

TELEPHONIC APPEARANCE PROCEDURES
MODESTO DIVISION
(Revised May 22, 2001)

Subject to the conditions stated below, telephonic appearances are allowed in all matters *except* the following:

1. Chapter 11 Status Conferences (debtor and debtor's counsel *must* appear in person). Others may appear telephonically.
2. Chapter 11 & 12 Confirmation Hearings (debtor, debtor's counsel and all objecting creditors *must* appear in person).
3. Pre-Trial Conferences (trial counsel *must* appear in person).
4. Trials and Evidentiary Hearings (all counsel and all witnesses *must* appear in person).
5. Any matter designated by the court as requiring personal appearances.

If the court has issued tentative rulings prior to the hearing, each person who appears telephonically shall have reviewed and shall be familiar with the tentative ruling(s). Failure to comply with this requirement constitutes a waiver of the opportunity to appear telephonically at the hearing.

If a person who has scheduled a telephonic appearance does not respond to the call of a matter on the calendar, the court may pass the matter or may treat the failure to respond as a failure to appear. Scheduling simultaneous telephonic appearances in multiple courts does not excuse a failure to appear when a matter is called on the calendar.

Telephonic appearances may be arranged by calling Gentner Court Conference at (800) 538-7633 no later than 4:00 p.m. the day prior to the court hearing date. Any request for a telephonic appearance made after the 4:00 p.m. deadline must be court approved by contacting Carlene Walker, Calendar Clerk at (209) 521-6899, or Brenda Garcia, Judge Holman's Courtroom Deputy at (209) 521-5160, ext. 242. The 4:00 p.m. deadline for scheduling telephonic appearances is independent of the issuance of tentative rulings. Late scheduling of a telephonic appearance is not justified by the fact that tentative rulings have not been posted on the court's website by 4:00 p.m.