

JUDGE KARLIN'S TELEPHONE CONFERENCE GUIDELINES

(Rev. June 7, 2010)

I welcome out-of-town counsel's¹ participation by telephone at certain proceedings, subject to the following guidelines and provisions. My goal is to keep your client's legal expenses to a minimum, and to accommodate your busy schedules, while preserving the efficiency and accessibility of the court. I am reissuing these guidelines both because we have a new telephone system with different capabilities, but also because we continue to receive many requests from attorneys wishing to appear by telephone on regular/multi-case dockets. As noted below, that is simply not practical, nor is it fair to the dozens of attorneys who appear in person, patiently waiting their turn for their cases to be called.² These guidelines will hopefully better explain our procedures and suggest alternative ways to achieve your need to occasionally appear by telephone.

1. Matters in which telephone appearances may be permitted. I welcome out-of-town counsel to appear by telephone for status conferences, scheduling conferences, and conferences on discovery motions. Telephone appearances on regular docket and evidentiary matters are impractical and, therefore, not permitted. In rare instances, if your case is on a regular docket, I may be able to move it to a status conference to allow appearances by phone.³ You must call chambers at least a full day in advance of the hearing to explain why your situation calls for that solution, and to hopefully advise that you have already discussed the matter with opposing counsel and know when and whether opposing counsel will be available at the different date and time you are proposing. I normally require personal appearances at all final pretrial conferences, except in rare cases. I am frequently willing to cancel the Pretrial Conference altogether if the joint Pretrial Order has been timely uploaded prior to the conference, and all counsel have approved it. In some instances, if only a few items in the Pretrial Order need discussion, I may be willing to conduct the Pretrial Conference by telephone, and solicit your suggestion to conduct that hearing by telephone in that situation.

2. Who may appear by phone. In general, we aim to accommodate out-of-town counsel by permitting telephone appearances for non-evidentiary matters, but will allow all counsel to appear by phone if requested. We encourage counsel who are local to appear in person, and welcome the appearance of out-of-town counsel in person, as I often find that it is quite productive to get opposing counsel in one room at one time to concentrate on one case.

¹I also allow in-town counsel's appearance by telephone if anyone else is participating by telephone, or if the nature and length of the hearing dictate it is simply more efficient to appear by telephone.

²Some attorneys suggest placing the matter at the end of the docket. This is impractical because we never know when the end of the docket will arrive. It is also unfair to the attorney not appearing by telephone, because that attorney is forced to wait until the end of the docket, rather than having the matter called in its normal order.

³I am unwilling to routinely move hearings otherwise on my regular dockets to scheduling conferences with out-of-town counsel because 1) that would inconvenience counsel who appear on the dockets with multiple cases, including the case trustee; 2) I do not have enough "pretrial" dates each month to handle these on non-docket days; and 3) it is most efficient to handle routine docket matters on the routine dockets.

3. Arranging appearance by phone in advance. All arrangements for telephone conferences shall be the responsibility of the lawyer requesting to appear telephonically. Counsel wishing to appear by phone must first obtain permission by contacting Deputy-in-Charge Donna Urbom-McClure, of the Clerk's office in Topeka (785) 338-5912 , or Debbie Goodrich, my Judicial Assistant (785) 338-5950, at least one (1) full business day prior to the scheduled appearance.

4. Placing the call immediately before the hearing. Counsel shall call my chambers, (785) 338-5950, immediately before the designated time for the hearing. My Judicial Assistant will coordinate transfer of all calls to the hearing venue, which is typically my conference room for most non-evidentiary/non-docket matters.

5. Cell phone usage highly discouraged during conference calls. Unless an emergency, I do not allow counsel to appear using a cell phone for two reasons. First, experience shows that there is a higher percentage of dropped calls, or calls with poor sound quality, when one party is using a cell phone. Secondly, in those circumstances where the cell call is due to counsel's need to travel, it can be unsafe for counsel to simultaneously drive and use a cell phone for hearings because of the attention needed for these calls, including the need to record notes about oral orders made.

5. Punctuality; Failure to Appear. As a matter of common courtesy to me and your colleagues, calls into such hearings/conferences must be timely placed to chambers. If you are going to be delayed, please contact chambers at the above number as well as all opposing counsel, well in advance. Because the pretrial/scheduling conference docket is often lengthy (and usually in twenty minute back-to-back segments), substantial delay works a hardship not only on the participants in your conference, but also on those participating in later conferences, since delaying the start of your conference will often cause the conferences following yours to be delayed. Should you fail to appear for a telephonic conference, your personal presence will be required at all subsequent hearings in the matter.

I hope these guidelines will clarify procedures for telephone appearances. Should you have any questions about them, do not hesitate to contact the Clerk's Office or my chambers staff. Similarly, should you encounter a situation that does not fall within these specific guidelines, feel free to contact the Clerk. We will attempt to accommodate unusual circumstances when possible.

/s/ Janice Miller Karlin
UNITED STATES BANKRUPTCY JUDGE
DISTRICT OF KANSAS