

STATE OF NEW YORK
UNIFIED COURT SYSTEM
THIRD JUDICIAL DISTRICT

THIRD JUDICIAL DISTRICT
OFFICE OF THE ADMINISTRATIVE JUDGE
2500 POND VIEW
CASTLETON- ON- HUDSON, NEW YORK 12033
(518) 285-8300
FAX (518) 285-6169

LAWRENCE K. MARKS

Chief Administrative Judge

THOMAS A. BRESLIN

District Administrative Judge

MICHAEL V. COCCOMA

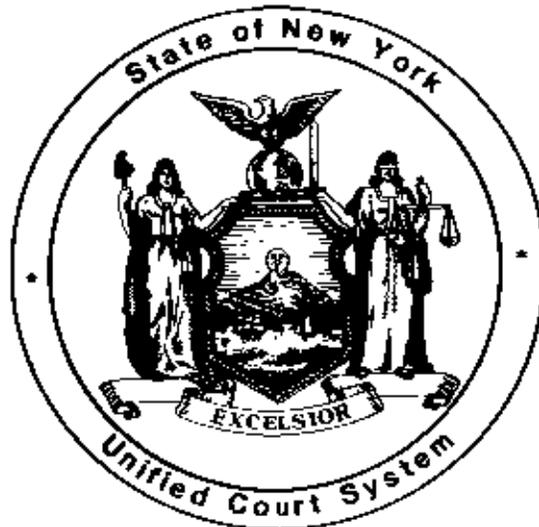
Deputy Chief Administrative Judge
Courts Outside New York City

BETH A. DIEBEL, ESQ.

District Executive

CHRISTY BASS

Deputy District Executive



2016 ASSIGNMENTS



STATE OF NEW YORK
UNIFIED COURT SYSTEM
THIRD JUDICIAL DISTRICT
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CASTLETON-ON-HUDSON, NY 12033
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Deputy District Executive

TO: Justices and Judges
Court Employees
Members of the General Public

FROM: Hon. Thomas A. Breslin, Administrative Judge

RE: **2016 Judicial Assignments**

This booklet contains the following information:

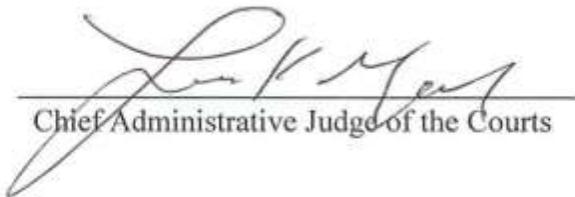
1. 2016 Uniform trial term dates and 2016 holidays;
2. 2016 Inter-District assignments;
3. 2016 Intra-District assignments;
4. 2016 District-wide judicial assignments for the Supreme Courts, County-level Courts, City Courts and temporary assignments;
5. 2016 Supervising Judges
6. 2016 Judicial Assignments by County
7. List of Superior Court Judges designated to hear applications pursuant to County Law § 701 and 22 NYCRR 200.15;
8. Assignments pursuant to § 1194(3)(d)(6) of the Vehicle and Traffic Law and § 49-a (8)(d)(1) of the Navigation Law;
9. List of Judges designated to hear Judicial Diversion Cases;
10. List of Supreme Court Justices designated to hear applications for involuntary isolation and quarantine of persons with communicable diseases pursuant to Public Health Law § 2120 and 10 NYCRR 22;
11. 2016 Judges Designated as Full-Time Acting Supreme Court Judges
12. 2016 Supreme Court IAS assignments by county
13. 2016 Supreme Court trial term assignments
14. 2016 Mental Hygiene Hearing Calendar
15. 2016 Article 78 Calendar Dates
16. 2016 Supreme Court IAS Rules*

If you have any questions or desire additional information, feel free to contact me or our administrative office.

* District rules only. Individual chambers rules may be available on court website.

**ADMINISTRATIVE ORDER OF THE
CHIEF ADMINISTRATIVE JUDGE OF THE COURTS**

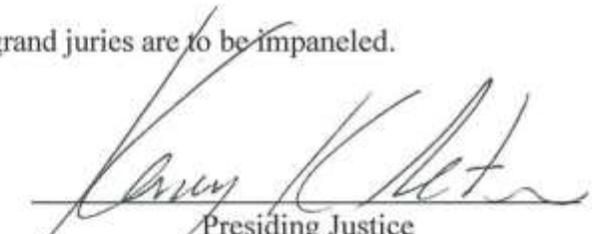
Pursuant to the authority vested in me, and with the consultation and agreement of the Honorable Karen K. Peters, on behalf of the Appellate Division, Third Department, I establish the following regular terms, parts and hours of court for the Supreme, County, Surrogate's, Family and City Courts in the Third, Fourth and Sixth Judicial Districts for 2016, assign the Justices and Judges thereto, except for certificated Justices of the Supreme Court who have been assigned to terms and parts of court by the Appellate Division; and designate the terms of court for the impaneling of grand jurors. In addition, in consultation with the Appellate Division, I adopt the following administrative and calendar rules.



Chief Administrative Judge of the Courts

Dated: *December 18*, 2015

On behalf of the Appellate Division, Third Judicial Department, I approve the attached schedule of regular hours, terms and parts of court, the assignment of Justices or Judges to them, and the designation of terms of court for which grand juries are to be impaneled.



Presiding Justice
Appellate Division, Third Judicial Department

Dated: *December 18*, 2015

AO/184/15

2016 HOURS AND TERMS OF COURT

There shall be 13 terms of court designated as follows:

TERM	MONDAY	SUNDAY
1	January 4, 2016	January 31, 2016
2	February 1, 2016	February 28, 2016
3	February 29, 2016	March 27, 2016
4	March 28, 2016	April 24, 2016
5	April 25, 2016	May 22, 2016
6	May 23, 2016	June 19, 2016
7	June 20, 2016	July 17, 2016
8	July 18, 2016	August 14, 2016
9	August 15, 2016	September 11, 2016
10	September 12, 2016	October 10, 2016
11	Tuesday, October 11, 2016*	November 6, 2016
12	November 7, 2016	December 4, 2016
13	December 5, 2016	January 2, 2017**

Unless otherwise specified, all assignments are made to Individual Assignment Parts for the 13 terms set forth above, and such parts are established for the determination of all actions as may come before the courts, including motions, trials and other proceedings in connection therewith. All inter-district assignments of Supreme Court Justices are to Supreme Court in the designated county. All courts shall be open for business Monday through Friday each week of the year, except for legal holidays. The legal holidays for 2016 are as follows:

*Columbus Day will be observed on Monday, October 10, 2016; accordingly, Term 10 will be extended through Monday, October 10, 2016 and Term 11 will commence on Tuesday, October 11, 2016.

** The Holiday Recess will commence on Tuesday, December 27, 2016 and will continue through Friday, December 30, 2016.

2016 Holidays

Date	Day of the Week	Holiday
January 1, 2016	Friday	New Year's Day
January 18, 2016	Monday	Dr. Martin Luther King, Jr. Day
February 12, 2016	Friday	Lincoln's Birthday
February 15, 2016	Monday	President's Day
May 30, 2016	Monday	Memorial Day
July 4, 2016	Monday	Independence Day
September 5, 2016	Monday	Labor Day
October 10, 2016	Monday	Columbus Day
November 8, 2016	Tuesday	Election Day
November 11, 2016	Friday	Veterans Day
November 24, 2016	Thursday	Thanksgiving Day
December 26, 2016	Monday	Christmas Day (observed)

Jurors shall be summoned to appear as directed by the Judge scheduled to preside. Grand jurors shall be summoned to appear on the opening day of the terms so designated and shall continue until the day preceding the commencement of the next succeeding grand jury term, unless otherwise specified herein or directed by the Justice or Judge presiding at such term.

The District Administrative Judge may establish local calendar rules consistent with the Rules of the Chief Administrator for the timely administration of justice.

