

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

INRE:

CHAPTER 7 and 11 CASES

**ORDER REGARDING USE OF COURTCALL CONFERENCE SERVICES  
IN CHAPTER 7 and 11CASES**

**AND NOW**, this *31<sup>st</sup>* day of *January, 2013*,

**WHEREAS** the Court has elected to make CourtCall, LLC, available for parties to participate telephonically on *most* Chapter 7 and 11 matters (see below) that are scheduled..

**WHEREAS** the Administrative Office of the United States Courts has negotiated an agreement with CourtCall, LLC, for telephonic court appearance services;

**WHEREAS** the Court has determined that telephonic participation by counsel and parties in interest can be beneficial to attorneys, debtors, creditors and the Court;

**WHEREAS** the Court has determined that as a courtesy counsel and parties in interest may be permitted to participate in certain hearings via telephone;

It is **ORDERED** that counsel and parties in interest (hereafter, "party" or "parties") may appear telephonically and in order to do so must

1. Pay the current fee charged by CourtCall;
2. Register with CourtCall no later than noon one business day before a scheduled hearing (should counsel's client plan to attend a hearing, both counsel and client must attend together, either in person or via CourtCall);
3. Register with CourtCall dial 888-882-6878 or fax request to 888-883-2946;
4. Registrants must provide CourtCall with the following information:
  - a. case name and number;
  - b. the name of Judge conducting the hearing;
  - c. the hearing date and time(s);
  - d. the participant's name, address and telephone number;
  - e. the party or parties whom the participant represents; and
  - f. the matter(s) on which the participant wishes to be heard or whether the participant intends to monitor the proceedings in "listen-only" mode, and
  - g. any other information required by CourtCall.

It is **FURTHER ORDERED** that in order to participate by telephone counsel must be in compliance with Local Rule 9010 regarding admission to practice before the Bankruptcy Court for the Western District of Pennsylvania.

It is **FURTHER ORDERED** that counsel may not charge the client for the CourtCall fees. Unless the Court orders otherwise, the election to call into a hearing rather than to appear in person is solely that of counsel. However, if the client dials in to CourtCall on a separate telephone, the client must pay CourtCall's fees inasmuch as telephone participation is offered strictly as a courtesy.

It is **FURTHER ORDERED** that, except as provided below, any party filing a motion, application or other pleading, including without limitation, an objection or response thereto, may participate telephonically unless otherwise ordered by the Court.

It is **FURTHER ORDERED** that telephone participation is not permitted in the following matters and all parties in interest must appear in person:

1. Any matter in which a party was ordered or directed to attend in person;
2. Show Cause hearings.
3. Evidentiary Matters of any type.
4. Plan Confirmations.

It is **FURTHER ORDERED** that failure to comply with the following by any party appearing via telephone, including those participating in "listen-only" mode, may result in the Court terminating the party's telephonic appearance and disconnecting the party from the call:

1. Use of a speaker phone is prohibited;
2. Car phone, cellular phone, or phones located in public places is prohibited;
3. All parties must use their "mute" buttons when not speaking;
4. Placing the Court on "hold" during the call is prohibited;
5. Conversation with any party, other than the Court is prohibited;
6. Any interference with the call, including background noise which disturbs the proceedings, is prohibited;

It is **FURTHER ORDERED** that all parties appearing telephonically must dial in to the call ten (10) minutes prior to the scheduled start time for such hearing. Calling in ten minutes prior to the scheduled start time is required even though the Court, based on its docket for that day, may not start the hearing until after the scheduled time. In that event, parties who wish to participate must remain on the line until the case is called. The Court will not call the case a second time. Parties who do not appear when the case is called will be deemed to have waived their appearance and the Court will proceed with the hearing. Likewise, the Court will not vacate an Order entered due to a party's failure to appear when the case is called.

It is **FURTHER ORDERED** that any party who registers to appear telephonically but fails to so appear and also fails to appear in person in court shall be deemed to have defaulted and the Court will proceed with the hearing in the absence of that defaulting party. Likewise, the Court may enter an order adjudicating the matter.

  
Judith K. Fitzgerald

U.S. Bankruptcy Judge

cjs