

**U.S. BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA
BEST PRACTICES FOR TELEPHONIC HEARINGS**

The court conducts, by telephone, a wide array of hearings on non-evidentiary matters (i.e., preliminary hearings regarding motions to lift stay, routine pretrial and status conferences, etc.) and requests for emergency relief. Additionally, upon good cause shown or perceived by the court, parties may be permitted to participate by telephone in hearings conducted in the courtroom. Given that the District is served by a single bankruptcy judge who cannot simultaneously be present at all divisional points of court, telephonic hearings are routinely conducted thereby avoiding inconvenience to the parties and counsel, as well as saving the time and expense associated with travel to a central hearing site.

Telephonic hearings are conducted in the same manner as hearings in court. Parties in interest are provided notice by the Clerk's office of the specific date and time of the hearing. All hearings are recorded and the audio recordings are uploaded to the docket.

The following concepts, in addition to the rules and procedures associated with a hearing conducted in a courtroom, should be kept in mind by parties engaging in a telephonic hearing:

*** NEVER PARTICIPATE IN A TELEPHONIC HEARING WHILE OPERATING A MOTOR VEHICLE**

* Telephonic hearings are hearings. The same rules regarding punctuality and courtroom demeanor apply. A telephonic appearance is treated the same way as any other court appearance.

* The lack of visual cues makes it difficult for the Bankruptcy Judge to know if the parties understand what is going on. If you do not completely understand, please ask the Judge to clarify.

* You should devote your full attention to the call; mistakes and misunderstandings may arise if you are doing something else at the same time.

* Choose a quiet place from which to participate so that you can be clearly heard and background noise won't interfere with the proceedings. Please avoid participating while outdoors or in public hallways. Do not have other people in the room with you unless those people are also taking part in the hearing. Other potential distractions, such as a radio or television, should be turned off during the hearing.

* Occasionally, you may dial in for a hearing and you will be joined to another hearing in progress. In that event, please stay on the line. The judge will begin the next hearing immediately after the prior hearing has concluded without reestablishing a new connection.

* The use of cellular or mobile telephones is highly discouraged and should be avoided whenever possible. These types of phones are subject to interference or loss of transmission not experienced by conventional phones and their audio quality is diminished. This may result in the inability of the court or other parties to distinctly hear you and prevent your full and effective participation in the hearing.

* Long distance telephone connections may be of poor quality. You should advise the judge if at any time during the hearing you cannot hear what is being said by the judge or the other parties.

* If you become disconnected during a hearing, hang up your telephone and immediately redial or email the courtroom deputy at lisa_mcnail@wvnb.uscourts.gov to be joined to the call.