**2016 INTER-DISTRICT ASSIGNMENTS
THIRD JUDICIAL DISTRICT**

TERM	JUDGE	ASSIGNED TO:
1 -13	Gerald W. Connolly*	Supreme Court Third Judicial District
1-13	James H. Ferreira*	Supreme Court Third Judicial District
1-13	Denise A. Hartman*	Supreme Court Third Judicial District
1-13	Roger D. McDonough*	Supreme Court Third Judicial District
1-13	Michael Melkonian*	Supreme Court Third Judicial District
1-13	Kimberly A. O'Connor*	Supreme Court Third Judicial District
1-13	Richard M. Platkin*	Supreme Court Third Judicial District
1-13	David A. Weinstein*	Supreme Court Third Judicial District
1-13	Henry F. Zwack*	Supreme Court Third Judicial District
As Designated on Albany County Article 78 Special Term Calendar	Francis T. Collins **	Supreme Court Third Judicial District
As Designated on Albany County Article 78 Special Term Calendar	W. Brooks DeBow**	Supreme Court Third Judicial District
As Designated on Albany County Article 78 Special Term Calendar	Judith A. Hard**	Supreme Court Third Judicial District
As Designated on Albany County Article 78 Special Term Calendar	Christopher J. McCarthy**	Supreme Court Third Judicial District

*Acting Supreme Court Justice

**Acting Supreme Court Justice assigned solely for Terms in the Albany County Article 78 Special Term Calendar

ASBESTOS LITIGATION – The Hon. Richard T. Aulisi, Supreme Court, Fulton County, is assigned from January 1, 2016 through December 21, 2016, to hear and determine all asbestos litigation, including all pending litigation, within the Third Judicial District.

**2016 INTRA-DISTRICT ASSIGNMENTS
THIRD JUDICIAL DISTRICT**

COUNTY	JUDGE	CROSS-ASSIGNED TO:
ALBANY	<p align="center">Stephen W. Herrick County Court Judge</p>	<ol style="list-style-type: none"> 1. Albany Family & Surrogate's Courts 2. Columbia County Court 3. Greene County Court 4. Rensselaer County Court 5. Schoharie County Court 6. Sullivan County Court 7. Ulster County Court 8. Supreme Court Third Judicial District
	<p align="center">Peter A. Lynch County Court Judge</p>	<ol style="list-style-type: none"> 1. Albany Family & Surrogate's Courts 2. Columbia County Court 3. Greene County Court 4. Rensselaer County Court 5. Schoharie County Court 6. Sullivan County court 7. Ulster County Court
	<p align="center">Stacy L. Pettit Surrogate Judge</p>	<ol style="list-style-type: none"> 1. Albany County & Family Courts 2. Columbia County & Family Courts 3. Greene County & Family Courts 4. Rensselaer County & Family Courts 5. Schoharie County & Family Courts 6. Sullivan County & Family Courts 7. Ulster County & Family Courts
	<p align="center">Gerard E. Maney Family Court Judge</p>	<ol style="list-style-type: none"> 1. Albany County & Surrogate's Courts 2. Columbia County & Family Courts 3. Greene County & Family Courts 4. Rensselaer County & Family Courts 5. Schoharie County & Family Courts 6. Sullivan County & Family Courts 7. Ulster County & Family Courts 8. Supreme Court Third Judicial District
	<p align="center">Margaret T. Walsh Family Court Judge</p>	<ol style="list-style-type: none"> 1. Albany County & Surrogate's Courts 2. Columbia County & Family Courts 3. Greene County & Family Courts 4. Rensselaer County & Family Courts 5. Schoharie County & Family Courts 6. Sullivan County & Family Courts 7. Ulster County & Family Courts 8. Supreme Court Third Judicial District

**2016 INTRA-DISTRICT ASSIGNMENTS
THIRD JUDICIAL DISTRICT**

COUNTY	JUDGE	CROSS-ASSIGNED TO:
ALBANY	<p align="center">Susan M. Kushner Family Court Judge</p>	<ol style="list-style-type: none"> 1. Albany County & Surrogate's Courts 2. Columbia Family Court 3. Greene Family Court 4. Rensselaer Family Court 5. Schoharie Family Court 6. Sullivan Family Court 7. Ulster Family Court
	<p align="center">Richard Rivera Family Court Judge</p>	<ol style="list-style-type: none"> 1. Albany County & Surrogate's Courts 2. Columbia Family Court 3. Greene Family Court 4. Rensselaer Family Court 5. Schoharie Family Court 6. Sullivan Family Court 7. Ulster Family Court
	<p align="center">William A. Carter Helena Heath Thomas K. Keefe Gary F. Stiglmeier Rachel Kretser City Court Judges</p>	<ol style="list-style-type: none"> 1. Albany County & Family Courts 2. Cohoes & Watervliet City Courts
	<p align="center">Richard R. Maguire Andra L. Ackerman City Court Judges</p>	<ol style="list-style-type: none"> 1. Albany & Watervliet City Courts
	<p align="center">Thomas E. Lamb Susan B. Reinfurt City Court Judges</p>	<ol style="list-style-type: none"> 1. Albany & Cohoes City Courts

**2016 INTRA-DISTRICT ASSIGNMENTS
THIRD JUDICIAL DISTRICT**

COUNTY	JUDGE	CROSS-ASSIGNED TO:
COLUMBIA	Jonathan D. Nichols County, Family & Surrogate Judge	<ol style="list-style-type: none"> 1. Albany, County, Family & Surrogate's Courts 2. Greene County, Family & Surrogate's Courts 3. Rensselaer County, Family & Surrogate's Courts 4. Schoharie County, Family & Surrogate's Courts 5. Sullivan County, Family & Surrogate's Courts 6. Ulster County, Family & Surrogate's Courts 7. Supreme Court Third Judicial District
	Richard M. Koweek County, Family & Surrogate Judge	<ol style="list-style-type: none"> 1. Albany County, Family & Surrogate's Courts 2. Greene County, Family & Surrogate's Courts 3. Rensselaer County, Family & Surrogate's Courts 4. Schoharie County, Family & Surrogate's Courts 5. Sullivan County, Family & Surrogate's Courts 6. Ulster County, Family & Surrogate's Courts 7. Supreme Court Third Judicial District
	John Connor, Jr. Mark S. Portin City Court Judges	<ol style="list-style-type: none"> 1. Kingston City Court
GREENE	Charles M. Tailleir County, Family & Surrogate Judge	<ol style="list-style-type: none"> 1. Albany County, Family & Surrogate's Courts 2. Columbia County, Family & Surrogate's Courts 3. Rensselaer County, Family & Surrogate's Courts 4. Schoharie County, Family & Surrogate's Courts 5. Sullivan County, Family & Surrogate's Courts 6. Ulster County, Family & Surrogate's Courts 7. Supreme Court Third Judicial District
	Terry J. Wilhelm County, Family & Surrogate Judge	<ol style="list-style-type: none"> 1. Albany County, Family & Surrogate's Courts 2. Columbia County, Family & Surrogate's Courts 3. Rensselaer County, Family & Surrogate's Courts 4. Schoharie County, Family & Surrogate's Courts 5. Sullivan County, Family & Surrogate's Courts 6. Ulster County, Family & Surrogate's Courts

**2016 INTRA-DISTRICT ASSIGNMENTS
THIRD JUDICIAL DISTRICT**

COUNTY	JUDGE	CROSS-ASSIGNED TO:
RENSSELAER	Andrew G. Ceresia County Court Judge	<ol style="list-style-type: none"> 1. Rensselaer Family & Surrogate's Courts 2. Albany County, Family & Surrogate's Courts 3. Columbia County, Family & Surrogate's Courts 4. Greene County, Family & Surrogate's Courts 5. Schoharie County, Family & Surrogate's Courts 6. Sullivan County, Family & Surrogate's Courts 7. Ulster County, Family & Surrogate's Courts 8. Supreme Court Third Judicial District
	Debra J. Young County Court Judge	<ol style="list-style-type: none"> 1. Rensselaer Family & Surrogate's Courts 2. Albany County, Family & Surrogate's Courts 3. Columbia County, Family & Surrogate's Courts 4. Greene County, Family & Surrogate's Courts 5. Schoharie County, Family & Surrogate's Courts 6. Sullivan County, Family & Surrogate's Courts 7. Ulster County, Family & Surrogate's Courts 8. Supreme Court Third Judicial District
	Paul V. Morgan, Jr. Surrogate	<ol style="list-style-type: none"> 1. Rensselaer County & Family Courts 2. Albany County & Family Courts 3. Columbia County & Family Courts 4. Greene County & Family Courts 5. Schoharie County & Family Courts 6. Sullivan County & Family Courts 7. Ulster County & Family Courts
	Catherine Cholakis Family Court Judge	<ol style="list-style-type: none"> 1. Rensselaer County & Surrogate's Courts 2. Albany Family Court 3. Columbia Family Court 4. Greene Family Court 5. Schoharie Family Court 6. Sullivan Family Court 7. Ulster Family Court 8. Supreme Court Third Judicial District
	Elizabeth M. Walsh Family Court Judge	<ol style="list-style-type: none"> 1. Rensselaer County & Surrogate's Courts 2. Albany Family Court 3. Columbia Family Court 4. Greene Family Court 5. Schoharie Family Court 6. Sullivan Family Court 7. Ulster Family Court

