

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF CONNECTICUT**

IN RE:
COURT OPERATIONS UNDER THE EXIGENT
CIRCUMSTANCES CREATED BY COVID-19

GENERAL ORDER

WHEREAS, the Governor of the State of Connecticut has declared a public health emergency throughout the State;

WHEREAS, the Centers for Disease Control and Prevention has advised people to take precautions in light of the COVID-19 virus (coronavirus) outbreak, and has noted that the best way to prevent illness is to avoid being exposed to the virus;

AND

WHEREAS, parties in matters pending in all three divisions of the United States Bankruptcy Court for the District of Connecticut (the "Court") regularly appear in person for scheduled hearings and conferences at which multiple matters are heard and numerous parties are present in the courtrooms;

THEREFORE,

IT IS HEREBY ORDERED, effective immediately and until further notice, that:

- 1. Scheduled hearings and conferences.** All scheduled hearings and conferences to be held in any courthouse in the District of Connecticut (Abraham Ribicoff Federal Building in Hartford, Brien McMahon Federal Building in Bridgeport; and the Connecticut Financial Center in New Haven), will be conducted telephonically pending further Order of the Court. Any party who wishes to appear in person at a scheduled hearing or conference shall file an appropriate motion or request, which will be considered by the Court. Any party required to appear at a scheduled hearing or conference may request a continuance of the hearing or conference by filing an appropriate motion or request setting forth the basis for the requested continuance. **The procedures and instructions for appearing telephonically at a scheduled hearing or conference are attached hereto as Exhibit A.**
- 2. Evidentiary Hearings and Trials.** Evidentiary hearings and trials may proceed as scheduled. The parties are directed to contact the courtroom deputy in the division of the Court in which the matter scheduled for an evidentiary hearing or trial is pending to

determine if the evidentiary hearing or trial will proceed as scheduled. The courtroom deputy contact information is:

Hartford Division: CourtroomDeputy_Hartford@ctb.uscourts.gov
Bridgeport Division: CourtroomDeputy_Bridgeport@ctb.uscourts.gov
New Haven Division: CourtroomDeputy_NewHaven@ctb.uscourts.gov

The United States Bankruptcy Court remains open for all other business. Staff in the Clerk's Office are available by telephone, mail will be received, and intake desks remain open for filings. Electronic filings may still be made through the CM/ECF system. The public is encouraged to continue utilizing Court services while following all applicable public health guidelines.

SO ORDERED:

/S/ Julie A. Manning

Dated: March 12, 2020

Julie A. Manning
Chief United States Bankruptcy Judge

EXHIBIT A

PROCEDURES AND INSTRUCTIONS FOR TELEPHONIC APPEARANCES

I. PROCEDURES FOR TELEPHONIC APPEARANCES

In connection with the General Order Regarding Court Operations Under the Exigent Circumstances Created by COVID-19 issued on March 12, 2020, if a party who is appearing telephonically at a scheduled hearing or conference fails to respond to the call of the matter on the Court calendar, the Court may pass the matter or may treat the failure to respond as a failure to appear. A hearing or conference generally will not be rescheduled due to the failure to appear. A party who fails to appear as scheduled may face sanctions from the Court. Sanctions may include denying the matter for failure to prosecute, proceeding in the absence of a party who fails to appear, or a monetary sanction.

Telephonic appearances are connected directly to the courtroom's audio system and electronic recording equipment and create an official record of the scheduled hearing or conference. All parties participating in the scheduled hearing or conference should be able to hear all parties without difficulty or echo. To ensure the quality of the official record of the scheduled hearing or conference, telephonic participants are strongly encouraged to use a "land line" telephone. The use of a cell phone during a telephonic appearance is discouraged due greater potential for disruptive surroundings or poor connection. Any party using a cell phone during a telephonic appearance may be disconnected from the scheduled hearing or conference at the discretion of the Court. The use of speakerphones, public telephone booths, phones while driving, or phones used in public places is discouraged and such use may also result in the party being disconnected from the scheduled hearing or conference at the discretion of the Court.

II. INSTRUCTIONS FOR THE USE OF A COURT APPROVED TELEPHONIC HEARING OR CONFERENCE VENDOR

Unless the Court allows a party to appear telephonically by a means other than a Court approved telephonic hearing or conference vendor, a party will receive instructions as to which court approved vendor to use for the scheduled hearing or conference. The two Court approved telephonic hearing vendors are CourtCall and CourtSolutions. The CourtCall and CourtSolutions instructions for registering for a telephonic hearing or conference are set forth below.

A. Instruction to register for CourtCall.

1. Create an account with CourtCall.

Call CourtCall at (866) 582-6878 to create an account. Creating an account is necessary if the party does not already have an account.

2. Registering for a hearing with CourtCall.

Call CourtCall at (866) 582-6878 to register for the hearing, not later than 12:00 noon on the business day prior to the hearing date.

CourtCall will provide counsel with written confirmation of a telephonic appearance and give counsel a number to call to make the telephonic appearance.

3. Charges¹.

The initial charge per participant for a CourtCall appearance is \$35 for the first 45 minutes of the call. For each additional 15-minute increment, the charge is \$7.50 per increment. Note that CourtCall charges a registered party for a call even if they fail to appear for the registered telephonic appearance.

