

**US Bankruptcy Court  
Middle District of Pennsylvania**

**HEARING PACKET**

**Instructions and Forms To:**

**Request Removal of Hearing**

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**Request Continuance of Hearing**

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**Request Telephonic Testimony**

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INSTRUCTIONS  
**Request to Remove From Hearing/Trial Form**

The **Request to Remove From the Hearing/Trial List** form can be found on our web-site ([www.pamb.uscourts.gov](http://www.pamb.uscourts.gov)) under

- ✓ Quick Links
- ✓ Rules, Court Order, Forms & Procedures
- ✓ Local Bankruptcy Forms
- ✓ FORM 9019-1 - Request to Remove from Hearing/Trial List

This form is only to be used if:

- (1) The parties have settled and plan to file a stipulation.
- (2) The movant wishes to withdraw the motion.

This form can be electronically filed up until 5:00 p.m. the day before the scheduled hearing. It is **not** intended to be used for a request for continuance. It should be typed (not hand written) and the **format is not to be altered**.

**LOCAL BANKRUPTCY FORM 9019-1**

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

**IN RE:**

[Redacted]

**Debtor(s)**

[Redacted]

**Plaintiff(s)/Movant(s)**

**vs.**

[Redacted]

**Defendant(s)/Respondent(s)**

**CHAPTER** [Redacted]

**CASE NO.** [Redacted]-[Redacted]-bk-[Redacted]

**ADVERSARY NO.** [Redacted]-[Redacted]-ap-[Redacted]  
**(if applicable)**

**Nature of Proceeding:** [Redacted]

**Pleading:** [Redacted]

**Document #:** [Redacted]

**REQUEST TO REMOVE FROM THE HEARING/TRIAL LIST\***

**CHECK ONE:**

The undersigned hereby withdraws the above identified pleading with the consent of the opposition, if any.

The undersigned counsel certifies as follows:

(1) A settlement has been reached which will be reduced to writing, executed and filed within (please check only one).

Thirty (30) days.

Forty-five (45) days.

Sixty (60) days.

(2) If a stipulation is not filed or a hearing requested within the above-stated time frame, the Court may dismiss the matter without further notice.

(3) Contemporaneous with the filing of this request, the undersigned has served a copy of this request upon all counsel participating in this proceeding.

Dated: [Redacted]

[Redacted]  
Attorney for [Redacted]

\*No alterations or interlineations of this document are permitted. This request must be filed twenty-four (24) hours prior to the hearing.

## INSTRUCTIONS Request To Continue Hearing

On April 25, 2006, the Court approved and adopted **Local Bankruptcy Form 9013-4**, "Request to Continue Hearing", (attached) which can be found at:

- [www.pamb.uscourts.gov](http://www.pamb.uscourts.gov)
    - Rules, Court Orders, Forms and Procedures
      - Local Bankruptcy Forms
        - FORM 9013-4 - Request to Continue Trial/Hearing with Concurrence
- 

### Guidelines for Use:

- This form is used **only for the first** request for a continuance of a matter.
  - All *further* requests for a continuance must be made by **Motion**.
  - Requests **must** be filed at least twenty-four **(24) hours *prior*** to the hearing.
  - Submitting a request is **not** an **automatic** continuance.
  - All requests **must have concurrence** of the opposing party and must **state the reason** for the continuance.
  - All **requests must be approved** by the Court.
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### File the Form:

- The **Request to Continue** can be electronically **FILED** in **ECF** under:
  - **Miscellaneous**
  - **Request to Continue Hearing/Trial w/Concurrence**

**LOCAL BANKRUPTCY FORM 9013-4**

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

**IN RE:**

[Redacted]

**Debtor(s)**

[Redacted]

**Plaintiff(s)/Movant(s)**

**vs.**

[Redacted]

**Defendant(s)/Respondent(s)**

**CHAPTER** [Redacted]

**CASE NO.** [Redacted]-[Redacted]-bk-[Redacted]

**ADVERSARY NO.** [Redacted]-[Redacted]ap-[Redacted]  
**(if applicable)**

**Nature of Proceeding:** [Redacted]

[Redacted]

**Document #:** [Redacted]

**REQUEST TO CONTINUE HEARING/TRIAL WITH CONCURRENCE<sup>1</sup>**

This request must be filed at least twenty-four (24) hours prior to the hearing. All requests must be approved by the Court. Submitting a request is not an automatic continuance.