**2016 INTRA-DISTRICT ASSIGNMENTS
THIRD JUDICIAL DISTRICT**

COUNTY	JUDGE	CROSS-ASSIGNED TO:
RENSSELAER	Christopher T. Maier Jill Kehn City Court Judges	1. Rensselaer County & Family Court 2. Rensselaer City Court
	Matthew J. Turner City Court Judges	1. Rensselaer City Court
	Kathleen Leahy Robichaud Carmelo Laquidara City Court Judges	1. Troy City Court
SCHOHARIE	George R. Bartlett III County, Family and Surrogate Court Judge	1. Albany County, Family & Surrogate's Courts 2. Columbia County, Family & Surrogate's Courts 3. Greene County, Family & Surrogate's Courts 4. Rensselaer County & Family Courts 5. Sullivan County & Family Courts 6. Ulster County & Family Courts 7. Supreme Court Third Judicial District
SULLIVAN	Frank J. LaBuda County & Surrogate Court Judge	1. Sullivan Family Court 2. Ulster County & Family Court 3. Supreme Court Third Judicial District
	Michael F. McGuire County & Surrogate Court Judge	1. Sullivan Family Court 2. Ulster County & Family Courts 3. Supreme Court Third Judicial District
	Mark M. Meddaugh Family Court Judge	1. Sullivan County & Surrogate's Court 2. Ulster Family Court 3. Supreme Court Third Judicial District

**2016 INTRA-DISTRICT ASSIGNMENTS
THIRD JUDICIAL DISTRICT**

COUNTY	JUDGE	CROSS-ASSIGNED TO:
ULSTER	<p align="center">Donald A. Williams County Court Judge</p>	<p>1. Ulster Family & Surrogate's Courts 2. Sullivan County & Family Courts</p>
	<p align="center">Anthony McGinty Family Court Judge</p>	<p>1. Ulster County & Surrogate's Courts 2. Schoharie County, Family & Surrogate's Courts 3. Sullivan County, Family & Surrogate's Courts 4. Rensselaer Family Court 5. Supreme Court Third Judicial District</p>
	<p align="center">Marianne O. Mizel Family Court Judge</p>	<p>1. Ulster County & Surrogate's Courts 2. Schoharie County, Family & Surrogate's Courts 3. Sullivan County, Family & Surrogate's Courts 4. Rensselaer Family Court 5. Supreme Court Third Judicial District</p>
	<p align="center">Keri E. Savona Family Court Judge</p>	<p>1. Ulster County & Surrogate's Courts 2. Schoharie County, Family & Surrogate's Courts 3. Sullivan County, Family & Surrogate's Courts 4. Rensselaer Family Court</p>
	<p align="center">Mary M. Work Surrogate</p>	<p>1. Ulster County & Family Courts 2. Sullivan county & Family Courts 3. Supreme Court Third Judicial District</p>
	<p align="center">Lawrence E. Ball Philip W. Kirschner City Court Judges</p>	<p>1. Ulster County & Family Courts 2. Hudson City Court</p>

2016 DISTRICT-WIDE SUPREME COURT ASSIGNMENTS

Michael V. Coccoma *

Supreme Courts in all counties comprising the Third Judicial District

*Deputy Chief Administrative Judge for the Courts outside the City of New York and Justice of the Supreme Court

2016 COUNTY, FAMILY AND SURROGATE’S COURT JUDGES ELIGIBLE FOR ASSIGNMENTS TO SUPREME COURT IN THE THIRD JUDICIAL DISTRICT
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In addition to the specific assignments set forth in this annual order, the following County, Family and Surrogate’s Court Judges are designated pursuant to article VI, section 26 of the New York State Constitution and 22 NYCRR Parts 22 and 121, as eligible for being selected by the District Administrative Judge for temporary assignments to Supreme Court during the calendar year 2016. These assignments are not to exceed 20 days without the approval of the Deputy Chief Administrative Judge and Presiding Justice of the Appellate Division.

COUNTY	JUDGES
Albany County	Susan M. Kushner Peter A. Lynch
Greene County	Terry J. Wilhelm
Rensselaer County	Paul V. Morgan, Jr. Elizabeth M. Walsh
Ulster County	Donald A. Williams

**2016 CITY COURT JUDGES ELIGIBLE FOR TEMPORARY
ASSIGNMENTS TO COUNTY OR FAMILY COURTS**

The following City Court Judges are designated pursuant to Article VI, Section 26, of the New York State Constitution as eligible for being selected by the District Administrative Judge for temporary assignments to County or Family Courts within his or her county of residence or any adjoining county during the calendar year 2016. These assignments are not to exceed five working days without the approval of the Deputy Chief Administrative Judge and the Presiding Justice of the Appellate Division, unless the assignment is to a particular case taking more than five days which may be handled until completion.

County	Judge
Albany County	William A. Carter* Gary F. Stiglmeier** Thomas K. Keefe Rachel L. Kretser Helena Heath
Rensselaer County	Christopher T. Maier Jill Kehn***
Ulster County	Lawrence E. Ball**** Philip W. Kirschner

***Assigned as an Albany County Judge on an as-needed basis for the purpose of presiding over the Domestic violence Part in Albany City Court.**

****Assigned as an Albany County Judge on an as-needed basis for the purpose of presiding over the Regional Drug Treatment Part in Albany City Court.**

*****Assigned as a Full-Time Acing Family Court Judge for the Third Judicial District.**

******Assigned as an Ulster County Judge on an as-needed basis for the purpose of presiding over the Regional Drug Treatment Part in Kingston City Court.**

**2016 Judicial Assignments
Third Judicial District**

SUPERVISING JUDGES

<u>JUDGE</u>	<u>COURT</u>
Gerard E. Maney Family Court Judge	Supervising Family Court Judge Third Judicial District
Debra J. Young County Court Judge	Supervising County Court Judge Third Judicial District

ALBANY COUNTY

2016 Judicial Assignments

SUPREME COURT – IAS JUDGES

Thomas A. Breslin
 Gerald W. Connolly*
 James H. Ferreira*
 Denise A. Hartman*
 *Acting Supreme Court Justice

Roger D. McDonough*
 Richard J. McNally
 Kimberly A. O'Connor*
 Richard M. Platkin*

Michael Melkonian*
 Christina Ryba
 Margaret T. Walsh*
 David A. Weinstein*

Acting Supreme Court Justices Trial Term Assignments

<u>Judge</u>	<u>Part</u>	<u>Terms Assigned</u>
Gerald W. Connolly	Trial Part	Terms 1-8, 10-13
James H. Ferreira	Trial Part	Terms 1, 2, 4, 5, 6, 8, 9, 10, 12, 13
Denise A. Hartman	Trial Part	Terms 1, 2, 4-11, 13
Roger D. McDonough	Trial Part	Terms 1-13
Kimberly A. O'Connor	Trial Part	Terms 1-10, 12-13
Richard M. Platkin	Trial Part	Terms 1-13
David A. Weinstein	Trial Part	Terms 3, 4, 6, 7, 13

Terms of the Supreme Court for the Empaneling of Grand Juries

Term 1 A	January 5	Thomas A. Breslin
Term 1 B	January 6	Gerald W. Connolly*
Term 3A	March 1	Roger McDonough*
Term 3B	March 2	Kimberly A. O'Connor*
Term 5A	April 26	Richard M. Platkin*
Term 5 B	April 27	Christina Ryba
Term 7A	June 21	Thomas A. Breslin
Term 7B	June 22	David A. Weinstein*
Term 9 A	August 16	Roger McDonough*
Term 9 B	August 17	Denise A. Hartman*
Term 11 A	October 11	Gerald W. Connolly*
Term 11 B	October 12	Christina Ryba

**ALBANY COUNTY – Continued
2016 Judicial Assignments**

ALBANY COUNTY COURT JUDGES

Stephen W. Herrick*
Peter A. Lynch
Andrew G. Ceresia**

*Full-Time Acting Supreme Court Justice – Hub Drug Treatment Court Judge

**Acting Albany County Court Judge

Terms of the County Court for the Empaneling of Grand Juries

Term 1A	January 8	Peter A. Lynch
Term 3A	March 4	Stephen W. Herrick
Term 5A	April 29	Peter A. Lynch
Term 7A	June 24	Stephen W. Herrick
Term 9A	August 19	Peter A. Lynch
Term 11 A	October 14	Stephen W. Herrick

