

## **Conflicts and Continuances**

Mass calendars are a way of life in Bankruptcy Court, and it is not unusual for different judges to schedule mass calendars at the same time. The judges understand that this scheduling problem gives rise to conflicts and are accommodating to counsel. If you have a conflict that requires you to be in another courtroom in the bankruptcy court, call or report to the courtroom deputy clerk before the start of the hearing to identify your cases. Your cases will be marked and held for your report. This procedure does not apply to section 341 hearings.

Oral motions for continuances made at the call of a motions calendar will generally be granted if all parties consent. Unless all parties are present at a hearing on a motion where the hearing is reset, the party requesting the reset is responsible for immediately serving a filing a notice of the date and time of the reset hearing..

If you know that you want a continuance but your opponent does not consent, you should file a written motion at the earliest possible time. Announcements of consent orders, intents to withdraw matters, and resets on request may be made by the moving party prior to the hearing by e-mail, telephone or at the call of the calendar. In voice or e-mail messages, please state your name, telephone number, the case number, the style of case, the name of your client and the announcement.

**NOTE:** State Court rules are not applicable in the Bankruptcy Court and are not a basis for being excused from appearing at a calendar call. Usually, this Court defers to other courts where a matter has been set for hearing or trial prior to the date on which a matter giving rise to a conflict has been set for hearing on this Court's calendar, but follow the procedures set forth above.