review), *Stabbed in the Back: Confronting Back Pain in an Overtreated Society*, by Dr. Nortin Hadler, pp. 5-8, *Workers' First Watch* (WILG Spring 2011)

16. Torrey, "The Commonwealth Court of Pennsylvania and the Workers' Compensation Act: Background and Jurisprudence, Judge Alexander F. Barbieri, and Selected Precedents," 20 *Widener Law Journal* 87 (2010)
17. Torrey, "PA Experiences with the Mental Injury/Physical Injury Dichotomy: Cases Involving Schizophrenia and Shiftwork Maladaptation Syndrome," 47 *IAIABC Journal* 57 (2010)
18. Torrey, "Compromise Settlements Under State Workers' Compensation Acts: Law, Policy, Practice and Ten Years of the Pennsylvania Experience," 16 *Widener Law Journal* 199 (2007)
19. Torrey & McCulley, "Limiting Motorcycle Exhaust Noise Through Amendment of the Motor Vehicle Code and its Regulations," 25 *Temple Journal of Science, Technology & Environmental Law* 49 (2006)
20. Torrey, "Commentary on and Analysis of Compromise and Release Agreements Under State Workers' Compensation Laws (Part I)," 42 *IAIABC Journal* 91 (2005)
21. Torrey, "Commentary on and Analysis of Compromise and Release Agreements Under State Workers' Compensation Laws (Part II)," 43 *IAIABC Journal* 73 (2006)
22. Torrey, "Lump Sum Settlements of Workers' Compensation Cases: Background and Unanswered Questions Under Section 449 of the Pennsylvania Act," 62 *Pa. Bar Ass'n Quarterly* 23 (January, 2001) (*may also be retrieved from Lexis*)
23. Torrey, "The 'Injury' Definition in Pennsylvania Workers' Compensation and the Perils of Reform," *Counterpoint* (Pennsylvania Defense Institute (PDI)) (October, 1998)
24. Torrey, "Informal Conferences Under the Pennsylvania Workers' Compensation Act: The Difficult Issue of Lay Representation," *Counterpoint* (PDI) (July, 1997)
25. Torrey, "The Common Law of Partial Disability and Vocational Rehabilitation Under the Pennsylvania Workmen's Compensation Act: *Kachinski* and the Availability of Work Doctrine," 30 *Duquesne Law Review* 515 (1992)
26. Torrey, "The Rules of Evidence Under the Pennsylvania Workmen's Compensation Act: Sources and Theoretical Considerations," 29 *Duquesne Law Review* 447 (1991)
27. Torrey, "Time Limitations in the Pennsylvania Workmen's Compensation and Occupational Disease Acts: Theoretical Doctrine and Current Applications," 24 *Duquesne Law Review* 975 (1986)
28. Torrey, "Immunity and Subrogation in Pennsylvania Workmen's Compensation after *Heckendorn v Consolidated Rail Corp.*: Too Absolute a Victory for the Employer?," 23 *Duquesne Law Review* 131 (1984)

~ *Selected Seminar Papers and Monographs*

1. Torrey (Book Review & Essay), "Humans as a Service: The Promise and Perils of Work in the Gig Economy," by Jeremias Prassl, in *PBA WC Law Section Newsletter*, Vol. VII, No. 135 (Sept. 2018)
2. Torrey, "Recent Trends and Developments in Workers' Compensation and Employers' Liability Law," 15th Annual (Texas) Advanced Workers' Compensation Law Course," in *TexasCLE Course Manual* (Austin, TX, Aug. 24, 2018)
3. Torrey, "Nonstandard Work and Workers in the Gig Workforce: An Introduction and Pennsylvania Workers' Compensation Doctrine – Part I," Seminar Paper, Penna. Dept. of Labor & Industry Annual Workers' Compensation Conference (Hershey, PA, June 7, 2018), www.davetorrey.info.
4. Torrey, "Nonstandard Work and Workers in the Gig Workforce: An Introduction and Pennsylvania Workers' Compensation Doctrine – Part II," Seminar Paper, Penna. Dept. of Labor & Industry Annual Workers' Compensation Conference (Hershey, PA, June 7, 2018), www.davetorrey.info.
5. Torrey, Book Review, "Is Heroism the Standard?," Christina Cosby "A Body, Undone: Living on After Great Pain" (2016), *Lex & Verum*, p.14 (August 2016)
6. Torrey & Beck, "Undocumented Workers and Workers' Compensation: Analysis and a 50-State Table," (ABA WC CLE, Phoenix, AZ, March 2017)
7. Torrey, "The Opt-Out of Workers' Compensation Legislation in the Southern States," Keynote Address to MCLE New England, Workers' Compensation Law 2015: 16th Annual Conference (Boston, MA, Nov. 20, 2015)