ALBANY FAMILY COURT JUDGES

Gerard E. Maney ***
Margaret T. Walsh***

Susan M. Kushner
Richard Rivera

***Acting Supreme Court Justice

ALBANY SURROGATE'S COURT

Stacy L. Pettit

CITY COURTS – COUNTY OF ALBANY

Court	Judges
Albany City – Criminal Part	William A. Carter Rachel L. Kretser Gary F. Stiglmeier
Albany City – Civil & Traffic Part	Thomas K. Keefe Helena Heath
Cohoes City	Richard R. Maguire Andra L. Ackerman
Watervliet City	Thomas E. Lamb Susan B. Reinfurt

COLUMBIA COUNTY 2016 Judicial Assignments

SUPREME COURT -- IAS JUDGES

Richard L. Mott

Jonathan D. Nichols*

Richard M. Koweek*

Henry F. Zwack*

*Acting Supreme Court Justice

Acting Supreme Court Justices Trial Term Assignments

<u>Judge</u>	<u>Part</u>	<u>Terms Assigned</u>
Richard M. Koweek	Trial Part	Terms 1-13
Jonathan D. Nichols	Trial Part	Terms 1-13

COUNTY, FAMILY & SURROGATE'S COURTS JUDGES

Jonathan D. Nichols

Richard M. Koweek

Terms of the County Court for the Empaneling of Grand Juries

Term 1A	January 5	Richard M. Koweek
Term 1B	January 7	Jonathan D. Nichols
Term 2A	February 23	Richard M. Koweek
Term 3A	March 10	Jonathan D. Nichols
Term 5A	April 26	Richard M. Koweek
Term 5B	May 12	Jonathan D. Nichols
Term 7A	June 28	Richard M. Koweek
Term 7B	July 14	Jonathan D. Nichols
Term 9A	August 23	Richard M. Koweek
Term 10A	September 15	Jonathan D. Nichols
Term 11A	October 25	Richard M. Koweek
Term 12A	November 17	Jonathan D. Nichols

CITY COURT – COLUMBIA COUNTY

Hudson City Court	John Connor, Jr. Mark S. Portin
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**GREENE COUNTY
2016 Judicial Assignments**

SUPREME COURT – IAS JUDGES

Lisa M. Fisher
Charles M. Tailleux*

*Acting Supreme Court Justice

Acting Supreme Court Justices Trial Term Assignments

Charles M. Tailleux	Trial Part	Terms 1-13
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COUNTY, FAMILY & SURROGATE’S COURTS JUDGES

Charles M. Tailleux
Terry J. Wilhelm

Terms of the County Court for the Empaneling of Grand Juries

Term 4A	April 1	Charles M. Tailleux
Term 7A	June 23	Terry J. Wilhelm
Term 10A	September 15	Charles M. Tailleux
Term 13A	December 14	Terry J. Wilhelm

RENSSELAER COUNTY 2016 Judicial Assignments

SUPREME COURT -- IAS JUDGES

Andrew G. Ceresia*

Catherine Cholakis*

Raymond J. Elliott, III

Patrick J. McGrath

Richard J. McNally

Michael Melkonian*

Debra J. Young*

Henry F. Zwack*

*Acting Supreme Court Justices

Acting Supreme Court Justices Trial Term Assignments

Judge	Part	Terms Assigned
Andrew G. Ceresia	Trial Part	Terms 1-13
Catherine Cholakis	Trial Part	Terms 1-13
Michael Melkonian	Trial Part	Terms 2-7, 9-10, 12-13
Debra J. Young	Trial Part	Terms 1-13
Henry F. Zwack	Trial Part	Terms 1, 3-5, 7-11, 13

Terms of the Supreme Court for the Empaneling of Grand Juries

Term 3A	February 29	Patrick J. McGrath
Term 8A	July 18	Raymond J. Elliott III
Term 12A	November 7	Richard J. McNally

RENSSELAER COUNTY COURT JUDGES

Andrew G. Ceresia

Debra J. Young

Terms of the County Court for the Empaneling of Grand Juries

Term 1A	January 4	Debra J. Young
Term 5A	April 25	Andrew G. Ceresia
Term 7A	June 20	Debra J. Young
Term 10A	September 12	Andrew G. Ceresia

**RENSSELAER COUNTY – Continued
2016 Judicial Assignments**

RENSSELAER FAMILY COURT JUDGES

Catherine Cholakis
Elizabeth M. Walsh
Jill Kehn*

*Acting Rensselaer County Family Court Judge

RENSSELAER COUNTY SURROGATE’S COURT

Paul V. Morgan, Jr.

CITY COURTS – COUNTY OF RENSSELAER

Rensselaer City Court	Kathleen Leahy Robichaud Carmelo Laquidara
Troy City Court	Jill Kehn Christopher T. Maier Matthew J. Turner

**SCHOHARIE COUNTY
2016 Judicial Assignments**

SUPREME COURT -- IAS JUDGES

George R. Bartlett III*

James H. Ferreira**

*Full-time Acting Supreme Court Justice assigned to Integrated Domestic Violence Part

**Full-time Acting Supreme Court Justice

Acting Supreme Court Justices Trial Term Assignments

Judge	Part	Terms Assigned
George R. Bartlett III	Trial Part	Terms 1-13
James H. Ferreira	Trial Part	Terms 3, 7, and 11

COUNTY, FAMILY & SURROGATE'S COURTS JUDGE

George R. Bartlett III

Terms of the County Court for the Empaneling of Grand Juries

Term 1A	January 8	George R. Bartlett III
Term 5A	April 29	George R. Bartlett III
Term 9A	August 26	George R. Bartlett III

**SULLIVAN COUNTY
2016 Judicial Assignments**

SUPREME COURT IAS JUDGES

Stephan Schick
Frank J. LaBuda*
Mark M. Meddaugh*
Michael F. McGuire*

*Acting Supreme Court Justice

Acting Supreme Court Justice Trial Term Assignments

Frank J. LaBuda	Trial Part	Terms 1-13
Michael F. McGuire	Trial Part	Terms 1-13
Mark M. Meddaugh	Trial Part	Terms 1-13
Gerald W. Connolly	Trial Part	Term 9
Denise A. Hartman	Trial Part	Term 3
Michael Melkonian	Trial Part	Terms 1, 8
Kimberly A. O'Connor	Trial Part	Term 11
David A. Weinstein	Trial Part	Term 12
Henry F. Zwack	Trial Part	Term 6

SULLIVAN COUNTY & SURROGATE'S COURTS

Frank J. LaBuda
Michael F. McGuire

County Court for the Terms of the Empaneling of Grand Juries

Term 1A	January 6	Frank J. LaBuda
Term 3A	March 2	Michael F. McGuire
Term5A	April 27	Frank J. LaBuda
Term7A	June 22	Michael F. McGuire
Term 9A	August 17	Frank J. LaBuda
Term 11A	October 12	Michael F. McGuire
Term 13A	December 7	Frank J. LaBuda

SULLIVAN FAMILY COURT

Michael F. McGuire
Mark M. Meddaugh

ULSTER COUNTY 2016 Judicial Assignments

SUPREME COURT – IAS JUDGES

Christopher E. Cahill
James P. Gilpatric
Lisa M. Fisher
Richard Mott
Anthony McGinty*
Marianne O. Mizel*
Mary M. Work*

Acting Supreme Court Justices Trial Term Assignments

Judge	Part	Terms Assigned
Denise A. Hartman	Trial Part	Term 12
Anthony McGinty	Trial Part	Terms 1-13
Michael Melkonian	Trial Part	Term 11
Marianne O. Mizel	Trial Part	Terms 1-13
Mary M. Work	Trial Part	Terms 1-10
Henry F. Zwack	Trial Part	Term 12

Terms of the Supreme Court for the Empaneling of Grand Juries

Term 5 A	April 26	Christopher E. Cahill
Term 8A	July 19	James P. Gilpatric
Term 10A	September 13	Christopher E. Cahill
Term 12A	November 8	James P. Gilpatric

**ULSTER COUNTY -- Continued
2016 Judicial Assignments**

ULSTER COUNTY COURT

Donald A. Williams

Terms of the County Court for the Empaneling of Grand Juries

Term 1A	January 5	Donald A. Williams
Term 3A	March 1	Donald A. Williams
Term 7A	June 21	Donald A. Williams
Term9A	August 16	Donald A. Williams

