

NOTICE
RE: TELEPHONIC APPEARANCE PROCEDURES FOR
JUDGE CHARLES M. CALDWELL
EFFECTIVE DECEMBER 1, 2009

Judge Caldwell will allow parties to participate in certain hearings and conferences by telephone, utilizing the services of CourtCall LLC, an independent conference call company. **Under no circumstances may any person participating in a hearing by telephone record or broadcast the proceedings.**

Telephonic appearances are allowed in all matters before Judge Caldwell, **with the exception of :**

1. Trials and evidentiary hearings – all counsel and all witnesses must appear in person;
2. Pre trial conferences- all counsel and *pro se* parties must appear in person, unless the Court in a particular instance authorizes telephonic participation;
3. Hearings requiring extensive argument or presentation; i.e., more than 10 minutes;
4. Initial chapter 11 status conferences – debtor’s counsel and debtor and all other interested parties and their counsel must appear in person;
5. Chapter 11, Chapter 12, and Chapter 13 confirmation hearings and pre-confirmation conferences – debtor’s counsel, debtor all objecting parties and their counsel, must appear in person;
6. Hearings on reaffirmation agreements – debtor (and counsel, if any) must appear in person; and
7. Any other matters designated by the Court as requiring a personal appearance.

PROCEDURES

No later than 12:00 p.m. two business days prior to the hearing date those wishing to participate in hearings by telephone must notify CourtCall by:

phone **(866) 582-6878**
facsimile **(866) 533-2946.**
electronic mail www.courtcall.com

Participants must provide the following information to CourtCall:

- a. Case name and number;
- b. Name of judge;
- c. Hearing date and time;
- d. Name, address, and phone number of Participant;
- e. Name of Party that Participant represents; and
- f. Matter on which the Participant wishes to be heard, or whether Participant intends to monitor the proceeding in “listen-only” mode.

CourtCall will provide the Participant written confirmation of a scheduled telephonic appearance, and give the Participant a number to call to make the telephonic appearance. **It is the Participant’s responsibility to dial into the call not later than 10 minutes prior to the scheduled hearing. Also, Participants must immediately notify CourtCall when a matter has been removed from the docket due to withdrawal or settlement .**

Telephonic appearances are connected directly to the courtroom's public address system and electronic recording equipment, so that a 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 must make sure that they are able to hear all parties without difficulty. Any questions about telephonic appearances should be directed to CourtCall at (866) 582-6878. Such calls will not be accepted or returned by court personnel.**

At the time of the hearing, Participants will initially be in the listening mode, in which case they will be able to hear cases called before theirs, just as if they were in the courtroom. **Participants shall not place the call on hold at any time.** When the Judge calls the Participant’s case, the Participant’s call is connected to the courtroom. Each time a Participant speaks, (s)he should identify herself/himself for the record. When the judge announces that the hearing is concluded or adjourned, Participants may disconnect.

The fee for the appearance is fixed by CourtCall and depends on the length of time the Participant is on the call, regardless of whether the Participant is actually heard by the Court or in “listen only” mode. There are no subscription fees or additional fees charged by the Court. No special equipment is required for this service. At the present time, the initial charge per Participant for a CourtCall appearance is \$30 for the first 45 minutes that the Participant is connected. For each additional 15 minute increment the charge is \$7.00. **If a Participant does not timely call and connect with the CourtCall operator, the Participant will be billed for the call and the hearing will proceed in his/her absence.**