

**PROTOCOL FOR IN PERSON HEARINGS
BEFORE THE HONORABLE MARIA ELLENA CHAVEZ-RUARK**

I. CONDUCT OF IN PERSON HEARINGS

A hearing will be conducted in person (as opposed to by videoconference) if the hearing notice on the case docket states that the hearing will be conducted in person or if the Court advises the parties in writing that the hearing will be conducted in person.

II. OBLIGATION TO MEET AND CONFER PRIOR TO HEARING

Parties to a dispute or contested matter are expected to meet and confer in person, telephonically, or by videoconference prior to the hearing in an attempt to resolve the dispute or contested matter and identify and narrow any factual or legal issues.

A hearing will remain on the Court's calendar unless the Court grants a motion to continue, issues a notice that the hearing has been rescheduled, makes a notation on the docket via CM/ECF that the hearing is cancelled, and/or confirms by email or in an order that the hearing is cancelled.

III. PRE-HEARING PLANNING AND HEARING RECORD

Parties are expected to arrive at the courtroom at least 15 minutes prior to the start time of the hearing, wear appropriate attire, and observe the formal decorum of the Court.

The Court will create an official recording of the hearing. No party (other than the Court) may record or otherwise capture the audio or video of the hearing in any manner.

IV. PARTICIPATION IN HEARING

After the Courtroom Deputy has called the case, she will ask each individual to enter his or her appearance by stating his or her full name, affiliation, and the names of any other individuals appearing at counsel table with him or her.

The Court will dismiss parties from the courtroom when their hearing is completed.

V. WITNESSES AND EXHIBITS

Prior to any hearing, parties are expected to discuss all witnesses and exhibits they propose to use at the hearing and, to the greatest extent possible, address any evidentiary objections, reach agreement on admissibility of exhibits, and compile a single electronic packet of agreed exhibits.

Unless otherwise set forth in a scheduling order, **at least three (3) business days prior to the scheduled hearing**, each party shall:

1. File a witness list on the case docket;

2. File an exhibit list on the case docket, attach each exhibit to the list as a separate PDF, and label each exhibit with an exhibit number (include any affidavits and authenticated documentary evidence); and
3. Serve the witness list, exhibit list, and exhibits by email on all counsel and unrepresented parties with an interest in the dispute(s) being heard.

Any affidavits used to support or oppose a motion must be made on personal knowledge, set out facts that would be admissible in evidence, and show that the affiant is competent to testify on the matters stated.

If a party intends to introduce a certified copy of a document, the party must include a photocopy in the pre-filed exhibits and bring the original certified copy to the hearing.

A party need not include documents to be used solely for impeachment or rebuttal in its exhibit list and pre-filed exhibits. After the conclusion of the hearing, a party using impeachment or rebuttal documents must file on the case docket via CM/ECF a supplemental exhibit list and attach all impeachment and rebuttal documents identified and/or admitted.

All exhibits must be clearly marked, preferably with an electronic header/footer. Exhibits offered jointly by the parties shall be marked "Joint Exhibit." Exhibits offered by only one party shall be marked "[Party]'s Exhibit X" (ex. "Debtor's Exhibit 1").

Any exhibit that is not pre-filed as set forth herein may be excluded from evidence.

Parties are expected to display their exhibits electronically during the hearing using the WolfVision technology in Judge Ruark's courtroom. No paper exhibits will be used unless expressly authorized by the Court in writing prior to commencement of the hearing.

The WolfVision technology allows the party at the podium to concurrently display a document on monitor screens for the witness, parties at counsel tables, Judge, law clerk, and Courtroom Deputy.

- Pre-filed Exhibits – A party must display its pre-filed exhibits using the laptop inside the podium's cabinet. Judge Ruark's staff will save all pre-filed exhibits on the laptop prior to the start of the hearing or trial. The laptop does not provide Internet access.
- Impeachment or Rebuttal Exhibits – A party must display any impeachment or rebuttal exhibits using the document camera and display tray inside the podium's cabinet. The party offering such exhibits must bring the exhibits to the hearing or trial.

Contact the Court's IT department (ITServiceDesk@mdb.uscourts.gov) if you want training on how to use WolfVision.

VI. QUESTIONS

Participants should email the Courtroom Deputy at Hearings_MCR@mdb.uscourts.gov or call Chambers at (301) 344-3377 if they have questions about this hearing protocol.

Last revised 11/21/24