ULSTER FAMILY COURT

Marianne O. Mizel

Anthony McGinty

Keri E. Savona

ULSTER SURROGATE'S COURT

Mary M. Work

CITY COURT – COUNTY OF ULSTER

Kingston City Court	Lawrence E. Ball Philip W. Kirschner
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**2016 THIRD JUDICIAL DISTRICT SUPERIOR COURT JUDGES
DESIGNATED TO HEAR APPLICATIONS FOR
APPOINTMENT OF SPECIAL PROSECUTORS PURSUANT TO
COUNTY LAW SECTION 701 AND 22 NYCRR 200.15**

Albany County	Stephen W. Herrick Peter A. Lynch Roger D. McDonough* Thomas A. Breslin**
Columbia County	Jonathan D. Nichols Richard M. Koweek Richard L. Mott Thomas A. Breslin**
Greene County	Charles M. Tailleur Terry J. Wilhelm Lisa M. Fisher Thomas A. Breslin**
Rensselaer County	Andrew G. Ceresia Debra J. Young Patrick J. McGrath Thomas A. Breslin**
Schoharie County	George R. Bartlett III James Ferriera* Thomas A. Breslin**
Sullivan County	Frank J. LaBuda Michael F. McGuire Mark M. Meddaugh* Thomas A. Breslin**
Ulster County	Donald A. Williams Anthony McGinty* Christopher E. Cahill James P. Gilpatric Thomas A. Breslin**

*Acting Supreme Court Justice

** Administrative Judge, Third Judicial District

**2016 THIRD JUDICIAL DISTRICT ASSIGNMENTS OF JUDGES
 AUTHORIZED TO ISSUE BLOOD SEIZURE ORDERS
 PURSUANT TO SECTION 1194(3)(d)(6) OF THE VEHICLE AND
 TRAFFIC LAW AND SECTION
 49(4)(d)(10) OF THE NAVIGATION LAW**

COUNTY	JUDGE(S)	BACK-UP JUDGE
Albany	Peter A. Lynch <u>or</u> Stephen W. Herrick	Thomas A. Breslin
Columbia	Jonathan D. Nichols <u>or</u> Richard M. Koweek	Richard L. Mott
Greene	Charles M. Tailleir <u>or</u> Terry J. Wilhelm	Lisa M. Fisher
Rensselaer	Andrew G. Ceresia <u>or</u> Debra J. Young	Patrick J. McGrath <u>or</u> Richard J. McNally
Schoharie	George R. Bartlett III	James Ferreira*
Sullivan	Frank J. LaBuda <u>or</u> Michael F. McGuire	Stephan Schick
Ulster	Donald A. Williams	Christopher E. Cahill <u>or</u> James P. Gilpatric

If none of the assigned judges is available, appropriate application may be made to any Supreme Court Justice or County Judge within the judicial district.

*Acting Supreme Court Justice

**2016 THIRD DISTRICT JUDGES DESIGNATED TO HEAR
JUDICIAL DIVERSION CASES PURSUANT TO CPL 216**

COUNTY	TYPE	JUDGE
Albany	Superior Court for Drug Treatment Pursuant to part 143	Stephen W. Herrick
Columbia	Superior Court for Drug Treatment Pursuant to part 143	Jonathan D. Nichols
Greene	Superior Court for Drug Treatment Pursuant to part 143	Charles M. Tailleur
Rensselaer	Superior Court for Drug Treatment Pursuant to part 143	Debra J. Young
Schoharie	Superior Court for Drug Treatment Pursuant to part 143	George R. Bartlett, III
Sullivan	Superior Court for Drug Treatment Pursuant to part 143	Frank J. LaBuda
Ulster	Superior Court for Drug Treatment Pursuant to part 143	Lawrence E. Ball

**2016 THIRD DISTRICT SUPREME COURT JUSTICES
DESIGNATED TO HEAR APPLICATIONS FOR
INVOLUNTARY ISOLATION AND
QUARANTINE OF PERSONS WITH COMMUNICABLE
DISEASES PURSUANT TO 10 NYCRR § 2.2**

Albany County	Thomas A. Breslin Kimberly O'Connor* Christina Ryba
Columbia County	Richard L. Mott Jonathan Nichols*
Greene County	Lisa M. Fisher Charles M. Tailleux*
Rensselaer County	Patrick J. McGrath Raymond J. Elliott III
Schoharie County	George R. Bartlett III James H. Ferreira*
Sullivan County	Stephan Schick Frank J. LaBuda*
Ulster County	Christopher E. Cahill James P. Gilpatric

*Acting Supreme Court Justice

If none of the assigned judges is available, appropriate application may be made to any Supreme Court Justice.

2016 JUDICIAL ASSIGNMENTS -- THIRD JUDICIAL DISTRICT

FULL-TIME ACTING SUPREME COURT JUSTICES

George R. Bartlett III
Andrew G. Ceresia
Catherine Cholakis
Gerald W. Connolly
James Ferreira
Denise A. Harman
Stephen W. Herrick
Richard M. Koweek
Frank J. LaBuda
Gerard E. Maney
Roger D. McDonough
Anthony McGinty
Michael F. McGuire
Mark M. Meddaugh
Michael Melkonian
Marianne O. Mizel
Jonathan D. Nichols
Kimberly A. O'Connor
Richard M. Platkin
Charles M. Tailleir
Margaret T. Walsh
David A. Weinstein
Mary M. Work
Debra J. Young
Henry F. Zwack

FULL-TIME ACTING FAMILY COURT JUDGES

Jill Kehn

**SUPREME COURT – THIRD JUDICIAL DISTRICT
2016 IAS CASE DISTRIBUTION**

ALBANY

Connolly*	13%
Hartman*	13%
O'Connor*	13%
Ryba	13%
Melkonian*	9%
McDonough*	8% **
Platkin* (includes Commercial Division)	8%
McNally	8% ***
Ferreira*	6%
Weinstein*	6%
Walsh*	Tax Certiorari Part 3%

COLUMBIA

Mott	29%
Nichols*	21%
Koweeek*	21%
Zwack	29%

GREENE

Fisher*	65%
Tailleur*	35%

**SUPREME COURT – THIRD JUDICIAL DISTRICT
2016 IAS CASE DISTRIBUTION CONTINUED**

RENSSELAER

Elliott		28%
McGrath		28%
Zwack		19%
McNally		6%
Melkonian*		6%
Ceresia*		5%
Young*		5%
Cholakis*	Matrimonials & Rensselaer IDV	3%

SCHOHARIE

Ferreira*		59%
Bartlett*		41%

SULLIVAN

Schick		44%
Meddaugh*		22%
LaBuda*		17%
McGuire*		17%

ULSTER

Cahill		24%
Gilpatric		24%
Mott		16%
Fisher		10%
Work*		10%
McGinty*		8%
Mizel*		8%

*Acting Supreme Court Justice

**In addition, handles Criminal Part – Albany

***Handles assorted criminal matters

THIRD JUDICIAL DISTRICT - 2016 SUPREME COURT TRIAL TERM ASSIGNMENTS

JUDGE	1	2	3	4	5	6	7	8	9	10	11	12	13
	1/4-1/31	2/1-2/28	2/29-3/27	3/28-4/24	4/24-5/22	5/23-6/19	6/20-7/17	7/18-8/14	8/15-9/11	9/12-10/10	10/11-11/6	11/7-12/4	12/5-1/2
Connolly*	Albany	Albany 1	Albany	Albany	Albany 1	Albany	Albany	Albany	Sullivan	Albany	Albany 1	Albany	Albany
Ferreria*	Albany	Albany	Schoharie 1	Albany	Albany (vac 1)	Albany	Schoharie 1	Albany	Albany (vac 1-3)	Albany	Schoharie 1	Albany	Albany
Hartman*	Albany 1	Albany	Sullivan	Albany	Albany	Albany	Albany 1	Albany	Albany	Albany	Albany	Ulster	Albany
McDonough*	Albany	Albany	Albany	Albany 1	Albany	Albany	Albany	Albany	Albany 1	Albany	Albany	Albany	Albany
O'Connor*	Albany	Albany	Albany 1	Albany	Albany	Albany 1	Albany (vac 2-3)	Albany (vac 4)	Albany	Albany 1	Sullivan	Albany	Albany 1
Platkin*	Albany	Albany	Albany	Albany	Albany	Albany	Albany	Albany 1	Albany	Albany	Albany	Albany	Albany
Ryba	Chambers	Albany	Albany	Albany	Sullivan	Albany	Albany	Albany	Ulster	Sullivan	Albany	Albany 1	Albany
Walsh, M.*													
Weinstein*			Albany	Albany		Albany	(vac wk 2-4)	(vac wk 1)				Sullivan	Albany
Mott	Ulster	Columbia 1	Ulster	Ulster	Columbia	Ulster	Columbia 1	Ulster	Ulster 1	Columbia	Ulster	Ulster 1	Ulster
Koweek*		Columbia			Columbia	(vac 3-4)	Columbia (vac 3-4)			Columbia 1			
Nichols*		Columbia			Columbia 1		Columbia (vac 2-3)			Columbia (vac 4)	(vac 2-3)		
Fischer	Greene 1	Ulster	Ulster	Greene 1	Ulster	Ulster 1	Ulster	Greene	Ulster	Ulster	Greene 1	Ulster	Greene (vac 3-4)
Tailleur*	Greene			Greene				Greene 1			Greene		
Elliott	Rensselaer 1	Sullivan	Rensselaer	Rensselaer	Rensselaer	Rensselaer	Rensselaer	Rensselaer	Rensselaer	Ulster	Rensselaer	Rensselaer	Rensselaer 1
Cholakis	Rensselaer IDV	Rensselaer IDV	Rensselaer IDV	Rensselaer IDV	Rensselaer IDV	Rensselaer IDV	Rensselaer IDV	Rensselaer IDV	Rensselaer IDV	Rensselaer IDV	Rensselaer IDV	Rensselaer IDV	Rensselaer IDV
A. Ceresia	Rensselaer	Rensselaer	Rensselaer	Rensselaer	Rensselaer (vac 2,3)	Rensselaer	Rensselaer (vac 2)	Rensselaer	Rensselaer	Rensselaer	Rensselaer	Rensselaer	Rensselaer

