

**HON. JOAN B. LEFKOWITZ  
INDIVIDUAL PART RULES  
(IAS)**

<b>Motion Clerk:</b>	Elizabeth Curtin	(914) 824-5304
<b>Law Clerk:</b>	Joseph P. Fogarty	(914) 824-5421
<b>Secretary:</b>	Suzanne C. Martinez	(914) 824-5421

**MOTIONS**

Motions are returnable at 9:15 A.M. on Fridays, except by order of this Court, by submission only. Permission is not necessary to make a motion.

There is no oral argument unless directed by the Court. All contentions should be in your papers.

Non-e-filed motions and ex-parte applications which require disposition by the Court, i.e., a decision, order, judgment, must have attached a stamped, self-addressed envelope.

**ADJOURNMENTS**

Adjournment requests must be made no less than 2 court business days before the scheduled date. The request must be made only by e-mail to: [ecurtin@nycourts.gov](mailto:ecurtin@nycourts.gov). It must indicate consent status. Adjournment requests must note the short title of the case (*Smith v. Jones*) and index number in the subject box of your e-mail. Stipulations of adjournment between counsel do not mean the case will be adjourned. Adjournments are not granted unless they are confirmed by the Court and comply with the above. Do not contact the Court to determine the status of an adjournment request; the Court will respond as soon as possible. Note that the party requesting the adjournment is responsible for notifying all parties of the status of the adjournment.

**TRIALS**

Prior to the commencement of a trial, counsel shall provide the Court with marked pleadings and fill out forms provided by the Court and inform the Part Clerk if there are subpoenaed records.

Requests to charge shall be submitted to this Court as directed at a conference immediately preceding trial. The charge will be

drawn from the Pattern Jury Instructions (PJI). A complete list of requested charges must be submitted. Unless counsel seek a deviation from the pattern charge or additions to the pattern charge, only the PJI numbers and topic need be submitted. Where deviations or additions are requested, the full text to such requests must be submitted together with any supporting law.

Verdict Sheet: Counsel shall jointly prepare a verdict sheet. If agreement cannot be reached, then each side shall present a proposed verdict sheet.

### **GENERAL**

Counsel who appear must be fully familiar with the case and have authority to enter into any agreement, either substantive or procedural, on behalf of their clients. Counsel should be on time for all scheduled appearances.

### **FAXES**

Faxes to Chambers are permitted only if copies are simultaneously faxed or delivered to all counsel (only as to IAS cases - not Compliance Cases) and pro se parties. The fax number is (914) 824-5862. Similarly, letters to the Court must indicate service on all parties.

### **SETTLEMENT/DISCONTINUANCE**

If an action is settled, discontinued or otherwise disposed, counsel shall immediately inform the Court by submission of a copy of the stipulation or other document evidencing the disposition.

### **E-FILING RULES AND PROTOCOL**

All parties should familiarize themselves with the statewide E-Filing Rules (Uniform Rule §§202.5-b and 202.5-bb available at [www.nycourts.gov/efile](http://www.nycourts.gov/efile)) and the Westchester County E-Filing Protocol available at [www.nycourts.gov/courts/9jd/efile/WestchesterCountyJointProtocols.pdf](http://www.nycourts.gov/courts/9jd/efile/WestchesterCountyJointProtocols.pdf)

General questions about e-filing should be addressed to the E-Filing Resource Center at (646) 386-3033 or [efile@nycourts.gov](mailto:efile@nycourts.gov)

Specific questions relating to local procedures should be addressed to the Civil Calendar Office at (914) 824-5300.

## **ELECTRONIC FILING**

All documents in mandatory e-filed cases, except documents subject to the opt-out provision of Section 202.5-bb of the Uniform Rules for the New York State Trial Courts, or documents subject to e-filing in which consent is being withheld, are to be filed through the New York State Courts E-Filing Systems (NYSCEF). All submissions to the Court, including proposed orders, proposed judgments and letters, must be electronically filed.

## **WORKING COPIES**

This Part **does not** require the submission of "working copies" of electronically filed documents.

## **NOTICE OF FILING**

Within 24 hours of e-filing a motion, a courtesy copy of said filing shall be sent to all counsel so that they can be aware of said e-filing, unless for good cause shown, notice of such e-filing is withheld.

## **SCHEDULING**

Counsel/parties should address questions about scheduling appearances or adjournments to the Part Clerk, Elizabeth Curtin, [ecurtin@nycourts.gov](mailto:ecurtin@nycourts.gov).

## **COMPLIANCE PART AND SETTLEMENT CONFERENCE PART**

No calls, faxes or correspondence should be directed to Chambers or the IAS Part Clerk relating to matters (discovery disputes, discovery motions) pending in the Compliance Part, Preliminary Conference Part, Trial Ready Part, Settlement Conference Part, Infant's Compromise Part, Wrongful Death Part, Medical Malpractice Part and the Environmental Claims Part. These rules are not applicable to matters pending in these parts.

Questions regarding Compliance Part matters may be emailed at [www.compliancewestchester@nycourts.gov](mailto:www.compliancewestchester@nycourts.gov).

Questions regarding Settlement Conference Part matters may be emailed at [www.settlementconferencewestchester@nycourts.gov](mailto:www.settlementconferencewestchester@nycourts.gov).

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