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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

In the Matter of Communication with the
Court

ORDER

Accessing the Court by Internet Communication

1. Affording counsel, the parties, and unrepresented persons the e-mail as a means of contacting the Court will substantially facilitate communication of significant case information and issues. In particular, it should enhance

a. timely communication with the Court regarding scheduling hearings and altering the dates and times for those hearings;

b. swift communication by counsel, the parties and unrepresented persons of good faith requests to be excused or to allow a substitute to attend a scheduled matter; and for notifying the Court of good cause for an anticipated late appearance at a scheduled hearing;

c. expeditiously resolving all matters material to ensuring that the litigation is concluded not only fairly but without undue cost or delay. As officers of the Court, attorneys share this responsibility with the judge to whom the case is assigned.

2. In order to facilitate the just and inexpensive determination of each action (FRCP 1), the

1 e-mail addresses for Judge Silver's Judicial Assistant, Kelly Branding, and her Courtroom Deputy,
2 Christine Boucher, for use by counsel, parties and unrepresented persons are set forth below:

3
4 Kelly_Branding@azd.uscourts.gov
5 Christine_Boucher@azd.uscourts.gov

6
7 3. Concomitantly, it will be ordered that counsel and unrepresented persons provide the
8 Court with an accurate e-mail address for the Court to use to communicate with counsel, parties and
9 unrepresented persons.

10 4. E-mail communications are governed by the Rules of Professional Conduct (LRCiv
11 83.2.6(d); Rule 42, Arizona Sup. Ct. Rule, Ethical Rule 3.5). In particular, ex parte communications
12 with the Court by counsel, parties, or unrepresented persons regarding material matters are
13 prohibited. Such communications must be shared by copying opposing counsel, parties or
14 unrepresented persons on the e-mail. If such an e-mail is sent to the Court, without copying the
15 opposition, the Court will forward it to the opposing parties, counsel, or unrepresented persons.

16 Therefore,

17 **IT IS HEREBY ORDERED** that

18 1. Counsel, parties or unrepresented persons are to use the most expedient and available
19 method of communication with the Court, including e-mail.

20 2. Counsel, parties and unrepresented persons are to make use of the e-mail system, along
21 with other means of communication, i.e., in person, by telephone or fax, for, as soon as it is
22 anticipated, informing the Court and opposing counsel, parties and unrepresented persons, that
23 appearance at a hearing will be late or that no one will appear at scheduled hearings. The
24 communication must also include the basis for good cause in support of the delay or non-
25 appearance. Counsel, parties and unrepresented persons must also expeditiously communicate with
26 the Court matters, issues, and topics deemed material to the litigation and in which communication
27 with the Court is required or deemed desirable.
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