**SUPREME COURT – ALBANY COUNTY
2016 MENTAL HYGIENE HEARING (THURSDAY) ASSIGNMENTS**

Term 1

Week 1 – Hartman*(January 7)
Week 2 – Breslin (January 14)
Week 3 – McDonough* (January 21)
Week 4 – Ryba (January 28)

Term 2

Week 1 – O'Connor* (February 4)
Week 2 – Connolly* (February 11)
Week 3 – Ferreira* (February 18)
Week 4 – Platkin* (February 25)

Term 3

Week 1 – Ryba (March 3)
Week 2 – Melkonian* (March 10)
Week 3 – Breslin (March 17)
Week 4 – McDonough* (March 24)

Term 4

Week 1 – Hartman* (March 31)
Week 2 – O'Connor* (April 7)
Week 3 – Connolly* (April 14)
Week 4 – Weinstein* (April 21)

Term 5

Week 1 – Platkin* (April 28)
Week 2 – Ryba (May 5)
Week 3 – Ferreira* (May 12)
Week 4 – McDonough* (May 19)

Term 6

Week 1 – McNally (May 26)
Week 2 – Breslin (June 2)
Week 3 – Weinstein* (June 9)
Week 4 – Melkonian* (June 16)

Term 7

Week 1 – Weinstein* (June 23)
Week 2 – Hartman* (June 30)

Week 3 –Connolly* (July 7)
Week 4 – Ryba (July 14)

Term 8

Week 1 – Platkin* (July 21)
Week 2 – O'Connor* (July 28)
Week 3 – Hartman* (August 4)
Week 4 – Breslin (August 11)

Term 9

Week 1 – Connolly* (August 18)
Week 2 – McDonough* (August 25)
Week 3 – McNally* (September 1)
Week 4 – Ryba (September 8)

Term 10

Week 1 – Ferreira* (September 15)
Week 2 – O'Connor* (September 22)
Week 3 – Melkonian* (September 29)
Week 4 – Hartman* (October 6)

Term 11

Week 1 – Breslin (October 13)
Week 2 – Platkin* (October 20)
Week 3 – McDonough* (October 27)
Week 4 – McNally (November 3)

Term 12

Week 1 – Ferreira* (November 10)
Week 2 – O'Connor* (November 17)
Week 3 – Connolly* (Wednesday, November 23)
Week 4 – Melkonian* (December 1)

Term 13

Week 1 – Weinstein* (December 8)
Week 2 – Hartman* (December 15)
Week 3 – Platkin* (December 22)
Week 4 – Ryba (December 29)

*Acting Supreme Court Justice

**Supreme Court - Albany County
2016 Article 78 Special Term (Friday) Dates**

Term 1

Week 1 - January 8
Week 2 - January 15
Week 3 - January 22
Week 4 - January 29

Term 2

Week 1 - February 5
Week 2 - February 12
Week 3 - February 19
Week 4 - February 26

Term 3

Week 1 - March 4
Week 2 - March 11
Week 3 - March 18
Week 4 - March 25

Term 4

Week 1 - April 1
Week 2 - April 8
Week 3 - April 15
Week 4 - April 22

Term 5

Week 1 - April 29
Week 2 - May 6
Week 3 - May 13
Week 4 - May 20

Term 6

Week 1 - May 27
Week 2 - June 3
Week 3 - June 10
Week 4 - June 17

Term 7

Week 1 - June 24
Week 2 - July 1
Week 3 - July 8
Week 4 - July 15

Term 8

Week 1 - July 22
Week 2 - July 29
Week 3 - August 5
Week 4 - August 12

Term 9

Week 1 - August 19
Week 2 - August 26
Week 3 - September 2
Week 4 - September 9

Term 10

Week 1 - September 16
Week 2 - September 23
Week 3 - September 30
Week 4 - October 7

Term 11

Week 1 - October 14
Week 2 - October 21
Week 3 - October 28
Week 4 - November 4

Term 12

Week 1 - (Thurs) November 10
Week 2 - November 18
Week 3 - November 25
Week 4 - December 2

Term 13

Week 1 - December 9
Week 2 - December 16
Week 3 - December 23
Week 4 - December 30

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II. RULES (POLICIES) OF JUDGES AND JUSTICES WITH IAS CASELOAD*

Hon. George R. Bartlett, III	Hon. Richard J. McNally, Jr.
Hon. Thomas A. Breslin	Hon. Mark M. Meddaugh
Hon. Christopher E. Cahill	Hon. Michael Melkonian
Hon. Andrew G. Ceresia	Hon. Marianne O. Mizel
Hon. Catherine Cholakis	Hon. Richard L. Mott
Hon. Gerald W. Connolly	Hon. Jonathan D. Nichols
Hon. Raymond J. Elliott, III	Hon. Kimberly A. O'Connor
Hon. James H. Ferreira	Hon. Richard M. Platkin
Hon. Lisa M. Fisher	Hon. Christina Ryba
Hon. James P. Gilpatric	Hon. Stephan Schick
Hon. Denise Hartman	Hon. Charles M. Tailleir
Hon. Richard M. Kowweek	Hon. Margaret T. Walsh
Hon. Frank J. LaBuda	Hon. David A. Weinstein
Hon. Roger D. McDonough	Hon. Mary M. Work
Hon. Anthony McGinty	Hon. Debra J. Young
Hon. Patrick J. McGrath	Hon. Henry F. Zwack
Hon. Michael F. McGuire	

*Individual Chambers rules may be available on the Third Judicial District website

A. CASE INITIATION AND ASSIGNMENT PROCESS

A litigant shall first pay for an index number and a request for judicial intervention in the County Clerk's Office in the county of the venue of the case and then file the request for judicial intervention in the Supreme Court Clerk's Office. The Chief Clerk shall assign a consecutive number to each request for judicial intervention. This will become the case identification number. The index number, the request for judicial intervention number and the assigned justice's name shall appear on all subsequent papers filed with the Court. With the exception of those matters specified for Special Assignments, all contested matters will be assigned to an IAS Justice. If there is any question, the Clerk shall refer the matter to a justice for determination.

The District Administrative Judge will:

- a) Make case assignments when judges are disqualified;
- b) Reassign cases if IAS Justice will be absent for a lengthy period;
- c) Assign cases to Acting Justices of the Supreme Court and Judicial Hearing Officers; and
- d) Adjust assignment patterns to insure equal distribution of cases.

B. MOTION PRACTICE

Motion Filing Fee: In general, any filing subsequent to the commencement of an action which is designated as a motion or cross-motion requires the payment of a filing fee to the County Clerk's Office prior to submission to the Supreme Court Clerk's Office for referral to the assigned justice. The fee is assessed regardless of whether an application is made by notice of motion, order to show cause or ex parte. No fee will be charged upon the filing of a motion for poor person status in conjunction with an application which serves to commence an action or special proceeding. In the event a motion is received by the court unaccompanied by proof of payment to the County Clerk, the Supreme Court Clerk's Office will contact the submitting party to advise that the application will be held pending receipt of the filing fee only until the return date of the motion. If proof of payment is not submitted to the Supreme Court Clerk's Office by the return date (ex parte applications will be held ten days), the papers will be returned by mail with a notification that the motion has been removed from the court's calendar and that it must be re-noticed and re-filed with the court along with the requisite filing fee. Inquiries concerning the applicability of the motion fee to a proposed filing may be directed to the Supreme Court Clerk's Office.

