

PART 11 – RULES, PRACTICES AND PROCEDURES

JUSTICE MICHELE TITUS

Supreme Court of the State of New York, Civil Term

89-17 Sutphin Blvd., Jamaica, NY 11435

Part 11

Presiding Justice: Hon. Michele Titus
Principal Law Clerk: Linda V. Rampertab,
Esq.
Asst. Law Clerk: Jessica Orellana, Esq.
Part Clerk: Mr. Ramon Vega

Chambers: (718) 298-1459
Principal Law Clerk: (718) 298-1465
Asst. Law Clerk: (718) 298-1503
Part 11 Clerk/Courtroom: (718) 298-1371
Part 11 Email: QSCPART11@nycourts.gov

IAS Motion Support Office: (718) 298-1009
Ex Parte Support Office: (718) 298-1018
Trial Scheduling Part: (718) 298-1048
DCM Clerk's Office: (718) 298-1140

GENERAL

1. All questions regarding motions, adjournments, calendar calls, and scheduling should be made via email at QSCPART11@nycourts.gov and NOT to chambers.
2. Please notify the Court, especially while a motion is pending before Justice Titus, if the action has been settled, discontinued, and/or the motion has been resolved via email at QSCPART11@nycourts.gov, and copied to ALL parties to the action.
3. The parties are required to familiarize themselves with the new Uniform Civil Rules for the Supreme Court and the County Court. Please refer to this link [Uniform Civil Rules](#).
4. Part 11 is entirely an electronic part. Justice Titus does not accept working copies of motions/documents. DO NOT MAIL IN ANY COURTESY COPY OF PAPERS as they will be discarded.
5. For the most up-to-date information concerning the handling of matters before the 11th Judicial District Civil Term (Queens Supreme Court), please refer to: <http://ww2.nycourts.gov/courts/11jd/supreme/civilterm/index.shtml>.

COMMUNICATIONS WITH PART 11 AND CHAMBERS

1. Counsel and litigants (represented or self-represented) are advised that Justice Titus, her Principal Law Clerk, Assistant Law Clerk, and Part Clerk may not engage in any *ex parte* communications.
2. Absolutely no telephone inquiries concerning motions or applications may be made to chambers, such inquiries or concerns shall be addressed by calling (718) 298-1459 or via email at QSCPART11@nycourts.gov.
3. Do not send any letters, documents, papers, mail, or facsimile to the part or chambers, unless expressly permitted by these Practice Rules or by prior approval of the Court.
4. **All communications with chambers shall include all parties and Counsel.**

ELECTRONIC FILING

1. All cases in Part 11 are required to be electronically filed (e-filed) through the New York State Courts E-Filing (NYSCEF) system. Attorneys are expected to familiarize themselves with NYSCEF procedures. For more information about e-filing rules, go to: [Queens Supreme Court E-filing web page](#).
2. To convert a non e-file case to e-filing, the parties must execute a [Stipulation and Consent to E-filing Form](#) and send the completed and fully executed form to efile@nycourts.gov.
3. Please do not send courtesy copies of any documents that were e-filed to Chambers or the Part, except for the following:

Documents requiring Justice Titus's signature, including proposed orders and stipulations, which must be e-filed via NYSCEF **and** emailed to QSCPART11@nycourts.gov.

ORDERS TO SHOW CAUSE and EMERGENCY APPLICATIONS

1. All emergency applications must be accompanied by a separate "Emergency Affidavit" which does not pray for the underlying relief requested, but rather addresses:
 - (i) why the application must be heard forthwith, and
 - (ii) why the application could not have been brought to the Court's attention earlier.

2. Filing parties are advised to consult Uniform Rules for the New York State Trial Courts 202.7(f) concerning notification.
3. All emergencies and Orders to Show Cause applications assigned to Justice Titus shall be made returnable and heard on Mondays at 10:00 a.m.
4. All emergencies and Orders to Show Cause applications assigned to Justice Titus will be heard virtually via Microsoft Teams.
5. When making an emergency or Order to Show Cause application in a case assigned to Justice Titus, parties shall provide their email address(es) and direct telephone number by sending an email to the part at QSCPART11@nycourts.gov.
6. On the return date of an emergency application or an Order to Show Cause assigned to Justice Titus, all parties who want to be heard shall appear virtually via Microsoft Teams or telephonically as follows:
 - i. Virtually via Microsoft Teams:

[Click here to join Part 11 Motion and OTSC Conference](#)

- ii. Telephonically by calling: +1 (347) 378-4143, Phone Conference ID: 438 692 13#
7. For up-to-date information regarding Orders to Show Cause and *Ex-parte* Orders visit <http://ww2.nycourts.gov/courts/11jd/supreme/civilterm/exparte.shtml>.

