



## **REMOTE HEARING PROCEDURES**

Hon. John T. Gregg  
United States Bankruptcy Court  
Western District of Michigan

Effective July 14, 2020  
(Last Modified on July 27, 2020)

Unless otherwise stated on the docket in a particular case or adversary proceeding, the following procedures apply to non-evidentiary hearings, status conferences, and pretrial conferences (collectively, “Hearings”) held before Judge Gregg.<sup>1</sup>

**1. Hearing Registration.** A person may appear at or otherwise observe Hearings, including those on designated “motion days,” via videoconference or teleconference. In order to participate by video, a person must create a free Zoom account at <https://www.zoom.us>.<sup>2</sup> When creating a Zoom account, the person should use his or her first and last name.

At least two (2) business days prior to a Hearing, any person who plans to appear at or observe the Hearing whether via video or telephone must register for the Hearing by sending an email to [jtg\\_calendar@miwb.uscourts.gov](mailto:jtg_calendar@miwb.uscourts.gov). The email must include (i) the person’s first and last name, the person’s law firm or other organization, and the person’s direct dial telephone number, (ii) the case name(s) and case number(s) of the matters for which the person anticipates appearing, (iii) the party, if any, the person represents, and (iv) whether the person will be participating via video or telephone. Upon receiving the registration request, the court will send the requesting person an automated invitation (the “e-vite”) to the Hearing(s). Absent good cause shown, only a person who has timely submitted the requisite information will receive an e-vite (the “Participant”).<sup>3</sup>

**2. Entering the Courtroom.** Participants should sign on or dial in at least fifteen (15) minutes in advance of any Hearing. To join a hearing via video, either (i) click the link in the e-vite, then enter the 6 digit password provided in the e-vite when prompted by the Zoom app; or (ii) open the Zoom app, click “Join,” and enter the “Meeting ID” and password provided in the e-vite. Participants must enable internet audio in order to be heard during the Hearing. To join a Hearing via telephone, call the telephone number provided in the e-vite and enter the “Meeting ID” and password when prompted.

Upon joining a Hearing, Participants will be placed into the virtual “courthouse.” The court will admit Participants into the virtual “courtroom” at least five (5) minutes before the time scheduled for the Hearing. If several matters are scheduled for a particular time (*e.g.*, a motion day), the court will admit to the virtual courtroom all Participants simultaneously, regardless of the order in which matters on the calendar appear. Upon entry to the virtual courtroom, each

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<sup>1</sup> The court will enter separate scheduling orders and pretrial orders that establish procedures for remote evidentiary hearings and trials.

<sup>2</sup> A person who wishes to participate telephonically need not create a Zoom account.

<sup>3</sup> The e-vite is personal to the Participant and should not be shared with any other person.

Participant's audio will automatically be muted. A Participant must unmute himself or herself in order to be heard during a Hearing.

**3. Participation Requirements.** Participants should participate from a quiet place, without interruption, noise or other distraction. When not speaking, Participants should mute their audio so as to prevent any disruption in the virtual courtroom.

**4. Conference Room.** During a Hearing, one or more parties may request, or the court may *sua sponte* suggest, that the Hearing be adjourned for a short duration or the matter be moved to the foot of the calendar to allow the parties to discuss a potential resolution or other issues off the record. The court may thereafter escort the parties to a restricted virtual "conference room," meaning that only the parties (and not the court or any other person) will have access to the room. Any settlement discussions in the conference room shall be subject to Fed. R. Evid. 408.

**5. Prohibition on Recording.** All Hearings will be recorded by the court's official court reporter. Any private recording of court proceedings is strictly prohibited under LBR 5091(c) and other applicable law.

**6. Courthouse Conduct.** Although taking place in a virtual environment, all Hearings remain federal court proceedings. Participants should therefore dress and conduct themselves in accordance with LBR 5090 and 5091. In the event that a Participant fails to comply with these requirements, they may be escorted from the virtual courtroom pursuant to LBR 5090(e).

**7. Public Access.** The court invites members of the public to observe any Hearing regardless of their formal appearance in a particular case or adversary proceeding.

**8. Consent.** By registering to appear or observe remotely, a Participant shall be deemed to have implicitly consented to the procedures established herein and as otherwise generally set forth in the Local Bankruptcy Rules for the Western District of Michigan and on the court's website. Objections to such procedures must be filed on the court's docket at least two (2) business days prior to any Hearing. The court shall thereafter schedule a hearing on the same.