

POLICY AND PROCEDURE FOR APPEARANCES BY TELEPHONE

Northern District of California

1. Permitted Appearances.

In general, telephonic appearances are permitted except in situations where the party or counsel:

- will be examining witnesses;
- is the proponent of a chapter 11 disclosure statement or plan;
- is counsel for a client who is present in court; or
- is directed by the court to appear personally.

There are no restrictions on eligibility to appear by telephone based upon the geographic location of the counsel or the party. The court does NOT require advance permission for telephonic appearances (except as provided below).

2. Procedure for Arranging for Telephonic Appearances.

Telephonic appearances are arranged through CourtCall. All parties/counsel using this service must have an account or make arrangements to set one up well in advance of the hearing. If you do not have an account established with CourtCall, you must provide a credit card number at the time of making your reservation.

Appearances are arranged by reservation. To make a reservation, call **1-866-582-6878** no later than **4:00 PM the day before the appearance**. Failure to make a reservation no later than 4:00 PM the day before the hearing may result in the inability of CourtCall to arrange for the appearance, unless prior approval is received by the court. The coordinator will need: Court date and time; Name of Judge; Case name and number; and Name and phone number of the attorney appearing.

If arrangements have not been made with CourtCall before the day of the hearing, parties who desire to appear telephonically must first contact the Courtroom Deputy of the assigned judge and request and obtain permission for the last-minute appearance.

After scheduling a reservation, attorneys will receive a confirmation, either by fax or e-mail, providing the party with dial-in information and telephonic instructions. Attorneys are required to notify CourtCall of any appearance substitutions. **All participants MUST be available on the phone when their case is called.**

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 a quality record, the use of cellular phones, public telephone booths, or phones in other public places is prohibited without prior permission from the judge.

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 Courtroom Deputy will call the case. The Judge will ask for appearances and direct the manner in which the hearing proceeds. Each time a participant speaks, he or she must identify himself or herself for the record. The Court's teleconferencing system allows more than one speaker to be heard so that the Judge can interrupt a speaker to ask a question or redirect the discussion.

The telephone system is sensitive to conversations and office noises generated by callers. To avoid this, mute your phone if you are not participating in the matter being discussed.

When the Judge informs the participants that the hearing is completed, the participants may disconnect, and the next case will be called.

Sanctions may be imposed when there is any deviation from the required procedures or where the court determines that a person's conduct makes telephonic appearances inappropriate. Sanctions may include terminating the call, dropping the matter from the calendar, continuing the hearing, proceeding in the absence of an unavailable participant, a monetary sanction, or a temporary or permanent prohibition against a person/firm appearing telephonically.

When the Court conducts a telephone conference on short notice and uses CourtCall, it may designate one party to bear the entire cost of the conference call.

Because the Courtroom Deputy is usually in Court prior to the initiation of any call, last minute changes cannot be accommodated.

Contact Information

Judge Efremsky's Courtroom Deputy: Oakland: Monica Burley (510) 879-3541 or email: monica_burley@canb.uscourts.gov

Judge Efremsky's Courtroom Deputy: Santa Rosa: Dan Sondheim (707) 547-5913 or email: dan_sondheim@canb.uscourts.gov

Judge Lafferty's Courtroom Deputy: Oakland: Cindy Fan (510) 879-3533 or email: cindy_fan@canb.uscourts.gov

Judge Lafferty's Courtroom Deputy: McKinleyville: Dan Sondheim (707) 547-5913 or email: dan_sondheim@canb.uscourts.gov

Judge Novack's Courtroom Deputy: Oakland: Ruby Bautista (510) 879-3529 or email: ruby_bautista@canb.uscourts.gov

Judge Novack's Courtroom Deputy - Santa Rosa: Dan Sondheim (707) 547-5913 or email: dan_sondheim@canb.uscourts.gov

Judge Johnson's Courtroom Deputy: Anna Lee (408) 278-7517 or email: anna_e_lee@canb.uscourts.gov

Judge Hammond's Courtroom Deputy: Anna Rosales (408) 278-7581 or email: anna_rosales@canb.uscourts.gov

Judge Montali's Courtroom Deputy: San Francisco: Lorena Parada (415) 268-2323 or email: lorena_parada@canb.uscourts.gov

Judge Montali's Courtroom Deputy - Santa Rosa: Dan Sondheim (707) 547-5913 or email: dan_sondheim@canb.uscourts.gov

Judge Blumenstiel's Courtroom Deputy – San Francisco & Salinas: Benjamin Gapuz (415) 268-2362 or email: benjamin_gapuz@canb.uscourts.gov