

Telephonic Appearances by Counsel

In limited circumstances, Judge Diehl may grant an attorney permission to appear at a hearing telephonically. To inquire about appearing telephonically, the attorney should contact Eva Moody (404-215-1029), Courtroom Deputy Clerk, with the request. If such request is approved by Judge Diehl, Ms. Moody will contact the attorney with the dial-in information.

- An attorney should NOT make a request to appear telephonically if he or she intends to present evidence.
- In deciding to appear telephonically, counsel is agreeing to waive any prejudice attributable to quality deficiencies or irregularities of the record that may result.

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 the quality of the record, the use of speaker phones, public telephone booths, or phones in other public places is prohibited, and the use of cell phones is discouraged except in the most extreme emergencies. Participants should be able to hear all parties without difficulty or echo. Counsel should cover the telephone handset or place the telephone on mute, when not talking to minimize background noise that is broadcast over the speaker system in the courtroom. Failure to do so may result in the inability of the transcription system to fully and accurately transcribe the statements of counsel. Please be advised that poor reception will cause counsel's appearance to be disconnected. Repeated poor connections may cause counsel to be banned from future telephonic appearances.

Bankruptcy Local Rule 5073-1 states: "The taking of photographs and operation of tape recorders in the courthouse and radio or television broadcasting from the courthouse during the progress of or in connection with judicial proceedings, including proceedings before a Bankruptcy Judge whether or not Bankruptcy Court is actually in session, is prohibited." **In accordance with B.L.R. 5073-1, under no circumstances may any individual participating or listening to the proceedings record or broadcast the proceedings conducted by the Bankruptcy Court.**

Violation of BLR 5073-1 may result in sanctions, including but not limited to loss of the privilege of appearing by telephone, monetary sanctions, or a finding of contempt against the violator.