

SIXTH DISTRICT TELECONFERENCING ORAL ARGUMENT PROCEDURES

(a) Teleconference System. The Court of Appeal, Sixth Appellate District, has installed a telephone conference call system that enables attorneys to present oral arguments by telephone as an alternative to personal appearance in court. The court has determined that oral argument by telephone conference call will reduce costs to the parties and provide greater convenience to counsel.

All oral arguments by telephone conference call will be heard by the Justices on the bench in the courtroom which will be open to the public.

(b) Option of Counsel. In all cases, civil and criminal, in which a party has a right to present oral argument, counsel may elect to present oral argument either by personal appearance in the courtroom or by telephone conference call. The decision whether to present oral argument in person or by telephone conference call is within the sole discretion of counsel and the parties, except that the court may direct counsel to appear in person.

In deciding whether to present oral argument by personal appearance or by telephone conference call, counsel should consider the expense of a personal appearance to the parties and to the state, and should determine whether the matters at issue can be satisfactorily argued by telephone conference call without incurring that expense.

(c) Notice to Other Counsel. Counsel shall notify all other parties in writing whether he or she waives or requests oral argument. If oral argument is requested, counsel shall indicate whether he or she elects to present oral argument in person or by telephone conference call. The notice shall be given within the time allowed for requesting oral argument.

The court will hear oral argument where counsel for one party elects to argue by telephone conference call and counsel for the other party elects to argue in person. If one counsel elects to argue by telephone conference call and another elects to argue in

person, the counsel who elected to argue by telephone conference call shall have the right to change his or her request and argue in person. Counsel also retains the right to change his or her request to argue by telephone conference call rather than in person. The request to change must be made in writing to the court, with service on opposing counsel, at least three working days before the oral argument date. The request shall include the information required in subsection (d).

(d) Written Request for Oral Argument. Counsel's request to present oral argument by telephone conference call shall be made in writing and shall contain the following information: (1) the number and title of the case; (2) the name of counsel who will present oral argument; (3) the name of the party counsel is representing; and (4) the telephone number to be used for the conference call. The request for argument may be made by completion of a "Request for Oral Argument" form which will be furnished by the clerk at the time notice is mailed to the parties.

(e) Notice of Time of Oral Argument. When a party requests oral argument the clerk shall notify counsel of the date and time the argument is scheduled.

(f) Procedure and Costs. Telephonic appearances for matters to be argued by telephone conference call will be arranged through COURTCALL, LLC. COURTCALL, LLC is an independent conference call company that arranges conference calls.

COURTCALL, LLC will contact each participant who has elected to argue by telephone conference call at least one day before the hearing to confirm arrangements for the conference call and to arrange a billing to the participant through the use of a major credit card. The cost for argument by conference call is \$41.20 per party per case.

Participants may contact COURTCALL LLC at 1-866-582-6878 to discuss procedures, confirm dates and times, etc. Participants must reference this court and the case name and number when calling COURTCALL, LLC.

At the time of the scheduled telephonic appearance COURTCALL, LLC will contact the attorney at the number provided. If the attorney is not available when called, the court may deem the unavailable attorney has waived argument and may proceed without the unavailable attorney.

Multiple telephone conference call appearances may be scheduled on oral argument calendars. In these situations the calls may be "stacked" by COURTCALL, LLC. The conference call operator will control and monitor the "stacked" calls and connect them one at a time with the courtroom in a sequence coordinated with the courtroom clerk. In the event there are a large number of telephone conference call appearances on a particular calendar, COURTCALL, LLC will initiate calls to some participants on a delayed basis to minimize waiting time. All participants must be available when called.

When the Presiding Justice informs the participants that the hearing is completed, the participants will hang up. The conference call operator will then connect the next call to the courtroom.

(g) Recording of Oral Argument. The court may record oral arguments by telephone conference call. A request for oral argument by telephone will be deemed consent to such recording.