

Local Rule 69-4 - Body Attachments; Hearings

(a) Failure to Appear. If a judgment debtor fails to appear for a hearing despite service and actual notice, the magistrate judge may recommend that the district judge issue a body attachment.

(b) Hearing after Arrest. When a judgment debtor is arrested on a body attachment, the court must conduct a hearing at its earliest convenience. The judgment-creditor's attorney will be notified of the hearing by telephone. Attorneys are deemed to have consented to telephonic notice by requesting the body attachment.

(c) Failure to Respond to Telephonic Notice. If the judgment-creditor's attorney fails to respond promptly to the telephonic notice, the court may release the judgment debtor or take other appropriate action.

(d) Appearance at Hearing by Creditor's Attorney. The judgment-creditor's attorney of record must personally appear at the hearing; neither clerical nor secretarial personnel may interrogate an attached judgment debtor.