



## How to Get a Judge Assigned to Your Case

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When you are ready to have a judge assigned to your case, you need to fill out and file an RJI or Request for Judicial Intervention form with the County Clerk where your action was started. In most cases you would have already started your action and obtained an Index Number before filing an RJI, although there are instances where the Index Number and RJI can be filed at the same time.

### Should I be assigned a judge at the beginning?

Normally, no. In New York State many cases are worked out between the parties without the court getting involved. You file an RJI when you want the court to get involved to decide an issue. This happens when:

- Either side submits a written request asking the judge to rule on a particular issue (motion).
- Either side wants a conference to set dates for the completion of discovery (exchange of evidence, records or other information about your case).
- The plaintiff requests that the case be put on the trial calendar. The plaintiff would only request this when the case is ready to go to trial, usually after conferring with the assigned judge.

It is always a good idea to seek legal advice from an attorney about when to file an RJI in your particular case.

### Are there exceptions about when to file an RJI?

Yes. One example is when you file for divorce, you must file your RJI no later than forty-five (45) days from the date of service of the summons in your divorce action. You must do this even if you are not asking the court to make any decisions in your divorce at that time.

Another example is if you are filing a special proceeding with the court. Generally, a special proceeding is when a person challenges the actions or decisions of a governmental office or agency. You would file your RJI at the same time you file your papers to start your action.

Again, it is always a good idea to seek legal advice from an attorney.

### Where can I get an RJI form?

You can get an RJI form from the Supreme Court Clerk's Office or one of the law libraries. This form and detailed instructions are also available online at our Judicial District website located at:

<http://www.nycourts.gov/courts/10jd/nassau/index.shtml>

### Is there a fee for filing an RJI?

Yes, it is \$95.00. You must pay this fee at the time of filing unless you have been granted poor person status by the court.

### What information does the RJI ask for?

It asks for information about the case you are filing with the court, such as

- ◆ The names of all plaintiffs and defendants.
- ◆ The kind of papers you are filing with the court, such as an Order to Show Cause or a Notice of Petition.
- ◆ Your reason for bringing your case to court, such as filing for a divorce or suing for damages from a car accident.

The court uses the information you put on the RJI form to enter your case into the court system database. This is why you must fill out the form completely and accurately.

### Where do I file the RJI and how many copies do I need?

You file the RJI at the County Clerk's Office where your action was started. The County Clerk's Office will then forward your RJI to the Court Clerk.

Each county is different as to how many copies need to be filed. Normally you need an original and 2 copies, but please check with the Court Clerk's Office where the action was started. You should keep a copy of the RJI for yourself.

### What happens after I file my RJI?

After the County Clerk forwards the RJI to the Court Clerk, a judge is assigned to your case and you will be notified of the RJI Number and the judge assigned. You are responsible for notifying the defendant of this information.

### More Questions?



You can go to your local law library. To find the one nearest you go to our website at:

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<http://www.nycourts.gov/courts/10jd/nassau/index.shtml>