The undersigned hereby requests a continuance with the concurrence of the opposing party (parties). This is a first request for a continuance.<sup>2</sup>

Reason for the continuance.

[Redacted]

Contemporaneous with the filing of this request, the undersigned has served a copy of this request upon all counsel participating in this proceeding.

Dated: [Redacted]

[Redacted]

Attorney for [Redacted]

Name: [Redacted]

Phone Number: [Redacted]

<sup>1</sup> No alterations or interlineations of this document are permitted.

<sup>2</sup> If this is not a first request for a continuance, then a Motion to Continue must be filed.

**UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF PENNSYLVANIA**

***AMENDED***

**Telephonic Court Appearance & Telephonic Testimony Procedures for all Judges  
Adopted June 15, 2010**

(Modified: October 15, 2010)

The United States Bankruptcy Court for the Middle District of Pennsylvania has arranged for parties to participate by telephonically using CourtCall, an independent conference call company.

**Except as digitally recorded by the Court, under no circumstances may any participant record or broadcast the proceedings conducted by the Bankruptcy Court.**

**I. Policies Governing Telephonic Court Appearances**

Telephonic appearances by counsel and pro se debtors using CourtCall are authorized for all matters, pursuant to procedures set forth herein.

If a party or attorney schedules a telephonic appearance and fails to respond when the matter is called, the Court may proceed with the hearing and may treat the failure to respond as a failure to appear. Parties and attorneys making use of CourtCall's services are cautioned that they do so at their own risk. Hearings and trials generally will not be rescheduled due to missed connections, except upon motion and showing of good cause.

A waiver of the CourtCall fees is approved for debtors who have been granted IFP status and parties represented by pro bono counsel. The Court will notify CourtCall prior to the hearing that fees are to be waived.

To ensure the quality of the record, the use of cellular phones, speaker phones, car phones, or phones in other public places is prohibited. Prior to speaking, the participant must identify himself or herself for the record. **CourtCall participants must take reasonable steps not to allow distracting sounds, such as dogs barking or machinery noise, to be heard in the courtroom through the CourtCall conference call.** CourtCall conference calls must not be placed on hold at any time. When the Court informs the participants that the hearing is completed, the participants may disconnect.

**II. Policies Governing Telephonic Testimony**

Any attorney or pro se debtor intending to present testimony of any witness telephonically must obtain the prior written consent from all parties to the matter. A Certificate of Consent to Telephonic Testimony via CourtCall must be filed by the party seeking telephonic testimony at least two (2) business days before the scheduled hearing. The form of the Consent, a fillable form (L.B.F. 9074-1) is available on the Court's website ([www.pamb.uscourts.gov](http://www.pamb.uscourts.gov)).

### III. Notice of Telephonic Appearance

1. All telephonic participants must contact CourtCall directly by telephone, email, or fax no later than 24 hours prior to the scheduled hearing date.

Telephone: 866-582-6878  
Email: courtconference@courtcall.com  
Fax: 866-533-2946

2. No later than 5:00 p.m. the day prior to the scheduled hearing, all ECF filers who intend to appear at a hearing telephonically must place on the docket by a virtual entry the following notice (**Select docket entry Notice of Telephonic Court Appearance and the following text will appear on the docket**):

*Notice is given that (Attorney name), counsel for (party) intends to appear telephonically at the hearing referenced at docket #(hearing notice docket number).*

3. Participants must pay by credit card for each appearance, but can sign a credit card application to be billed automatically. There are no subscription fees and no special equipment is needed. CourtCall does not charge for calls that are not completed. Participants pay only if the service is used.
4. CourtCall will need the following information to make a reservation:
  - Hearing/trial date and time
  - Case name and number
  - Name and telephone number of individual appearing
5. Participants will receive confirmation from CourtCall the day before the hearing.
6. Generally, CourtCall participants are responsible to pay for telephonic appearances pursuant to CourtCall's current fee schedule.

