

## PROCEDURES FOR APPEARANCES/HEARINGS BEFORE JUDGE RADEL

Unless otherwise ordered, case participants (i.e., parties-in-interest and their attorneys, and interpreters) (“Case Participant”) may appear for hearings before Judge Radel in person in the Utica Courtroom (Alexander Pirnie Federal Building and U.S. Courthouse, 10 Broad Street, Utica, New York) or remotely via videoconference.

Unless otherwise ordered, a Case Participant who does not wish to appear in person shall participate by videoconference.

Unless otherwise ordered, a Case Participant who appears via videoconference shall comply with these procedures. Nothing herein shall be construed as prohibiting or discouraging an in-person appearance at a hearing.

Unless otherwise ordered, all counsel, parties, and witnesses must appear in person at an evidentiary hearing and trial before Judge Radel. These procedures are subject to, and do not limit, the terms of any pre-trial order, scheduling order, or other order.

Under the policy of the Judicial Conference of the United States concerning the public’s remote access to civil and bankruptcy proceedings, the press and other public attendees (“Public Attendee”) are permitted audio-only access for a remote appearance. A Public Attendee may not attend an evidentiary hearing or trial via remote means and is required to attend in person in the courtroom.

All Case Participants and Public Attendees who wish to attend a hearing remotely must register for the hearing through the Internet Public Calendar (“IPC”) located on the Court’s website (<https://nynb-ecf.sso.dcn/ipc.html>) by the deadlines set forth in Sections 2 and 3 below. Instructions about how to register and join a meeting are available on the Court’s website at <https://www.nynb.uscourts.gov/videoconference-registration>.

1. **Audio and Videoconference.** The Court uses Microsoft Teams (“Teams”) for audio and video conferences. The Teams meeting link is emailed to registered participants. See registration instructions below. Registered participants are strictly forbidden from circulating or sharing the Teams link.
2. **Case Participant.** All Case Participants must register for a hearing calendar through the IPC by no later than 3:00 p.m. (ET) the day before the hearing. Failure to register by the specified deadline will result in the Case Participant’s inability to attend the hearing via Teams. In such case, the Case Participant may appear in person.
3. **Public Attendee.** All Public Attendees must register for the hearing through the IPC by no later than 3:00 p.m. (ET) the day before the hearing. Failure to register by the specified deadline will result in the Public Attendee’s inability to attend the hearing via Teams. In such case, the Public Attendee may appear in person. If a Public Attendee wishes to attend a hearing at which testimony is expected, the Public Attendee must appear in person in the courtroom. No audio-only appearances are permitted at a hearing at which testimony is expected.

4. **Courtroom Formalities.** A hearing, whether conducted using audio or videoconference, constitutes a court proceeding, and any recording other than the official court recordation is prohibited. **No participant or attendee of the hearing may record images or sounds of the hearing from any location.** All parties appearing before the Court must situate themselves in such a manner as to be able to view the video screen and be seen by the Court. The parties must observe the formalities of a courtroom, including by appearing in appropriate dress for court, not driving while attending the hearing, and by having a working video and audio system for the hearing. **All participants must mute their audio during the hearing, unless they are speaking or about to speak.**

5. **Submission of Exhibits and Demonstratives to Court.** A party who intends to offer exhibits or use any demonstratives at a hearing, pursuant to Local Rule 7040-1, shall contact chambers in advance for permission and further instruction.

6. **Joining the Hearing.** In light of the Court's security requirements for participating in a Teams hearing, all persons seeking to attend the hearing must connect to the hearing not sooner than half an hour before the scheduled start of the hearing and no later than ten minutes before the hearing start time. Failure to connect to the hearing during the designated timeframe may result in significant delays to the start of the hearing. Once admitted, please turn off your video and mute your microphone until the Court calls your matter.

7. **Retention of Jurisdiction.** The Court retains jurisdiction with respect to all matters arising from or related to these procedures.

8. **Compliance.** Sanctions, including revocation of the privilege to appear at hearings via audio and videoconference, may be imposed for failure to comply with these procedures or upon a determination that an individual's conduct is inappropriate.

# # #