

NOTICE RE TELEPHONIC APPEARANCE PROCEDURES FOR JUDGE KATHLEEN THOMPSON

EFFECTIVE APRIL 2005

I. POLICY GOVERNING TELEPHONIC APPEARANCES

Telephonic appearances are allowed in all matters before Judge Lax in Courtroom 301 except the following:

1. Trials and Evidentiary Hearings (all counsel and all witnesses must appear in person unless otherwise authorized by Judge Lax).
2. Chapter 11 or Chapter 13 Confirmation Hearings, as well as miscellaneous Chapter 13 hearings set on the designated Chapter 13 hearing day.
3. Hearings on Reaffirmation Agreements (debtor must appear in person).
4. Pre-Trial Conferences
5. Chapter 11 Status Conferences
6. Any matter designated by the court as one 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.

Before requesting a telephonic appearance, you should check Judge Lax's Calendar on the webPACER system and review any Tentative Ruling concerning the matter on calendar. If the court has issued a Tentative Ruling prior to the hearing, each individual who appears telephonically should have reviewed the Tentative Ruling prior to the hearing.

If movant's appearance has been waived, and a late objection or opposition is presented in writing or orally at the scheduled hearing, the Court may elect to call movant's attorney through Court Call in which case movant may be charged a telephonic appearance fee by Court Call.

If an individual schedules a telephonic appearance and then fails to respond to the call of a matter 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 is placed on calendar.

Telephonic hearings may be arranged by calling **Court Call at (866)582-6878** not later than 3:00 p.m. the day prior to the court hearing date. This 3:00 p.m. deadline for scheduling telephonic appearances is independent of the Tentative Rulings process.

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

After you have checked webPacer for a telephonic ruling and have determined that an appearance is necessary, call **Court Call**. As noted above, absent an emergency, telephone appearances may be arranged by calling **Court Call at (866)582-6878** not later than 3:00 p.m. the day prior to the hearing. Any request for a telephonic appearance made after the 3:00 p.m. deadline must be court approved by contacting one of the law clerks at (818)587-2823.

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. If you do not timely call and connect with the Court Call operator, you will be billed for the call and the hearing may proceed in your absence. Court Call's fees are subject to change. As such, you should confirm the schedule of fees directly with Court Call.

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, speakerphones, 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 the hearing, you may initially be in the listening mode in which case you 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 when there is 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.