


GENERAL ORDER 11- 28

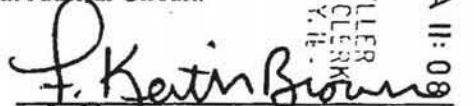
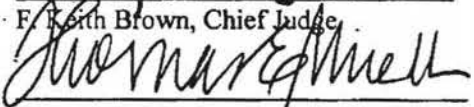
IT IS HEREBY ORDERED that by a majority vote of Circuit Judges of the Sixteenth Judicial Circuit, the attached Article 6, Section 6.11 of the Local Rules regarding telephone court appearances is adopted in and for the Sixteenth Judicial Circuit.

Entered this 12th day of October, 2011.

DEBORAH E. TYLER  
CLERK OF COURT  
SIXTEENTH JUDICIAL CIRCUIT  
MILWAUKEE, WISCONSIN  
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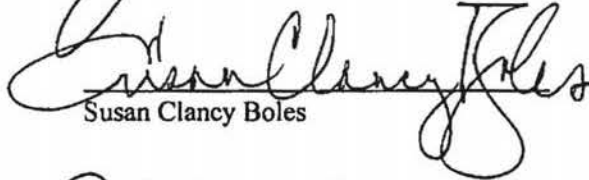
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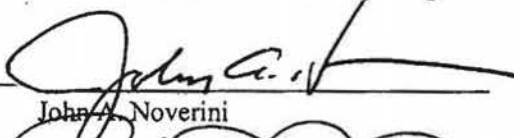
  
David Akemann


  
F. Keith Brown, Chief Judge  
  
Thomas E. Mueller

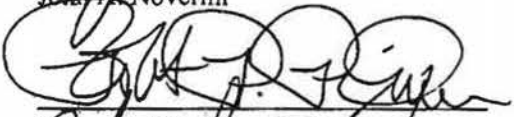
  
John A. Barsanti

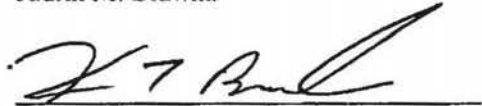
  
James Murphy

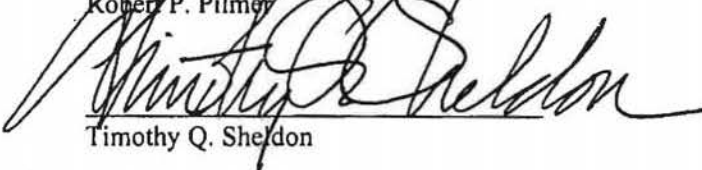
  
Susan Clancy Boles

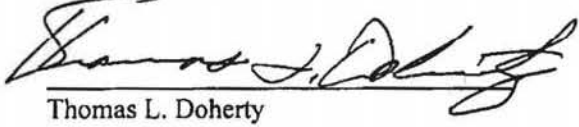
  
John A. Noverini

  
Judith M. Brawka

  
Robert P. Pilmer

  
Kevin T. Busch

  
Timothy Q. Sheldon

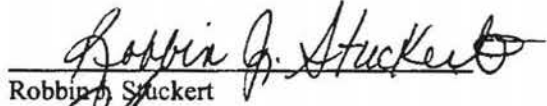
  
Thomas L. Doherty

  
Mary Karen Simpson

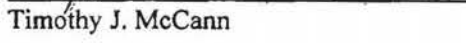
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Joseph M. Grady

  
Robert B. Spence

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Donald C. Hudson

  
Robbin Stuckert

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Kurt P. Klein

  
Timothy J. McCann

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## 6.11 TELEPHONIC COURT PROCEEDINGS

