**Court Appearances and Hearing Methods:**

A. **All Proceedings are In-Person, with Limited Exceptions.** Unless otherwise determined by Judge Kolwe, all proceedings in the Lafayette and Lake Charles Divisions of the United States Bankruptcy Court for the Western District of Louisiana will take place in person, **except** for the following matters, which will be conducted remotely unless otherwise ordered by the Court: (i) status conferences, (ii) scheduling conferences, (iii) pretrial conferences, (iv) discovery hearings, and (v) trial docket calls.

All first day proceedings under Chapter 11 will take place in person, but remote access will be allowed for all counsel located outside of the geographical boundaries of the Lafayette or Lake Charles Divisions (as the case may be) of the United States Bankruptcy Court for the Western District of Louisiana.

B. **Case Participants Required to Attend in Person, with Limited Exceptions**. All Case Participants[[1]](#footnote-2) in an in-person proceeding are required to attend in person, except that remote appearances (allowed without first obtaining leave of court) of Case Participants are allowed in the following circumstances:

1. matters in which counsel for a party files a response or objection and intends to make only a limited argument (i.e., presentation of evidence, including documentary evidence, by such participant will not be allowed);

2. matters in which a party or a representative is interested in observing the proceeding; or

3. other extenuating circumstances that warrant remote participation as may be determined by the Court on a case-by-case basis.

C. **Remote Appearances of Witnesses If Live Testimony is Needed**. The remote attendance of live witnesses is permitted only upon a showing of good cause and in compelling circumstances. *See* Fed. R. Civ. P. 43.

D. **Obtaining Permission to Attend an In-Person Hearing Remotely**. Notwithstanding the foregoing, a Case Participant may request permission to attend an in-person hearing remotely by filing an appropriate motion. Any such motion shall set out compelling circumstances for allowing the remote appearance, and it must be filed by the close of business no later than two business days before the hearing, or it will not be considered except under exigent circumstances. (For example, if the hearing date is scheduled for a Tuesday, the motion must be filed by 5:00 p.m. on the Friday before the hearing.)

**[NOTE 1]:** The potential elevated health risks posed by a sick Case Participant’s attendance at an in-person hearing is an example of a possible compelling circumstance supporting a request to appear remotely at an in-person hearing. However, an attorney’s desire to avoid traveling to Court for an in-person hearing is not a basis supporting a request for remote attendance.

**[NOTE 2]:** In all proceedings other than those arising under Chapter 13 of the Code, Case Participants may request that an in-person hearing be converted to a virtual proceeding (i.e., a proceeding in which all participants appear remotely) or a hybrid proceeding (i.e., an in-person proceeding in which less than all participants appear remotely). Absent compelling circumstances, all parties to a particular matter must agree in order for the court to consider converting a duly noticed in-person hearing into a virtual or hybrid proceeding, and the motion seeking such conversion must be filed by the close of business no later than two business days before the hearing, or it will not be considered except under exigent circumstances. The Court in its discretion may deny any request to convert an in-person proceeding into a virtual or hybrid proceeding.

1. This includes, for example, attorney, debtor, creditor, stockholder/equity holder, US Trustee/Asst. UST, trustee-other, adversary party/litigant, or sale participant. [↑](#footnote-ref-2)