

NOTICE RE TELEPHONIC APPEARANCE PROCEDURES FOR JUDGE VICTORIA S. KAUFMAN'S CASES

I. POLICIES GOVERNING TELEPHONIC APPEARANCES.

Telephonic appearances are allowed in all matters before Judge Kaufman in Courtroom # 1675, **EXCEPT** the following:

1. Trials and evidentiary hearings (Counsel for all parties must appear in person. Witnesses must also appear in person where requested or if they are to be cross-examined).
2. Chapter 11 Status Conferences (Debtor, debtor's counsel, and counsel for creditors' committee, if any, must appear in person). Other parties in interest may appear telephonically.
3. Adversary Proceeding **Initial** Status Conferences and Pretrial Conferences (All trial counsel must appear in person).
4. Chapter 11 and 12 confirmation hearings (Debtor, debtor's counsel, and all objecting creditors must appear in person).
5. Chapter 13 contested matters, other than motions for relief from stay and motions to dismiss filed by the chapter 13 trustee.
6. Any matter designated by the Court as requiring a personal appearance.

No telephonic appearance will be allowed unless it is made through *Court Call*, an independent conference call company, pursuant to the procedures set forth in **Section II**.

If an individual schedules a telephonic appearance and fails to respond when the matter is called on calendar, the Court may pass the matter or may treat the failure to respond as a failure to appear. Scheduling simultaneous telephonic appearances in multiple courts does not excuse a failure to appear when a matter placed on the calendar is called.

Judge Kaufman will not entertain any request for telephonic appearance after the notification deadlines prescribed in **Section II** below except for cause. Late scheduling of a telephonic appearance is not justified by the fact that tentative rulings have not yet been posted on the Court's website.

Individuals making use of the conference call service are cautioned that they do so at their own risk. Hearings generally will not be rescheduled due to missed connections.

II. SCHEDULING A TELEPHONIC APPEARANCE.

A. Contact the Courtroom Deputy

Any party who wishes to appear by telephone must notify the Courtroom Deputy, Sandra Bryant at (213) 894-7341, at least **three (3) court days** before the hearing. In addition, the telephonic appearance must be arranged with *Court Call*.

B. Contact *Court Call*

By Telephone: Telephone appearances may be arranged by calling *Court Call* at (866) 582-6878 no later than **3:00 p.m. the court day prior to the hearing date**. Any request for a telephonic appearance made to *Court Call* after this deadline must be Court approved by contacting Judge Kaufman's chambers at (213) 894-2552.

By Written Request: Written requests may only be done if the request is made at least **two (2) court days** in advance of the hearing date. The facsimile telephone number at *Court Call* is (866) 533-2946.

C. Emergency Procedure (Notification deadlines are not met)

If an unexpected emergency arises that prevents counsel from following the standard procedure detailed above, counsel must telephone chambers and obtain a judicial assistant or law clerk's approval to appear telephonically. Chambers staff will approve tardy requests only for legitimate and unanticipated emergencies. Once approved, counsel must contact *Court Call* to arrange a telephonic appearance. If *Court Call* is not able to accommodate counsel's late request or if a member of chambers staff denies the request, counsel will not be permitted to appear telephonically and counsel must make an appearance in court, as usual.

III. PROCEDURE FOR TELEPHONIC APPEARANCE.

Court Call will provide counsel with written confirmation of a telephonic appearance and give counsel a number to call to make the telephonic appearance. It is counsel's responsibility to dial into the call not later than 10 minutes prior to the scheduled hearing. ***Court Call* does not place a call to counsel.** The billing schedule for a *Court Call* appearance is as follows: (a) 0-45 minutes - \$25.00; (b) 46-60 minutes - \$31.50; (c) 60 minutes and above is an additional \$6.50 for each 15 minute increment. If you do not call and connect with the *Court Call* operator timely, you will be billed for the call and the hearing may proceed in your absence.

Telephonic appearances are connected directly with the courtroom's public address system and electronic recording equipment so that a normal record is produced. To ensure the quality of the record, the use of car phones, cellular phones, speaker phones, public telephone booths, or phones in other public places is prohibited except in the most extreme emergencies. Participants should be able to hear all parties without difficulty or echo.

At the time of your hearing, you may be placed in a listening mode initially and will be able to hear the case before yours just as if you were in the courtroom. After your call is connected to the courtroom, the Judge will call the case, request appearances, and direct the manner in which the hearing proceeds. **Each time you speak, you should identify yourself for the record.** The court's teleconferencing system allows more than one speaker to be heard so the Judge can interrupt a speaker to ask a question or redirect the discussion. When the Judge informs the participants that the hearing is completed, you may disconnect and the next case will be called.

Telephonic appearances by multiple participants are only possible when there is compliance with every procedural requirement. Sanctions may be imposed upon any deviation from the required procedures or the Court determines that a person's conduct makes telephonic appearances inappropriate. Sanctions may include dropping a matter from calendar, continuing the hearing,

proceeding in the absence of an unavailable participant, a monetary sanction, and/or a permanent

prohibition against a person appearing telephonically.