All motions shall be returnable before the assigned justice. Supreme Court Justices are sitting at "All Purpose Terms of Court" at all times, therefore, all motions, except for certain matters in Albany County as specified below, brought on by notice of motion or by order to show cause will be made returnable on any day, Monday through Friday, as chosen by the movant in compliance with the CPLR. Parties shall submit all papers in a timely fashion as required by the CPLR by delivering them or mailing them directly to the Supreme Court Clerk's Office (see Section 202.8 of Uniform Rules for Supreme and County Courts [22 NYCRR 202.8]), except that motions and other applications subject to a filing fee shall first be presented to the County Clerk's Office for payment of the requisite fee and then subsequently filed with the Supreme Court Clerk's Office.

All motions made returnable in a county other than the county of the venue of the case shall be forwarded by the Chief Clerk of that court to the Chief Clerk of the county of the venue of the case to be submitted to the justice assigned to the case as herein provided, except that where a motion is brought pursuant to CPLR 5221(a)(4) seeking the enforcement of a judgment (i.e., contempt of court) in a county in which the judgment debtor resides, is employed, or has a place of business, which is a county other than that where the judgment was initially entered, the motion shall be put on a county court motion calendar of the county where it was made returnable, provided an index number and RJI number have been obtained in the county of original venue. Upon determination of the application, all papers will be returned for filing to the county of original venue and the case remitted for further proceedings as may be necessary.

All motions are deemed “submitted” on the return date and no appearances are required by the parties. A party may request oral argument on a motion by indicating such request on the first page of the notice of motion, order to show cause, or answering papers in the area across from the caption of the action/proceeding. In the event oral argument is requested, the parties should not appear on the return date. At the discretion of the assigned Judge and upon the granting of a request for oral argument, the parties will be notified by Chambers of the scheduled time and place at which argument will be heard. Where a motion is brought on by order to show cause, the court may set forth in the order that appearances and/or oral argument are required on the return date of the motion.

An application for the issuance of an order to show cause to punish for contempt shall be made directly to the assigned justice or judge who signed the judgment or order which is the subject of the contempt application. In a situation where there is no assigned justice or judge, the Chief Clerk shall, upon receipt of a request for judicial intervention (if one is required), assign a justice or judge and the applicant shall then make the application directly to the assigned justice or judge. If the assigned justice or judge is unavailable, any other justice or judge may issue the Order to Show Cause, returnable before the assigned justice or judge, at a date and time when the assigned justice or judge will be available.

Prior to submitting an order to show cause which contains an application for temporary injunctive relief, an applicant must comply with section 202.7 (f) of the Uniform Civil Rules for Supreme and County Courts [22 NYCRR 202.7 (f)]. A justice or judge who signs an order to show cause which contains a stay or temporary restraining order may, if appropriate, require a hearing on short notice to determine if the stay or TRO should be continued until the return date before the assigned justice or judge.

Prior to the submission of a notice of motion relating to disclosure or a bill of particulars, the parties must make a good faith effort to resolve the matter in question and submit an affirmation attesting to this good faith effort. The affirmation of good faith effort to resolve the issues raised by the motion shall indicate the time, place and nature of the consultation and the issues discussed and any resolutions, or shall indicate good cause why no such conferral with counsel for opposing parties was held. An assigned justice or judge may dismiss a motion for failure to demonstrate that such effort was made with leave to renew the motion after such effort has been demonstrated.

C. PRELIMINARY CONFERENCE AND CERTAIN SETTLEMENT CONFERENCES

1. For actions that do not involve residential foreclosures, see Section 202.12 of Uniform Civil Rules for the Supreme and County Courts [22 NYCRR 202.12].
2. For actions regarding residential foreclosures, see Section 202.12-a of Uniform Civil Rules for the Supreme and County Courts [22 NYCRR 202.12-a].

D. SPECIAL ASSIGNMENTS

Any available Supreme Court justice present may perform the following functions. The Chief Clerk's office will assist in the referral of these matters to the appropriate justice or judge.

- a) Hold mental health hearings (except for Albany County);
- b) Impanel Supreme Court Trial and Grand Juries and receive Grand Jury Reports;
- c) Entertain orders to show cause;
- d) Entertain temporary restraining orders;
- e) Hear requests for emergency medical services;
- f) Entertain infant settlements;
- g) Entertain bail applications;
- h) Handle Writs of Habeas Corpus;
- I) Perform marriages;
- j) Handle emergency-type matters.

In any county, during periods when no Supreme Court trial term is in session in that county, any county-level judge may perform such functions if permitted by law.

E. ALBANY COUNTY SUPREME COURT-COMMERCIAL DIVISION

The Commercial Division of the Albany County Supreme Court exercises jurisdiction over selected business and commercial disputes in which the amount at issue generally involves damage claims in a minimum amount of \$50,000.00 as well as claims for unspecified amounts where the value of the commercial asset(s) in dispute exceeds \$50,000.00. A separate publication promulgating the rules and criteria relating to the filing and management of Commercial Court cases in this part may be obtained from the Albany County Supreme Court Clerk's Office. A section of the Uniform Civil Rules for the Supreme Court and County Court sets forth statewide rules.

F. ALBANY MOTION TERMS

There shall be a Mental Hygiene Calendar each Thursday and a Motion Term on each Friday in the Supreme Court, Albany County. The Friday Motion Term shall include all Article 78 Proceedings involving New York State and proceedings commenced pursuant to Article 14 of the Civil Service Law (including applications for injunctive relief made pursuant to section 209-a of the Civil Service Law). All non-State Article 78 proceedings commenced in Albany County shall be assigned at random on the "wheel" to the IAS Justices to whom Albany County cases are assigned. Generally, parties will be granted only one adjournment for the Friday Motion Term. Requests for an adjournment of the proceeding or an extension of time in which to submit papers must be made in writing to the Supreme Court Clerk's Office for referral to the assigned justice or judge for consideration. Upon the request and consent of all parties to an Article 78 proceeding, a petition may be "marked off" the calendar and re-noticed for a subsequent motion term. When a motion to dismiss the petition in an Article 78 is denied by the assigned justice or judge, the matter shall be re-noticed to be heard before the same assigned justice or judge.

G. ALL ELECTION LAW CASES

All proceedings commenced pursuant to Article 16 of the Election Law shall be made returnable in the county in which the decision sought to be reviewed was made. In the event a hearing is required to determine a proceeding under the Election Law, the IAS Justice may, in the exercise of discretion, transfer the matter to a trial term in the county in which the proceeding is pending.

All orders to show cause bringing on a proceeding under the Election Law shall be made returnable within ten (10) days (or sooner if necessary) and all arguments, hearings and decisions shall be expedited to insure that appeals from the trial court can be heard in a timely fashion according to the schedule set annually by the Appellate Division, Third Department.

H. TRIAL ACTIVITY

1. Day Certain Assignment Process

An IAS assigned justice shall manage all cases assigned to the point of trial readiness at which time a note of issue shall be filed indicating that the case is ready for trial. The note of issue shall be forwarded to the IAS Justice who shall set the matter down for a conference and give the matter a day certain. The IAS Justice shall inform the Chief Clerk that the matter has been certified for trial, which letter shall also confirm the day certain. In determining the particular day certain, the IAS Justice shall first ascertain the availability of the specific date from the Chief Clerk's Office which shall maintain a calendar for the purpose of scheduling days certain. In Albany County, the maximum number of days certain scheduled shall be ten (10) jury cases on Mondays, six (6) jury cases on Tuesdays and four (4) non-jury cases on Wednesdays. In Ulster County the maximum number of days certain shall be ten (10) jury cases on Mondays, and four (4) non-jury cases on Wednesdays. In Rensselaer County, the maximum number of days

certain shall be six (6) jury cases on Mondays, and three (3) non-jury cases on Wednesdays. In Sullivan County, the maximum number of days certain shall be four (4) jury cases on Mondays and three (3) non-jury cases on Wednesdays. In Greene County, the maximum numbers of days certain shall be four (4) jury cases on Mondays and two (2) non-jury cases on Wednesdays during each trial term. In Columbia and Schoharie Counties, the maximum number of days certain shall be four (4) jury cases on Mondays and two (2) non-jury cases on Wednesdays during each trial term.

