

**JUDGE SOMERS TELEPHONE CONFERENCE GUIDELINES
(WICHITA CASES)**

I welcome out-of-town counsel's participation by telephone at certain proceedings in cases and adversary matters subject to the following guidelines and provisions. My goal is to keep your client's legal expense exposure at a minimum while preserving the efficiency and accessibility of the Court.

1. Telephone appearances may be permitted in pretrial conferences (other than the final pretrial conference), scheduling conferences and status conferences. Telephonic appearances on the Motions Docket and for evidentiary matters are impracticable and therefore not permissible. I will require personal appearances at all final pretrial conferences except in circumstances of extreme exigency.

2. In general, we aim to accommodate out-of-town counsel by permitting telephonic appearances at non-evidentiary matters. We encourage local counsel to appear in person and, welcome the appearance of out-of-town counsel in person.

3. It shall be the responsibility of the lawyer requesting to appear telephonically to make arrangements for such conferences. Counsel wishing to appear by phone must first obtain the Court's permission by contacting courtroom deputies Kim Hodgen (316)269-6524 or Annette Albright (316)269-6477 of the Clerk's office in Wichita, at least one (1) business day prior to the scheduled appearance. The courtroom deputies will advise counsel of a **specific phone number** to call on the hearing date. A staff member of the Wichita Clerk's office will coordinate transfer of the call to the conference/pretrial venue (conferences/pretrials are conducted informally at counsel tables in my conference room, Room 167).

All conference calls involving two or more attorneys must be arranged by the first attorney requesting a telephonic appearance so that late-joining counsel may be added to the call. As stated above, all telecommunication arrangements are the responsibility of counsel who request to appear telephonically.

4. **Punctuality/Failure to Appear:** As a matter of common courtesy to the Court and your colleagues, I expect calls into conferences/pretrials to be on time. If you are going to be delayed, please contact a courtroom deputy at the above numbers. Because the pretrial/scheduling conference docket is often lengthy, substantial delay works a hardship on not only the participants in your conference, but also on those participating in later conferences.

Should you fail to appear for a telephonic conference, your personal presence will be required at all subsequent hearings in the matter.

I hope these guidelines will clarify any questions concerning telephonic appearances. Should there be any questions about them, do not hesitate to contact the courtroom deputies. Similarly, should you encounter a situation which does not fall within these specific guidelines, feel free to contact the courtroom deputies and the Court will attempt to accommodate unusual circumstances if possible.

/s/ Dale L. Somers
UNITED STATES BANKRUPTCY JUDGE
March 15, 2004