

SPR 94.08.4.
COURTCALL TELEPHONIC APPEARANCE RULE

(a) Program Overview.

(1) The CourtCall Telephonic Appearance Program ("CourtCall"), 1-888-882-6878, organizes a procedure for telephonic appearance by attorneys or pro se parties as a reasonable alternative to personal appearances in appropriate cases and situations. CourtCall is fully voluntary and no person is required to utilize CourtCall. CourtCall is available at a fixed fee to use when circumstances are appropriate.

(2) Hearings will be held on a specific calendar in the usual manner, unless the court exercises its discretion to call cases in a different order.

(3) Hearings are conducted in open court or in private as the court may designate. All attorneys or pro se parties making CourtCall Appearances call a designated toll free teleconference number a few minutes before the calendar is scheduled, to check in with the clerk. Attorneys or pro se parties remain on the court's speakerphone-telephone line and hear the same business that those present in the court may be hearing. Attorneys or pro se parties not participating telephonically appear in person. The court calls cases for hearing. All attorneys or pro se parties on a case participate in the hearing. All present in the courtroom hear the discourse of those making CourtCall Appearances.

(4) CourtCall Appearances are scheduled, in writing, in advance, by counsel or pro se parties serving on all other counsel and pro se parties and delivering (via fax, mail, or personal delivery) to CourtCall, LLC, not less than seven (7) court days prior to the hearing date, a Request for CourtCall Appearance form and by paying the stated fee for each CourtCall Appearance. The court may shorten the time for serving the request for good cause shown.

(b) Participation in CourtCall Appearances.

(1) Court.

(a) The court shall hear CourtCall Appearances in the order in which they are noted on the calendar, unless the court exercises its discretion to call cases in a different manner.

(b) The following matters are currently deemed unsuitable for CourtCall Appearances and shall require the personal appearance of parties and/or counsel, unless otherwise approved in advance by the court.

- (i) Judgment Debtor Examinations;
- (ii) Settlement Conferences;
- (iii) Hearings and trials at which oral testimony may be presented;
- (iv) Show cause hearings regarding contempt by a party.

(c) The court reserves the right, at any time, to reject any Request for CourtCall Appearance. When the court rejects a request, it shall order a refund of deposited telephonic appearance fees and notify CourtCall, LLC.

(d) The court reserves the right to halt the telephonic hearing on any matter and order the attorneys to personally appear at a later date and time, in which case no refund is permitted.

(e) If a matter is continued prior to the actual hearing date, the prior filing of a Request for CourtCall Appearance form shall remain valid for the continued date of the hearing.

(f) Existing rules and procedures regarding making of the record by a

court reporter or electronic device or obtaining a transcript after the hearing shall apply to hearings at which CourtCall Appearances are made. No private recordings may be made of telephonic appearances.

(g) Upon proper motion, the court in its discretion may waive the CourtCall fee for a party who is found by the court to be indigent or for his or her counsel.

(2) Attorneys and Pro Se Parties.

(a) Attorneys and pro se parties electing to make a CourtCall Appearance shall serve, on all other parties in the case, the Request for CourtCall Appearance form, fax or otherwise deliver a copy of the form to CourtCall, LLC, and pay the CourtCall Appearance Fee in the method prescribed, not less than seven (7) court days before the hearing date. The court may shorten the time for serving the request for good cause shown.

(b) When the Request for CourtCall Appearance is made at the same time as the filing of the hearing documents or response, in addition to the Request for CourtCall Appearance form, the words "CourtCall Appearance Requested" shall be printed below the department, date, and time of the hearings on the first page of the papers filed with the court and courtesy copies for the judge.

(c) Appearance Procedure.

(1) An attorney or pro se party making a Court Call Appearance shall:

(a) Eliminate to the greatest extent possible all ambient noise from the calling location;

(b) Be required, during the speaker's appearance, to speak directly into a telephone handset;

(c) Not call in with cellular or cordless telephone devices or through a personal computer.

(2) An attorney or pro se party making a CourtCall Appearance shall call the court's designated toll free teleconference line approximately five (5) minutes prior to the scheduled hearing time and check-in with the clerk. All persons calling after the check-in period shall be considered to be late for the hearing and shall be treated by the court in the same manner as if the person had personally appeared late for the hearing.

(3) An attorney or pro se party appearing telephonically shall state his or her name for the record each time the person speaks and shall participate in the appearance with the same degree of courtesy and courtroom etiquette as is required for a personal appearance. An attorney or pro se party shall not utilize the "hold" button, as it is not within the policy of the court to wait for any person to rejoin the line.