8. Torrey, "Firefighter Cancer Presumption Statutes in Workers' Compensation and Related Laws: An Introduction and a Statutory/Regulatory Case Law Table," www.NAWCJ.org
9. Torrey, "Workers' Compensation "Carve-Outs": Law, Background, Criticism, and a Twelve-State Reference Table," www.NAWCJ.org
10. Torrey, "Act 46 of 2011: New Section 108(r) and the Firefighters' Cancer Presumption," *PBA WC Law Section Newsletter*, Vol. VII, No. 115, p.32 *et seq.* (June 2013)
11. Torrey, "What do Workers' Compensation Judges do All Day? Full Quarter Case Characteristics of a Pennsylvania WCJ," *PBA WC Law Section Newsletter*, Vol. VII, No. 113, p.44 *et seq.* (December 2012)
12. Torrey, "Telecommuter Injuries and Compensability under Workers' Compensation Acts," Paper Presented at Workers' Compensation Insurance Organizations Meeting, Nemaquin Woodlands Resort, PA (May 22, 2012), www.davetorrey.info.
13. Torrey, "What Occupational Health Professionals Need to Know about Workers' Compensation Hearings and Trials," Paper Presented at SEAK National Workers' Compensation and Occupational Medicine Conference, Cape Cod, MA (July 21, 2011); and at 2011 Annual Fall Conference, The American College of Chiropractic Consultants, Oak Brook Hills, IL Marriott Resort (October 15, 2011)
14. Torrey, "Introduction & Anthology: Book and Article Reviews on Workers' Compensation Historical Themes, 1988-present," in Collected Papers, ABA WC Sections CLE (Boston, MA 2011)
15. Torrey, "The National Association of Compensation Claimants' Attorneys: A Background and Selections from the *NACCA Law Journal*," in Collected Papers, ABA WC Sections CLE (Boston, MA 2011)
16. Torrey, "Foreign & Undocumented Workers: Eligibility, Law Addressing Return to Work, and Related Issues," in Collected Papers, ABA WC Sections CLE (Boston, MA 2011)
17. Torrey, "Judicial Independence, Judicial Impartiality, and Relating to the Bar," in Collected Papers, National Association of WC Judiciary College (Orlando, FL 2010)
18. Torrey, "The Argot of Workers' Compensation: The Law & Practice Behind Five Slang Expressions," in Collected Papers, PDI Advanced Workers' Compensation Symposium (November 2009)
19. Torrey, "Hearing Room Security: Activities and Procedures in the Pennsylvania Department of Labor & Industry," NAALJ Annual Conference and Meeting, New York, NY (October 2008)
20. Torrey, "Professional Employer Organizations: Background, Issues in Workers' Compensation, and Recent Court Cases," IAIABC Annual College, Madison, WI (May 2006)
21. Torrey, "Mediation of Workers' Compensation Cases Under the Pennsylvania Act," IAIABC Annual Convention, Philadelphia, PA (September 2005)

Honors

1. Editor-in-Chief, *Duquesne Law Review* (1984)
2. PBA Special Commendation (1991)
3. PBA Judge Irvin Stander Award (2004)
4. Appointed as Lay Reviewer, *AMA Guides, 6th Edition* (2006)
5. Elected as Fellow, College of Workers' Compensation Lawyers (ABA affiliate) (2007)
6. Elected as Member, National Academy of Social Insurance (2010)
7. Research Fellowship Award, NAALJ (Santa Fe, NM 2011)
8. Appointed as Lay Reviewer, *AMA Guides to the Eval. of Disease and Injury Causation* (2012)
9. IAIABC Frances Perkins Award (San Diego, CA 2013)
10. WILG Esther Weissman Award (West Palm Beach, FL 2013)

Personal

born August 4, 1958, Washington DC

- Military: U.S. Army**
1. *Active Duty*: Specialist 6th Class, *The United States Army Band ("Pershing's Own")* (www.usarmyband.com/) Washington, DC (1976-79)
 2. *Reserves*: Staff Sergeant, *West Virginia Army National Guard B Battery, 201st U.S. Field Artillery*, Morgantown, WV (1979-82)