

**SUPREME COURT - NASSAU COUNTY  
IAS PART 28 – PART RULES & PROCEDURES  
(REVISED 1/11/2017)**

**Justice:** HON. JULIANNE T. CAPETOLA  
**Law Clerk:** MARISA RELYEA, ESQ.  
**Secretary:** LUCILLE SANSONETTI/GLADIZ DIGANGI

**Phone:** (516) 493-3152  
**Courtroom:** (516) 493-3274  
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**I. ADJOURNMENTS**

**A. Motions and Status Conferences:**

1. Affirmations of Engagement and similar requests for adjournments shall be upon consent of all counsel, and shall be faxed to Chambers at 516-493-3016.
2. Letters confirming adjournments, which shall be sent by the attorney who has requested such adjournment once the date has been approved by the Court, shall state that the Court has adjourned the scheduled date on consent of the attorneys (or party appearing pro se) to the specified date, and shall contain the full names of both parties, the index number as well as a notation indicating the current date the matter is on the Court's calendar, and that all counsel (or pro se parties) have been copied.
3. All motion adjournment requests must be faxed directly to chambers at 516-493-3016 a minimum of 48 hours in advance of the scheduled submission date.
4. Cases that are beyond standards and goals time limits WILL NOT be adjourned in the absence of exceptional circumstances as determined by the Court.

**II. MOTIONS**

**A. Submission of Motions**

1. Motion return dates are for paper submissions only. NO APPEARANCES ARE REQUIRED ON THE RETURN DATE OF A MOTION UNLESS ORAL ARGUMENT HAS BEEN REQUESTED AND GRANTED EXCEPT IF THE **OTSC** CONTAINS A **TRO** WHICH IS DUE TO

EXPIRE ON THE RETURN DATE OF SAID MOTION, THE APPEARANCE OF COUNSEL WILL BE ANTICIPATED BY THE COURT.

2. If either party wishes oral argument, said request must be made to chambers via fax copied to all counsel (or pro se parties). If the request is granted, counsel will be notified and given proposed dates for oral argument to discuss with all other counsel (or pro se parties) and shall confirm the date and time of oral argument with the Court via fax to chambers and copied to all counsel (and pro se parties). Adjournments of oral argument on motions shall be subject to the same procedures as all other adjournments (see above).
3. Any proposed order submitted with a motion MUST be separated from the motion papers as an independent submission with its own blueback. Orders stapled into moving papers will NOT be signed.
4. Any papers not physically received by chambers on or before the return date of a motion WILL NOT be considered. In the case of e-filed papers with courtesy copies being sent by regular mail chambers must receive fax correspondence alerting the sending of same to chambers on or before the return date of the motion or those papers WILL NOT be considered.

**B. Interim Partial or Full Settlement**

1. If all or part of a submitted motion is settled, counsel shall forward the original stipulation of settlement to the Court. Such stipulation shall be accompanied by a letter setting forth the date the motion was submitted, what aspects of the motion have been settled and what issues remain to be decided.

**C. E-Filed Motions**

1. Courtesy copies of all e-filed documents, including affidavits of service, MUST be sent to chambers in order to be considered. If documents are e-filed on the submission date of a motion and courtesy copies are sent via standard mail due to their volume, counsel must send a fax to chambers indicating that courtesy copies have been mailed and the date on which they have been mailed, with such fax to be sent no later than the close of business on the motion submit date.

**III. COURT APPEARANCES**

- A. All Court appearances, unless otherwise specified or directed by the Court, shall be scheduled for 9:30 a.m. Please be prompt.

- B. All counsel, and any party appearing pro se, shall appear at each and every scheduled Court date (including preliminary, status and compliance conferences), unless otherwise directed by the Court.
- C. Attorneys and “Pro Se” litigants must alert the Court Officer or Court Clerk of their presence and complete a sign-in sheet. The sign-in sheet shall be COMPLETELY filled out LEGIBLY by all parties and/or their counsel or a business card must be attached. Your matter WILL NOT BE CALLED until the sign-in sheet is COMPLETE.
- D. If counsel must also appear before another Judge, counsel must advise the Part Clerk or Court Officer where counsel can be reached, and counsel must provide their cell phone number.
- E. If any party appearing pro se requires the assistance of an interpreter, request must be made to chambers via fax at 516-493-3016 a minimum of one week prior to the Court appearance to ensure the availability of the necessary interpreter.

#### **IV. COMMUNICATION WITH CHAMBERS**

- A. Copies of correspondence between counsel shall not be sent to the Court. Such copies shall be discarded.