INFANT COMPROMISE ORDERS

Applications for Infant Compromise Orders shall be made pursuant to CPLR §1207(a) and shall be supported by the documentation required under CPLR §1208 and 22 NYCRR §202.67. Applications submitted without the appropriate documentation will be denied. Infant compromise hearings will be scheduled by the Court and the parties will be notified of the hearing date by email.

All counsel desiring the checklist for documents and information that must be submitted should familiarize themselves with the instructions of an Infant's Compromise by clicking [here](#) .

MOTION CALENDAR CONFERENCES

1. Prior to resorting to motion practice, parties are strongly encouraged to schedule a virtual conference with the Court to resolve any ongoing non-dispositive or ancillary disputes. Counsel **MUST** be fully familiar with the matter in dispute and must have authority to bind their clients at the conference.

2. This rule does not apply to applications for counsel to be relieved or to dispositive motions, such as summary judgment motions.

MOTION CALENDAR

1. All motions shall be made returnable and heard on Mondays at 10:00 a.m. The motion calendar will be on submission only. Appearance is not required, nor are working copies required.
2. The movant and/or cross-movant will be required to **submit a Motion Submission Form** by email to QSCPART11@nycourts.gov **no later than two (2) business days [forty-eight (48) hours] prior to the calendared date and time.** The Motion Submission Form can be found by clicking on this link: [Motion Submission Form Link](#) .
3. Requests for adjournment: see adjournment section below.
4. Stipulations regarding pending motions must be e-filed at least two (2) business days [forty-eight (48) hours] prior to the calendared date and time.
5. The Court, upon its discretion, shall schedule oral arguments after submission of the motions. Any requests for oral argument must be indicated on the Motion Submission Form and will be held virtually via Microsoft Teams.
6. All motion papers submitted to the Court shall be in compliance with 22 NYCRR §202.5. In addition to the requirements of 22 NYCRR §202.5, all pages and paragraphs are to be numbered. **FAILURE TO COMPLY WITH THE REQUIREMENTS OF THIS SECTION MAY RESULT IN THE REJECTION OF THE NONCOMPLIANT SUBMISSION.**
7. The Court will not consider papers e-filed or sent to chambers, or to the Part, after submission of the motion or cross motion(s) without prior consent of the Court.

ADJOURNMENTS OF MOTIONS

1. Motions may be adjourned on consent provided a written stipulation signed by all parties, or Counsel for the parties, is submitted to the Part Clerk no later than two (2) business days [forty-eight (48) hours] prior to the calendared date and time via email at QSCPART11@nycourts.gov. All stipulations must be fully executed by all parties, or Counsel for the parties, consenting to the adjournment date. If the stipulation is signed by Counsel for the party, the stipulation must contain an affirmation by Counsel that said adjournment was approved by his/her client.

2. Applications for adjournments made less than two (2) business days prior to the scheduled date will be denied, except for a reason pursuant to Rules of Chief Administrative Judge Rule 125.1, medical emergency, other exigent circumstance, or unavailability of the Court. All adjournments are subject to final approval by the Judge in advance of a scheduled Court appearance as per this Part's Rules. Counsel or parties are required to confirm all adjournment requests prior to the scheduled court date via email to QSCPART11@nycourts.gov.
3. Absent extenuating circumstances, consent adjournments of motions shall be limited to **one (1)**. Thereafter, the parties **MUST** contact the Part via telephone at (718)298-1459 or email at QSCPART11@nycourts.gov to obtain the permission of the Court.

CONFERENCES AND DISCOVERY DISPUTES

1. At this time all conferences will be conducted virtually via Microsoft Teams.
2. Prior to filing a discovery-related motion, including, but not limited to Motions to Vacate the Note of Issue, Motions to Restore, Motions to Strike Pleadings, Motions to Demand Bill of Particulars, Motions to Preclude, the parties are directed to send an email to QSCPART11@nycourts.gov, copied to ALL parties, requesting a conference to be scheduled to discuss the need for motion practice. The email should include a summary of the discovery related problems necessitating the motion.
3. Prior to the virtual conference all parties must properly complete the Microsoft TEAMS scheduling form (see below hyperlink) and return same via email to QSCPART11@nycourts.gov.

[Microsoft Teams Scheduling Form](#)

4. If the parties are exploring settlement of the case and would like a settlement conference for the sole purpose of discussing resolution of the case, the parties may send an email to QSCPART11@nycourts.gov, copied to ALL, requesting a settlement conference.

