



UNITED STATES BANKRUPTCY COURT

Northern District of Ohio
Howard M. Metzenbaum United States Courthouse, Suite 248
201 Superior Avenue
Cleveland, Ohio 44114

The Honorable Suzana Krstevski Koch
United States Bankruptcy Judge

(216) 615-4422
JudgeKochChambers@ohnb.uscourts.gov

MEMORANDUM

To: Attorneys and Parties with Cases or Matters assigned to Judge Koch

From: The Honorable Suzana Krstevski Koch

RE: In-Person Hearings

Date: Effective as of January 2, 2024

As of January 2, 2024, unless otherwise ordered, attorneys and *pro se* parties must attend all hearings in person.

Telephone Appearances. The Court will allow appearance by telephone in limited circumstances for good cause. Any party or counsel who wishes to appear by telephone must file a motion requesting leave to attend by telephone explaining the reason for the request *no later than 3:00 p.m. two business days before the scheduled hearing*. Please note that the general press of business is not good cause. Should the Court grant a request to appear by telephone, Chambers will issue a unique passcode to the moving party.

Resolving a matter by settlement or withdrawal. A hearing may no longer be necessary if (1) all interested parties timely settle a matter or if a withdrawal is timely filed, and (2) the Court has no questions regarding the matter.

- (1) Settlement/ Proposed Agreed Order. If there is clear agreement between all interested parties that all objections to the matter set for hearing have been resolved and a proposed agreed order *has already been submitted to the Court no later than 3:00 p.m. two business days before the scheduled hearing*, and the Court has approved and

entered the agreed order, then there may be no need to hold a hearing and the hearing may be removed from the Docket Calendar. A lack of any filed objections to a motion or application does not necessarily mean there is a clear agreement between all interested parties.

- (2) Withdrawal. A withdrawal must be *filed no later than 3:00 p.m. two business days before the scheduled hearing*, otherwise the hearing will remain on the Docket Calendar, and counsel shall be present in person.

If a hearing is removed from the Docket Calendar, a Docket entry will issue to parties registered on the ECF system. Additionally, Judge Koch's "Docket Calendar for the Current Week" on her website is updated every 15 minutes and includes the most current Docket Calendar information.

Hearings may be adjourned by Court Order. Adjournments require advance Court approval. Parties may request an adjournment by motion *filed no later than 3:00 p.m. two business days before the scheduled hearing*.

If all interested parties are in agreement, instead of filing a motion, the parties may email a request for an adjournment to Chambers at JudgeKochChambers@ohnb.uscourts.gov. The email to Chambers must be copied to all interested parties known to the requesting party, and it must be received by Chambers *no later than 3:00 p.m. two business days before the scheduled hearing*.

Any request for an adjournment, whether by motion or email, must state:

- i. whether or not the adjournment is agreed to by all parties seeking and opposing the relief in question;
- ii. the basis for the request;
- iii. how many previous adjournments have been sought; and
- iv. the period of time requested until the next hearing.

Late adjournment requests will not be considered unless good cause exists for the untimely request.

Whether requested by motion or email, a hearing is not adjourned until the Court orders an adjournment. If a hearing is adjourned from the current Docket Calendar, a Docket entry will issue to parties registered on the ECF system. Additionally, Judge Koch's "Docket Calendar for the Current Week" on her website is updated every 15 minutes and includes the most current Docket Calendar information.

Please note: a third adjournment will generally be a final adjournment, particularly for Chapter 13 plan confirmations, unless good cause is shown why any further adjournments are necessary.

Telephone calls to Chambers to request an adjournment are not permitted.

Expectation to appear in person. Compliance with these procedures shall excuse counsel from attending the hearing of a matter. Absent compliance with these procedures, counsel and *pro se* parties are expected to appear in person. Failure to appear may result in denial of the relief requested or other appropriate sanctions. In emergency or unforeseen circumstances, as soon as is reasonably practicable, counsel or *pro se* parties should contact Chambers to explain the emergency.

Communications sent to Chambers. Please note that communications sent to Chambers should be sent by attorneys admitted to practice before this Court. To the extent communications are sent by paraprofessionals, such communications should be limited to such communications as are appropriate under applicable rules governing the practice of law. The attorney of record for the matter must be copied on the email. The Court may enter communications sent to Chambers on the Docket for the case that is the subject of the communication and may include the content of the communication on the Docket Calendar.

Defined Terms. "Chambers" means Judge Koch's staff: her Courtroom Deputy, her Law Clerk, and her Judicial Paralegal. "Docket" is the log containing the complete history of each case in the form of brief chronological entries summarizing the court proceedings. "Docket Calendar" is the list of hearings including the date, time, and matter scheduled to be heard and can be found on Judge Koch's website under Docket Information:

<https://www.ohnb.uscourts.gov/content/judge-suzana-krstevski-koch>

Please note, for Tuesday hearings, *3:00 p.m. two business days before the scheduled hearing* means the preceding Friday at 3:00 p.m., provided there is no intervening holiday. For example, Martin Luther King Jr.'s Birthday, Washington's Birthday, Memorial Day, Labor Day, and Columbus Day always occur on Mondays. For those weeks, *3:00 p.m. two business days before the scheduled hearing* means the preceding Thursday at 3:00 p.m.