Any issues with billing shall be directed to the vendor. The Court is not responsible for the billing or collection of the fees incurred with CourtCall.

4. Order of Proceeding.

CourtCall does not place a call to counsel on the day of the hearing. It is counsel's responsibility to dial into the call not later than 10 minutes prior to the scheduled hearing.

Upon connecting to the call and at the time of the hearing, a party may initially be in the Listen Only mode in which case he/she will be able to hear the case currently on call, just as if a party were in the courtroom. Once the judge or courtroom deputy calls the appropriate case, the caller will be placed in active mode and will hear requests for appearances. Then, the Court will further direct the order of the proceeding. Each time a telephonic party speaks, he/she should identify them self for the record. The court's teleconferencing system allows more than one speaker to be heard, so the judge can interrupt a speaker to ask a question or redirect the discussion. When the judge informs the participants that the hearing is completed, the telephonic participant may disconnect, and the next case will be called.

5. Failure to appear.

If a party does not timely call and connect to a hearing with the Court Call operator, they will be billed by CourtCall for the call and the hearing may proceed in their absence. The party that failed to appear may also face sanctions from the court.

6. Other/Miscellaneous.

Telephonic appearances by multiple participants are only possible when there is compliance with every procedural requirement. Sanctions may be imposed when there is any deviation from the required procedures or the Court determines that a person's conduct makes telephonic appearances inappropriate. Sanctions may include denying the matter for failure to prosecute, proceeding in the absence of a party who fails to appear, or a monetary sanction.

¹ As of February 2020

B. Instructions to register for CourtSolutions.

1. Create a CourtSolutions account online.

Logon to <https://www.court-solutions.com/> to “Signup” for an account and to register a telephonic appointment for an upcoming hearing. Registration for a hearing must occur no later than 12:00 noon on the business day prior to the hearing date.

2. Register for a hearing with CourtSolutions.

After creating and signing into their CourtSolutions account at <https://www.court-solutions.com/>, a party must register for a hearing on the on the right side of the screen.

- a. Enter the last name of the Judge to appear before and then select the appropriate name from the list.
- b. Enter the time and date of the hearing.
- c. Select participation status: Live or Listen Only.
- d. Enter the case name, case number, and, if applicable, the name of client.
- e. There is a box to click to agree to terms/conditions, and then press “Register”.
- f. CourtSolutions will send an email confirmation of the participation request.
- g. The court staff will first confirm that a granted motion to appear telephonically is on the docket. If there exists a granted motion, the court staff will approve the reservation.
- h. CourtSolutions will then send another email confirmation.

Note that the reservation received for a registered hearing may NOT be transferred to another person. If someone dials in with someone else’s registration information, the caller information presented to the court will not match the correct person.

3. Charges².

For lawyers and participants, registration and reservations are free.

Once a party dials into a call, the cost is a flat fee of \$70, per reservation, per judge, per day. If the hearing is adjourned for a break and the party rejoins the call later that day, there is no additional charge to rejoin the call. If the hearing is continued to another day, lawyers and participants will need to re-register and the flat fee will apply again when dialing in.

If a party does not timely join a call, no fee is charged. The Judge will have the party listed as having made a reservation, but the party is not charged. However, the hearing may proceed in their absence, and they may face sanctions from the Court.

² As of February 2020

Additionally, a party may notice that there is a charge on their card after making a reservation. When making a reservation, CourtSolutions places an authorization hold on the card. If the party does not join the call, the pending hold will be removed automatically several days later, and there will be no charge.

Any issues with billing shall be directed to the vendor. The Court is not responsible for the billing or collection of the fees incurred with CourtSolutions.

4. Order of Proceeding.

CourtSolutions does not place a call to counsel on the day of the hearing. It is counsel's responsibility to dial into the call not later than 10 minutes prior to the scheduled hearing. Logging into the CourtSolutions website for the hearing is not required but is helpful to unmute your line if the Court mutes it or to raise your hand to be recognized during the hearing.

Upon connecting to the call and at the time of the hearing, a party may hear the activity in the courtroom. Unless a joining party mutes their line, he/she joins the call as an active participant and can be heard. Failure to act appropriately on the line may result with the party being disconnected by Court. When the judge is ready to hear the case, appearances will be called. Each time a telephonic party speaks, he/she should identify them self for the record. The court's teleconferencing system allows more than one speaker to be heard, so the judge can interrupt a speaker to ask a question or redirect the discussion. When the judge informs the participants that the hearing is completed, the telephonic participant may disconnect, and the next case will be called.

5. Failure to appear.

If a party does not timely call and connect to the scheduled hearing, the hearing may proceed in their absence, and they may face sanctions from the Court for their failure to appear.

6. Other/Miscellaneous.

Telephonic appearances by multiple participants are only possible when there is compliance with every procedural requirement. Sanctions may be imposed when there is any deviation from the required procedures or the Court determines that a person's conduct makes telephonic appearances inappropriate. Sanctions may include denying the matter for failure to prosecute, continuing the hearing, proceeding in the absence of a party who fails to appear, or a monetary sanction.