Policy on Telephonic Appearances
at hearings before the
Honorable K. Rodney May

At all times, because of the economics of a particular matter or last-minute scheduling of a hearing, counsel may wish to appear telephonically for a hearing rather than in person. Set out below are Judge May's procedures with respect to telephonic appearances.

1. Telephonic appearances are not permitted for hearings on motions for relief from stay, evidentiary hearings, or hearings conducted in connection with Chapter 7 or 13 cases. The calendars are too large and move too quickly to accommodate telephonic hearings.

2. Accordingly, telephonic appearances will generally be permitted only for hearings in Chapter 11 cases and adversary proceeding pre-trial conferences.

3. Telephonic appearances will only be considered for counsel who are outside of the Tampa Division of the Middle District of Florida.

4. Appearances by phone must be arranged with Kim Murphy, Courtroom Deputy (813-301-5118), at least 24 hours in advance of the hearing. There is no assurance that requests will be granted. The denial of a last-minute request will not be an appropriate basis for requesting a continuance of the hearing.

5. The court can accommodate only one party's telephonic appearance at a particular hearing. If more than one counsel wish to appear telephonically, they must arrange among themselves for a "call-in conference call" and must supply the court with the telephone number and access code at least 24 hours before the hearing.

6. Participation of counsel appearing by phone will be limited to a short statement or argument in support of or opposition to the relief requested. Counsel may not engage in extended argument or participate in the introduction of evidence or examination of witnesses if the court determines it is appropriate to receive evidence at the scheduled hearing.

7. Counsel appearing telephonically may not use a speakerphone; a handset must be used. Counsel should state his/her name each time he/she is heard so the court's electronic recording system can accurately record the speaker. Counsel should speak loudly, clearly, and slowly. Also, counsel should cover the telephone handset when he/she is 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 court's electronic recording system to fully and accurately record the statements of counsel.

8. If there is an equipment failure for any reason, the court will continue with the hearing without the participation of counsel appearing telephonically. While the court will not "default" the party because of counsel's inability to participate due to an equipment failure, counsel assumes the risk of the prejudice that may result from not being present in person and able to advance the party's points in favor of or opposition to the relief requested.