Prior to the beginning of each trial term, the Chief Clerk shall prepare the day certain calendar for that particular term setting forth all appropriate information including the name of the case, date of trial and attorneys representing the various parties. Said calendar shall be provided to the Part I Justice at least one day prior to the calendar call.

Applications for adjournment of a scheduled trial date shall be addressed to the IAS Justice until the commencement of the trial term for which the case has been set down for trial. Once a trial term has commenced, applications for adjournment of the trial of a case, scheduled to be tried during that trial term, shall be addressed to the Part I Trial Justice only.

2. Part I Justice

The Part I Justice/Judge assigned to each respective county is the duty judge for that particular term. In addition to conferencing each case assigned for trial in advance of the day certain, the Part I Justice/Judge shall keep in close communication with the Chief Clerk and the Commissioner of Jurors so as to ensure that only the necessary number of prospective jurors are called in.

Every effort should be made to have the attorneys involved consider non-jury trials, if appropriate, and the use of Judicial Hearing Officers, as available. The back-up trial justices/judges assigned to each term will be assigned as needed to trials by the Part I Justice. Once the list of back-up trial justices/judges assigned to that term has been exhausted, the Part I Justice/Judge shall communicate with the other Part I Justices/Judges in the District, or in the alternative, the District Administrative Judge, so as to utilize every available back-up trial justice/judge for any particular trial need in the District. Where the need arises and their schedules permit, Part I Justices are also expected to try cases on their Part I calendar. If, after all of the aforesaid options are exhausted, the Part I Justice still cannot find an available trial justice, the District Administrative Judge should be consulted so that all available resources can be considered, including, but not limited to, the use of available county level judges as Acting Supreme Court Justices on a case-to-case basis.

All ex parte matters, orders to show cause in unassigned cases, and other miscellaneous matters (including welcoming trial jurors) should be referred by the Chief Clerk's office to the Part I Justice.

The Part I Justice/Judge, in the event a particular case assigned a day certain is not ready for trial, shall either give the matter a future day certain or shall strike the note of issue and return the case to the assigned IAS Justice/Judge, whichever procedure is appropriate in the Part I Justice's opinion. Under no circumstances will a case be marked over the term without a new day certain. Furthermore, no case with a day certain shall be put over the term due to the unavailability of a trial justice without consultation with the District Administrative Judge. In the event the case is returned to the IAS Justice, that Justice shall approve the filing of a new note of issue, without costs, when the case is ready for trial and shall assign a new day certain. If a jury fee was paid, it will not be required to be paid again.

All preference cases shall be appropriately designated and the preference shall be honored by the Part I Justice.

All motions made after a case has been assigned a day certain shall be referred to the IAS Justice unless the motion is returnable during the term in which the matter has been assigned a day certain, in that event, the matter will be referred to the Part I Justice for that particular term who may entertain the motion or refer such motion to the IAS Justice. Under those circumstances, the Part I Justice shall decide whether or not to strike the note of issue or assign the matter a new day certain.

3. Jury Selection in Civil Cases

The Part I Justice assigned to each county, or a justice/judge or Judicial Hearing Officer designated by the Part I Justice shall preside at the commencement of the voir dire and determine, in his or her discretion, whether in-court supervision should continue over all or a portion of the remainder of the voir dire.

The Part I Justice, or a justice/judge or Judicial Hearing Officer designated by the Part I Justice, shall determine, in his or her discretion, after consultation with the attorneys for the parties where appropriate, the period of time to be afforded each party for jury selection.

The attorneys conducting the voir dire shall utilize juror questionnaires furnished by the Commissioner of Jurors prior to the commencement of the voir dire.

All prospective jurors (six plus the agreed upon number of alternates) will be selected at random from the panel and seated in the jury box. Unless there is consent of all parties and the presiding justice/judge to designate alternates, the jurors selected will not be designated. The attorney for plaintiff will first examine

these prospective jurors followed by the attorney for defendant. If there are additional parties, each party will examine the potential jurors in the order they are named in the pleadings.

After the prospective jurors have been examined by counsel for all parties, counsel will advise the clerk of the court or the court of any peremptory challenges on an alternating basis, in the same order as was followed for the examination. (For example, if there are two parties, plaintiff makes the first challenge, then defendant makes the second challenge, then plaintiff makes the third challenge, defendant makes the fourth challenge, etc.). If a party fails to make a peremptory challenge when it is that party's turn to do so, that party may not thereafter make a peremptory challenge as to that group of jurors.

Once a party has stated that a juror is satisfactory or has failed to exercise a peremptory challenge after having the opportunity to do so, the party cannot exercise a peremptory challenge as to that prospective juror. Challenges for cause may be made at any time.

Any seats vacated because of the exercise of peremptory challenges will then be filled, and the examination of peremptory challenge procedure will be repeated as to the newly seated prospective jurors only. The process will continue until a complete jury has been selected.

After all parties state that the jurors then seated are satisfactory, the jury will be sworn and the trial will commence.

4. Trial Rules and Special Directives

- a. Prior to jury selection, marked pleadings, copies of the bills of particular and the demands therefor, discovery responses and the demands therefor, and expert reports shall be presented to the court.
- b. Prior to jury selection, a list (without the charge) of Pattern Jury Instructions ("PJI") jury requests citing the section numbers and title of the PJI jury charge should be available to the court.

Other requests shall be typed on separate sheets with appropriate sources or citations. A charge conference will be held prior to summations.

- c. Prior to jury selection, each party shall provide the court and opposing counsel with a one-page statement of the party's contentions and a list of witnesses to be called at trial.
- d. Experts who testify at trial must bring with them to court their entire file and all documents considered in arriving at their opinion(s).
- e. All motions *in limine* should be in writing and should be prepared and

filed at the earliest possible time to the extent that the basis for these motions are known by a party and will arise during the trial of the action.

- f. Exhibits should be pre-marked by the court reporter. Counsel shall also confer prior to trial to determine if the admission into evidence of any exhibits will be stipulated, and advise the court of that prior to trial.
- g. Trial briefs are suggested if intricate evidentiary or trial issues are anticipated.
- h. Verdict sheets: Counsel shall cooperate to prepare an agreed upon verdict sheet. If that is not possible, then the parties shall submit separate proposed verdict sheets following the suggested forms in the PJI (see PJI Supplement Vol. 1B, 2:275 and 2:301). Each question shall be on a separate page.
- i. For good cause shown, and in the interest of justice, the court in which an action or proceeding is pending may waive compliance with any of these rules unless prohibited by doing so by statute or a Rule of the Chief Judge.

I. EXPERT DISCLOSURE RULE

Except as otherwise directed by the court, a party who has the burden of proof on a claim, cause of action, damage or defense shall serve its response to an expert demand pursuant to CPLR 3101(d) on or before the filing of the note of issue. Such party has until the filing of the note of issue to serve such response regardless of how early the demand is made. Any opposing party shall serve its answering response pursuant to CPLR 3101(d) within 60 days after the filing of the note of issue. Any amended or supplemental expert disclosure shall be allowed only with the permission of the court. Unless the court directs otherwise, a party who fails to comply with this rule is precluded from offering the testimony and opinions of the expert for whom a timely response has not been given.

The statutory stay for disclosure [CPLR 3214(b)] upon the service of a dispositive motion under CPLR 3211 shall not apply to the service of these expert responses.

The word “expert” shall include, but is not limited to, any physician, dentist, chiropractor, psychiatrist, psychologist, other health care provider of any specialty, economist, engineer, architect, lawyer, accountant, appraiser, rehabilitation counselor or other person who will testify concerning his/her qualifications and give opinions concerning the issues in the case. However, “expert” shall not include a treating physician or other treating health care provider whose record(s), and report(s) have been timely provided and whose testimony is limited solely to the contents of the records or reports provided. In the event that a treating physician or other treating health care provider is intending to testify as to matters not within the contents of the records or reports provided, then disclosure as an “expert” is required.

Any motion by a party to preclude, or limit expert testimony under this rule, must be made as soon as practicable but no later than forty-five (45) days after the party's receipt of the expert disclosure or the motion will be waived.

This rule does not apply to matrimonial actions.

J. PROCEEDINGS UNDER ARTICLE 81 OF THE MENTAL HYGIENE LAW

All applications for orders to show cause bringing on a proceeding for the appointment of a guardian pursuant to the Mental Hygiene Law shall be accompanied by a request for judicial intervention and shall be made returnable before the IAS Justice/Judge assigned to that proceeding.