

**NOTICE OF JUDGE BARRY RUSSELL'S PROCEDURES FOR HEARINGS  
TO BE CONDUCTED IN PERSON AND/OR VIA ZOOM FOR  
GOVERNMENT**

**(Updated September 28, 2023)**

Judge Russell will be holding hearings both in person and via Zoom for Government ("ZoomGov") (<https://cacb.zoomgov.com>). **It is extremely important that counsel and all interested parties read the Judge's tentative rulings on his law and motion/trial calendar very carefully as the tentative rulings will indicate whether an in person appearance at a hearing is mandatory.**

The calendar with tentative rulings will be posted approximately one week prior to the scheduled hearing(s) and can be accessed at the following web address:

<http://ecf-ciao.cacb.uscourts.gov/CiaoPosted/default.aspx>. Click on the "Select Judge" tab on the upper left side of the screen and select Judge Russell.

**All participants (whether attending in person or remotely) must observe the formalities of the courtroom, exercise civility, and otherwise conduct themselves in a manner consistent with the dignity of the Court. This includes appropriate courtroom attire for those participants appearing in person or by video.**

**In Person appearances:** If an in person appearance is required, all counsel, parties and witnesses are to appear in Courtroom 1668 at 255 East Temple Street, Los Angeles, CA 90012 and no appearance(s) will be allowed by any person either telephonically or via ZoomGov.

**ZoomGov appearances:** For ZoomGov hearings, the first page of Judge Russell's publicly posted hearing calendar will provide video and audio connection information for the hearings. All ZoomGov appearances by attorneys shall be by video on a laptop computer or on a ZoomGov interface on a mobile device or tablet.

If an unexpected emergency arises **on the day of the hearing**, attorneys who wish to appear by calling in to the ZoomGov telephone conference line must contact chambers at (213) 894-6091 and obtain approval to appear telephonically on ZoomGov. The Courtroom Deputy will be in court and unavailable to contact by phone on the day of each hearing.

Attorneys who are aware **prior to the hearing date** that they cannot appear at an in person hearing must contact the Courtroom Deputy at (213) 894-3687 prior to the hearing date to obtain approval to appear telephonically via ZoomGov.

All parties must notify the Court of his/her appearance, whether in person or via ZoomGov, **no later than 2:00 p.m. on the day prior to the hearing** by emailing the Courtroom Deputy at [stacey\\_fortier@cacb.uscourts.gov](mailto:stacey_fortier@cacb.uscourts.gov). In the subject line of the e-mail, please specify the date, time and calendar number(s) of the hearing(s) (for example: Re: September 15, 2023, 10:00 a.m., Calendar No. #\_, In Person/ZoomGov).

The audio portion of each hearing will be recorded electronically by the Court and shall constitute its official record.

## **IMPORTANT MEMORADUM REGARDING PROHIBITIONS OF PUBLIC VIDEO AND AUDIO BROADCASTING OF COURT MATTERS**

The Judicial Conference of the United States Courts has set forth the following policies with respect to video and audio broadcasting (aka remote conduct and appearances) of courtroom matters. The full policy is attached to this memorandum.

1. The current exceptions to “Cameras in the Courtroom Policy” terminate on September 21, 2023.
2. The new policies will govern all civil and bankruptcy proceedings (District Courts and Bankruptcy Courts). They do not apply in criminal matters.
3. Importantly, the policy change addresses only public access and does not impact a judge’s authority to use teleconferencing and videoconferencing technology to facilitate civil and bankruptcy proceedings with respect to case participants, including parties, counsel, witnesses, and interpreters.
4. The new policy permits judges, in their discretion, to provide remote audio access to members of the public and the media for certain proceedings (see more detail below). This means that members of the public and media may access some proceedings without physically attending the proceeding by listening to live audio. Video is not permitted for use by the public or the media.
5. The new policy does not have an expiration date and may be a first step toward increased public access (i.e., video) at a later date.
6. The new policies are as follows:
  - a. In district and bankruptcy courts, a judge may permit remote public audio access to any portion of civil and bankruptcy non-trial proceedings as long as a witness is not testifying. (Video is not permitted.)
  - b. The judge may not offer remote public audio access to any portion of a proceeding in which a witness is testifying. In addressing this situation, a judge may choose to mute the remote public audio access line while the witness is testifying (which may be practical if the testimony is expected to be brief) or to terminate remote public audio access for the remainder of the hearing.
  - c. The policy does not permit a judge to offer remote public audio access to any trial proceeding or portion thereof, even if the proceeding involves no witness testimony.