

The Honorable Karen B. Owens
United States Bankruptcy Court for the District of Delaware

Chambers Procedures (dated January 2, 2024)

Except as set forth herein, the Bankruptcy Court’s General Chambers Procedures and other orders and procedures shall govern all procedural aspects of proceedings before Judge Owens.

A. Manner of Hearings and Other Proceedings

1. Unless otherwise determined by Judge Owens, all proceedings will take place in person other than status conferences, scheduling conferences, pretrial conferences, discovery hearings, fee hearings, or first-day hearings, which will be conducted remotely. All counsel and witnesses are expected to attend in-person hearings unless permitted to appear remotely via Zoom.
2. All persons entering the Bankruptcy Court must comply with any Order of the Delaware District Court in place at the time regarding the use of face masks and coverings. Any person who desires to wear a face mask is free to do so.
3. Persons not complying with face mask requirements, posted signage, or any instructions of any Court Security Officer or other Bankruptcy Court personnel will be denied access to or be ejected from the Bankruptcy Court.
4. Remote Participation via Zoom.
 - a. Remote Appearances of Case Participants. Remote appearances of Case Participants¹ at in-person court proceedings are allowed only in the following circumstances:
 - i. Counsel for a party or a pro se litigant files a response or objection and intends to make only a limited argument;
 - ii. A party or a representative of a party is interested in observing the hearing;
 - iii. A party is proceeding in a claims allowance dispute on a pro se basis;
 - iv. A witness has submitted a declaration and no live testimony will occur; or
 - v. Other extenuating circumstances that warrant remote participation as may be determined by the Court.

¹ For example, attorney, debtor, creditor, stockholder/equity holder, US Trustee/Asst UST, trustee-other, adversary party/litigant, or sale participant.

- b. 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(a).
- c. Remote Appearances of Non-Case Participants. Non-Case Participants (i.e. members of the public, including the media) may receive remote audio access to portions of a proceeding not involving witness testimony. Please refer to the Bankruptcy Court's website for more information (<http://www.deb.uscourts.gov/ecourt-appearances>).

Remote participants are participating in an official Court proceeding. Disruptions or inappropriate behavior may result in removal. Persons remotely appearing by video are expected to appear in appropriate courtroom attire. **Under no circumstances may any remote participant photograph, record, or broadcast the proceedings or the participants.**

- d. Prior Registration Required. All remote participants are required to register in advance using the *eCourtAppearances* tool (available [here](#) or on the Court's website (<http://www.deb.uscourts.gov/ecourt-appearances>)). With the exception of first-day hearings, the deadline to register for remote attendance is 4:00 p.m. (Eastern time) the business day before the proceeding unless otherwise noticed. The deadline to register for remote attendance at first-day hearings is one-hour prior to the hearing unless otherwise noticed. In the absence of extenuating circumstances, chambers typically will not provide Zoom links to those who fail to register by the deadline. **Please refer to the Court's website for further information and requirements.**
- e. All video participants must use their full names when registering and logging into Zoom or will not be granted access to the proceeding.
- f. Audio-only participants may be required to identify themselves following admittance into a proceeding. To aid in such identification, an audio participant should endeavor to call into Zoom using the telephone number that it provided during the registration process. Failure to identify when requested by the Court will result in removal from the proceeding.
- g. All agendas for in-person proceedings must include the following:

This proceeding will be conducted in-person. All counsel and witnesses are expected to attend unless permitted to appear remotely via Zoom. Please refer to Judge Owens's Chambers Procedures (<https://www.deb.uscourts.gov/content/judge-karen-b-owens>) and the Court's website (<http://www.deb.uscourts.gov/ecourt-appearances>) for information on who may participate remotely, the method of allowed participation (video or audio), Judge Owens's expectations of remote

participants, and the advance registration requirements. Registration is required by 4:00 p.m. (Eastern time) the business day before the hearing unless otherwise noticed using the *eCourtAppearances* tool available on the Court's website.

- h. All agendas for remote proceedings must include the following:

This proceeding will be conducted remotely via Zoom. Please refer to Judge Owens's Chambers Procedures (<https://www.deb.uscourts.gov/content/judge-karen-b-owens>) and the Court's website (<http://www.deb.uscourts.gov/ecourt-appearances>) for information on the method of allowed participation (video or audio), Judge Owens's expectations of remote participants, and the advance registration requirements. Registration is required by 4:00 p.m. (Eastern time) the business day before / one-hour prior to] the hearing unless otherwise noticed using the *eCourtAppearances* tool available on the Court's website.

5. Hearings are generally scheduled for one hour. If parties anticipate requiring more time, please contact Ms. Lopez in advance to make necessary scheduling arrangements.
6. Hearings conclude for the day by 4:30 p.m. unless the Court determines that it is necessary to continue. Parties should plan accordingly.

B. Witnesses and Exhibits

1. Parties are expected to meet and confer in advance of a contested evidentiary proceeding on the method of presenting any direct testimony (by proffer, declaration, or live), testimony scope, the necessity of cross examination, the estimated length of testimony, and any other relevant matter.
2. Parties intending to introduce exhibits at a contested hearing must be prepared to provide copies to the Court and all relevant parties. Parties are expected to meet and confer in advance regarding such evidence, including the method, timing, and form of identification and exchange. Unless otherwise directed, the Court requires two hard copies of each exhibit delivered to chambers at least one hour prior to the start of the proceeding.

C. Presentation of Orders

1. E-Orders Required. Judge Owens only accepts proposed orders electronically. All related docket numbers must be included in the caption of the proposed e-order when uploaded. Additionally, all exhibits to the proposed order must be uploaded as separate attachments.²

² For step-by-step instructions on uploading E-Orders, please review the [electronic learning module](#) under CM/ECF Attorney Training on the Court's website.

2. Presentation of Revised Proposed Orders. If a movant intends to present a proposed form of order to the Court that contains revisions to the original proposed form of order submitted with its motion (or any subsequently revised form of order filed on the docket), counsel for the movant shall endeavor to provide to the Court the revised form of order in clean and redline form at least one hour prior to the hearing.

D. Hard Copy Documents

1. Unless otherwise directed, counsel must only deliver hard copies of Notice of Completion of Briefing binders and trial exhibits to chambers.
2. If hard copies are required, please note the following for the convenience of the Court:
 - a. Provide two sets of all hard copy materials.
 - b. Staple all documents that are not included in a binder.
 - c. Insert exhibit tabs where appropriate.
 - d. Print sealed documents on yellow paper.

E. Fee Applications and Claims

1. Fee Applications. Please provide chambers with a hyperlinked fee index containing all fee applications under consideration and supporting documentation, such as individual monthly applications, certificates of no objection, objections, and certifications of counsel.
2. Claims. Please provide chambers with a hyperlinked claims index or a file share link containing copies of all proofs of claim (with all attachments) along with the objection to those claims.