### IV. Connecting to CourtCall

CourtCall will provide participants with written confirmation of a telephonic appearance and will provide a telephone number for the participant to call in order to appear by telephone. It is the participant's responsibility to dial into the call no later than 10 minutes prior to the scheduled hearing. **CourtCall does not place a call to the participant.**

At the time of the hearing or trial, participants may initially be in the listening mode and may hear other scheduled matters as if they were in the courtroom. After the participant's call is connected to the courtroom, the Judge will call the case, request appearances, and direct the manner in which the hearing proceeds. Each time an attorney or pro se litigant appearing via CourtCall speaks, he or she should identify himself or herself for the record. When the Court informs participants that the matter is completed, participants may disconnect.

**LOCAL BANKRUPTCY FORM 9074-1**

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

IN RE:

[Redacted]

Debtor(s)

[Redacted]

Plaintiff(s)/Movant(s)

vs.

[Redacted]

Defendant(s)/Respondent(s)

CHAPTER     

CASE NO.     -    -bk-    

ADVERSARY NO.     -    -ap-      
(if applicable)

Nature of Proceeding:     

Pleading:     

Document #:     

**CERTIFICATION OF CONCURRENCE FOR TELEPHONIC TESTIMONY VIA  
COURTCALL**

*(Certification must be received at least 2 business days before the scheduled hearing. If a certification cannot be filed timely, leave to provide telephonic testimony must be obtained from the Court.)*

**1. HEARING INFORMATION**

Hearing Type (e.g., Motion to Dismiss, Trial)     

Hearing Date     

Hearing Time     

**2. WITNESSES SCHEDULED TO PROVIDE TELEPHONIC TESTIMONY**

[Redacted]

3. I hereby certify that all parties participating in the above-described hearing have concurred in the telephonic appearance of the witness(es) set forth in paragraph 2 above.

    

Date

    

Signature of certifying attorney or pro se party

    

Name of attorney or pro se party

[Click here for telephonic appearance procedures](#)



US Bankruptcy Court  
Middle District of Pennsylvania

## Guidelines for Contacting Judges' Chambers

| <u>Appropriate</u>  | <u>Inappropriate</u>   |
|---|--|
| <ul style="list-style-type: none"> <li>• Advising Chambers of filed requests for emergency or expedited hearings, including requests for a temporary restraining order. (Required per Local Rule 9075-1(a)(3))</li> </ul> | <ul style="list-style-type: none"> <li>✘ Ex parte (one party) telephone calls or correspondence.</li> </ul>  |
| <ul style="list-style-type: none"> <li>• General questions or comments on Courtroom facilities, Local Rules or Local Forms.</li> </ul>  | <ul style="list-style-type: none"> <li>✘ Requests for legal/strategic advice, including requests for information regarding how the Judge ruled on a particular issue in the past.</li> </ul> |
| <ul style="list-style-type: none"> <li>• Middle District Bankruptcy Bar Association matters.</li> </ul>   | <ul style="list-style-type: none"> <li>✘ Emails directly to the Judge, unless requested.</li> </ul>  |
| <ul style="list-style-type: none"> <li>• Requests to continue a hearing within twenty-four (24) hours of the hearing (should be necessary only in an emergency).</li> </ul>   | <ul style="list-style-type: none"> <li>✘ Telephone calls or correspondence concerning a particular case or proceeding.</li> </ul>  |
| <ul style="list-style-type: none"> <li>• Procedural questions not addressed in federal or local rules. (Please check the rules first).</li> </ul>   |  |
| <ul style="list-style-type: none"> <li>• If an opinion is not received within six months of the time it is taken under advisement, contact chambers for the status.</li> </ul>  |  |