PRELIMINARY and COMPLIANCE CONFERENCES (NON-MATRIMONIALS)

Please click on the following links: [Preliminary Conferences \(Updated 10/2020\)](#) and [Compliance Conferences Notice \(Updated 3/1/2022\)](#) for information regarding the Preliminary Conference Part and Compliance Conference Part.

VIRTUAL CONFERENCES – GENERAL PROTOCOL

1. All lawyers and litigants should identify themselves at the beginning of each appearance.
2. All microphones should be muted when not in use.
3. Courtroom rules apply-speak one at a time and do not interrupt other speakers, including the Judge.
4. Recording the proceeding by anyone other than the Judge, Court Reporter or other Court personnel, is **PROHIBITED**.
5. All appearing parties should make every effort to appear via video, with cameras turned on. Telephonic appearances should be limited to litigants who are unable to appear via video.
6. Maintain the decorum of an in-person courtroom. Lawyers and litigants should appear from an office or quiet space. Background noise is detrimental to the conditions necessary to ensure an accurate transcript and diminishes the decorum of the proceeding.
7. If an individual is unable to appear via video, that individual should contact the part email QSCPART11@nycourts.gov or call chambers at (718) 298-1459.

TRIALS

1. Upon assignment to Part 11, all parties appearing for trial must be familiar with the case, ready, and authorized to participate in settlement discussions and/or proceed to trial.
2. All counsel must submit to the Court, prior to the commencement of trial, marked pleadings, copies of the bill of particulars, a witness list, an exhibit list, proposed jury instructions and a proposed verdict sheet via email at QSCPART11@nycourts.gov.
3. Motions *in limine* - On the first appearance in the Part for trial, any party intending to file a motion *in limine* must submit a brief written affirmation setting forth the nature of the application and any supporting statutory or case law. The party shall furnish the court with an original and one copy as well as provide a copy to all parties.
4. The trial will be conducted on a continuous daily basis until its conclusion. Tort actions are generally bifurcated. The Court expects that any trial on damages will follow immediately after a verdict in favor of liability.

5. No adjournments or delays during trial will be granted absent exigent circumstances.

VIRTUAL BENCH TRIALS

For Virtual Bench Trial Protocols and Procedures please click this link: [Virtual Bench Trial Protocols and Procedures Manual](#).

SUMMARY BENCH TRIALS

For more information on Summary Bench Trials please click this link: [Summary Bench Trials - 11 JD Queens Civil Supreme | NYCOURTS.GOV](#).

ALTERNATIVE DISPUTE RESOLUTION

1. If, at any point, the parties decide that they would benefit from the ADR program, they should write a joint letter to the Court asking to be referred to ADR. In that letter, they should state whether they prefer discovery to be stayed or continued during the mediation process.
2. The Court may also order parties to the ADR program without the parties' request or consent.
3. For more information regarding the ADR program, please visit: <http://ww2.nycourts.gov/courts/11jd/supreme/civilterm/adr/index.shtml> .

SETTLEMENTS AND DISCONTINUANCES

If an action is settled, discontinued or otherwise disposed of, the moving party on any pending motion that remains outstanding is directed to e-file via the NYSCEF system **and** email to QSCPART11@nycourts.gov a letter or stipulation withdrawing the pending motion. All stipulation of discontinuances must be accompanied by proof of filing with the County Clerk and payment of the appropriate fee pursuant to CPLR 8020(d)(1).

SUBPOENAS

A party seeking to have a subpoena signed by Justice Titus shall submit a courtesy copy of the subpoena to chambers via the part email at QSCPART11@nycourts.gov.

UNCONTESTED MATRIMONIALS AND MATRIMONIAL PRELIMINARY CONFERENCES

All submissions in connection with rejected uncontested matrimonial documents must be uploaded to NYSCEF and an email to Chambers at QSCPART11@nycourts.gov advising that you have done so. If you are unable to submit corrected documents via NYSCEF, call Chambers at 718-298-1459.

Effective April 25, 2022, Queens Supreme Court-Civil Term will resume in-person appearances at Matrimonial Preliminary Conferences.

The Matrimonial Preliminary Conference Parts will no longer email Orders or Preliminary Conference Order forms to the parties. Orders Directing Preliminary Conferences providing the date, time and room assignment of the conference will be e-filed in the NYSCEF system. The notice generated via the NYSCEF system is the only notice of the Preliminary Conference that the parties will receive from the Court.

Completed proposed Preliminary Conference Orders must be brought to the in-person conference. Preliminary Conference Order forms may be obtained on the Court's website or in the Matrimonial Preliminary Conference Part prior to the scheduled conference.

All parties and counsel must appear for the Preliminary Conferences.

Updated as of June 27, 2022