

Compliance, Settlement and Conference Part
Justice Martin E. Ritholtz
718-298-1089
Fax: 718-520-6406
Room 313

All Compliance Conferences are held in a centralized "Compliance, Settlement and Conference Part" (CSCP) in Courtroom 313 before Hon. Martin E. Ritholtz.

The Conferences begin promptly at 9:30 AM. Attorneys must check in with the Court Clerk or Court Officers. Cases are conferenced in the order in which ALL attorneys on a matter are checked in and are actually present in the courtroom. **If the case is called and there is no appearance, the Court will take the appropriate action against the non-appearing side, applying such penalties or sanctions as are authorized by the CPLR and Rules of the Chief Administrative Judge. (See Lopez v. Imperial Delivery, 282 AD2d 190).**

There will be no adjournments of Compliance Conferences whatsoever.

In accordance with 22 NYCRR 202.19(b)(3), the purpose of the Compliance Conference is: (a) to monitor the progress of discovery; (b) to explore potential settlement; and (c) to set a deadline for the filing of the Note of Issue. Consequently, Counsel attending the Conference must be fully familiar with the case, the status of disclosure proceedings, and any settlement negotiations. The attorney **MUST** be prepared and authorized to enter into binding stipulations regarding disclosure and disposition of the case.

Counsel appearing for the Conference **MUST** bring the Bill of Particulars and all the previous orders in the case, including the Preliminary Conference Order.

Counsel for Plaintiff in any action involving personal injuries **MUST** bring proof of plaintiff's injuries, including all medical reports from plaintiff's treating and examining doctors, and all medical and hospital records. Counsel for plaintiff in all other actions **MUST** bring proof of damages.

In order to aid in settlement negotiations, counsel for Plaintiff **MUST** be prepared to make a good-faith demand to settle the case, and likewise defense counsel **MUST** be prepared to make a good-faith offer or indicate why the case is a "no-pay".

If necessary, counsel **MUST** have the ability to contact the attorney of record, plaintiff, defendant or the assigned insurance adjuster in order to facilitate a potential settlement.

Appearance of Counsel is NOT required if a Note of Issue/Certificate of Readiness has been served and filed prior to the date of the Compliance Conference. In such case, however, a copy of the Note of Issue, with the date of filing, must be presented at the call of the conference calendar. It may be presented by any person, including an attorney's service. It may NOT be presented by mail.

The CSCP (Compliance, Settlement and Conference Part) hears motions on Mondays only. NO pre-note motion should be presented for calendaring in this Part unless there has been served and filed with the motion papers an affirmation that counsel had contacted Chambers at 718-298-1089, and has held a telephone conference with the court and all parties in a good-faith effort to resolve the issues raised by the motion (see, 22 NYCRR 202.7[a], 202.12[j]). If it appears, after a telephone conference with the Court, that the issues raised by the motion can not be resolved by stipulation, then said motion shall be calendared at the earliest possible date. A strict schedule for the service of moving and opposing papers shall be set. All parties are required to appear at the call of the Motion Calendar, by counsel familiar with the case and prepared and authorized to enter into binding stipulations regarding disclosure .

By direction of the Administrative Judge, all timely motions to vacate notes of issue are returnable in this Part. In order to facilitate the expeditious resolution of such motions by stipulation, Chambers will contact the moving attorney promptly upon receipt of the moving papers to schedule a telephone conference. In lieu of formal motions, counsel are invited to contact Chambers by telephone, within twenty days of the service of the note of issue, whereupon a telephone conference will be scheduled.

Any questions concerning the status of actions assigned to CSCP should be directed to the Differentiated Case Management (DCM) Tracking Coordinators, who may be contacted at (718)298-1164.