

**NOTICE REGARDING APPEARING BY TELEPHONE**  
**(November 10, 2016)**  
Judge Wayne Johnson

**I. POLICY GOVERNING APPEARANCES BY TELEPHONE.**

Judge Johnson permits appearances by telephone in adversary proceedings for all matters except pre-trial conferences, hearings regarding discovery motions, trials and evidentiary hearings.

In bankruptcy cases, appearances by telephone are permitted for all hearings except the following:

1. Chapter 11, 12 and 13 status conferences (debtor and debtor's counsel must appear in person). Other parties in interest may appear by telephone.
2. Chapter 11, 12 and 13 confirmation hearings.
3. Reaffirmation hearings (debtor and debtor's counsel must appear in person). Other parties in interest may appear by telephone.

No appearance by telephone will be allowed unless it is made through CourtCall, an independent conference call company, pursuant to the procedures set forth in Section II. Before requesting an appearance by telephone, you should check Judge Johnson's calendar on the court's website to review any disposition without oral argument or tentative ruling concerning the matter on calendar. Dispositions without oral argument and tentative rulings normally are issued by 3:00 p.m. on the day preceding the scheduled hearing.

**Dispositions Without Oral Argument.** If the matter has been adequately noticed and no written opposition has been timely filed, the court may decide the matter without oral argument by issuing a "Final Ruling" that states no appearance is necessary. In such instances, the matter will not be heard by the court.

**Tentative Rulings.** If written opposition has been timely filed, the court may issue a "Tentative Ruling" that states appearances are required. Each individual who appears by telephone must have reviewed and must be familiar with the tentative ruling.

If an individual schedules an appearance by telephone 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 appearances by telephone in multiple courts does not excuse a failure to appear when a matter is placed on calendar. Individuals making use of the conference call service are cautioned that they do so at their own risk. Hearings are usually not rescheduled due to missed connections.

## **II. PROCEDURES FOR APPEARING BY TELEPHONE.**

Telephone appearances may be arranged, not later than 8:30 a.m. the day of the hearing, by calling CourtCall at 888-882-6878 or going to <http://courtcalls.com/>. Appearances by telephone 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.

You must be on the line, ready to proceed with your hearing, before the judge takes the bench and calls the calendar. 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. You must place your phone on "mute" until your matter is called to ensure the quality of the record and to avoid interfering with other hearings in progress.

At the time of your hearing, 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.

Appearances by telephone 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 appearances by telephone 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 by telephone.