### A. Telephonic Appearances

1. Effective October 31, 2011, as a means to increase efficiencies and reduce costs to participants, and pursuant to the provisions of Supreme Court Rule 185, use of the independent conference servicing company **CourtCall** is hereby made available for telephonic appearances for parties and counsel of record in certain cases heard in the Civil Division at the Kane County Courthouse.
2. Telephonic appearances for parties and counsel of record are permitted in the Civil Division at the Kane County Courthouse in those court rooms designated by separate General Order of the Chief Judge for the designated case types, after an initial written order is entered by the assigned judge so approving. (See General Order 11-32)
3. Telephonic appearances shall not be permitted for argument on contested or briefed motions, for evidentiary hearings, for more than three consecutive case management conferences, or other matters as designated by the court as requiring a personal appearance. Permission to appear telephonically will be denied on all scheduled telephonic appearances that do not strictly comply with this rule, and may be denied as ordered by the court.
4. Existing Supreme Court Rules, and Kane County Local Rules and procedures regarding the making of the record by a court reporter or obtaining a transcript after a hearing shall apply to hearings at which telephonic appearances are made. No recordings shall be made of any court proceeding or of any telephone appearances except in compliance with Local Rule 1.32.
5. Parties and their counsel are responsible for the preparation and submission of all orders to the court following any telephonic court appearance. Counsel appearing in the court room is responsible for immediate presentation of an order in compliance with the court's pronouncements. If no counsel is present in the court room, unless otherwise directed by the court, the plaintiff is responsible for submitting such orders approved as to form by opposing counsel before 3:00 p.m. on the same day of the telephonic conference, either in person or by facsimile transmission. Failure to submit a timely order following a telephonic court appearance may result in further appropriate order, such as sanctions, including but not limited to, the court vacating any oral pronouncements entered at such telephonic conference, assessment of attorney's fees against the responsible party who fails to prepare the order, and/or dismissal of a pleading for want of prosecution.

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B. Scheduling and Notice

1. No telephone appearance will be allowed as requested by a party or counsel unless it is made through **CourtCall**. The court reserves the right to initiate a phone conference by conference call
2. **CourtCall** facilitates the telephonic appearance of persons at hearings which have already been scheduled by regular means with the Kane County Clerk's Office or Scheduling. **CourtCall** does not set or calendar hearings for the court. If a court date is not already set, or a motion is not scheduled and noticed via the Clerk's office in the same manner as any other motion, the case will not appear on the judge's call and will not be heard.
3. Telephonic appearances must be arranged by contacting **CourtCall** by phone at (888) 882-6878 or on-line at [www.courtcall.com](http://www.courtcall.com) no later than 4:00 p.m. (CST) on the second court day preceding a hearing date. **CourtCall** will provide persons with a written confirmation of their telephonic appearance and a number to call to make the telephonic appearance.
4. Persons electing to make a telephonic appearance shall notify all parties of the same either contemporaneously with any written notice of motion or VIA TELEFAX OR EMAIL (OR, IF THE FORMER ARE UNAVAILABLE, BY TELEPHONE) NO LESS THAN 24 HOURS PRIOR TO THE SCHEDULED COURT DATE. Nothing in this rule shall be construed as modifying the notice of motion requirements set forth in Supreme Court Rule 12 and Local Rule 6.05.

C. Telephonic Appearance Procedure

1. It is the responsibility of the person making a telephone appearance to dial into the call no later than five (5) minutes prior to any scheduled hearing(s), and to check in with the **CourtCall** clerk.
2. Persons appearing telephonically shall state his or her name for the record each time he or she speaks and shall participate in the appearance with the same degree of courtesy and courtroom etiquette as is required for a personal appearance.
3. Unless otherwise permitted by order of court, to ensure the quality of the record and to assure compliance with Local Rule 1.32, the use of car phones, cellular phones, speakerphones, public telephone booths, or phones in other public places is prohibited.
4. If a person schedules a telephonic appearance and then fails to respond when the matter is called, the court may pass the matter or may treat the failure to respond as a failure to appear. Scheduling simultaneous telephonic appearances in multiple courts does not excuse a failure to appear.

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D. Costs

1. **CourtCall** is an independent service provider. By using the services of **CourtCall**, individuals are knowingly entering into a service agreement and are subject to follow any additional terms and conditions imposed by **CourtCall** and shall be solely responsible for any costs or other expenses incurred for those services provided. Under no circumstance shall the Court bear any costs for any telephonic appearance of any party or attorney.

E. Rejections, Refunds, and Suspension of Privileges

1. The fact that a telephonic appearance is scheduled with **CourtCall** shall not be construed as a determination that the telephonic appearance is permitted by the court. Parties and counsel are solely responsible for compliance with the court's rules and procedures for telephonic appearances. The court reserves the right, at any time, to reject any telephonic appearance in violation with this Rule or as otherwise necessary for the administration of justice. When the court rejects a telephonic appearance in advance of the telephonic appearance commencing, the court shall order a refund of the deposited telephonic appearances fees and send notice of the same to **CourtCall, LLC**.

2. The court shall also reserve the right to halt any telephonic appearance in progress on any matter and order the attorneys to personally appear at a later date and time, in which case no refund is permitted.

3. The court reserves the right and sole discretion to suspend any person's ability to appear telephonically using **CourtCall's** services, and to bar any telephonic appearance in any given case.