

Justice Phillip Hom
Part 14
25-10 Court Square, Ct. Rm 233
Long Island City, NY 11101

(Revised 8/12/22)

Clerk: (718) 298-1299

Chambers: (718) 298-1300 (You **MUST** e-mail the Part before calling Chambers)

Principal Law Clerk: Catherine McEneney (*Mac-N-Any*) Chan, Esq.

Assistant Law Clerk: Carolyn Lander, Esq.

Part 14 Clerk: Sara Seaton

Part 14 e-mail: QSCPart14@nycourts.gov

Motion Support Office (718) 298-1009

Ex Parte Support Office (718) 298-1018

GENERAL

- Part 14 is a Paperless E-Filing Part. All cases **MUST** be converted to e-filing unless a party provides a compelling reason why it is unable to e-file. The form to convert a case to e-filing is at: [Stipulation and Consent to E-Filing](#). Completed forms are sent to efile@nycourts.gov.
 - Do not send any courtesy copies to the Court. They will be sent to the recycling bin unread.
 - When filing motion papers, each document (e.g., each exhibit, affidavit, affirmation, etc.) **MUST** be uploaded separately with its own electronic filing number.
- In addition to the CPLR, other applicable statutes and these rules, parties must be familiar with the [Uniform Civil Rules for the Supreme Court and the County Court](#).
- Counsel shall advise the Court at least three days in advance of any proceeding where an interpreter is needed.
- **NO EX PARTE COMMUNICATION WITH THE COURT.**
 - To avoid ex parte communications, you **MUST** communicate with the Court by e-mail QSCPart14@nycourts.gov, copying all parties.
- The Court strongly encourages the active participation of underrepresented, women and junior attorneys in all court proceedings, including conferences, oral arguments and at trial.

VIRTUAL PROCEEDINGS

During virtual proceedings, the parties **MUST** maintain the decorum that exists in all courtroom proceedings. Specifically, the parties **MUST** appear in professional attire, minimize distractions in their environment, use video as well as audio equipment, and mute their microphones when other parties are speaking.

If an interpreter is needed for a witness, you **MUST** notify the Court at least 48 hours in advance of the proceedings, and a virtual interpreter will be provided. All documents and evidence **MUST** be e-mailed to the Court and all parties prior to the proceedings. No attorney, party or spectator is permitted to record any virtual proceedings.

PRELIMINARY CONFERENCES

A preliminary conference shall be scheduled (1) automatically by the court within 45 days after filing a Request for Judicial Intervention, pursuant to 22 NYCRR 202.12(b); or (2) an appropriate notice is filed in medical malpractice or certiorari cases pursuant to 22 NYCRR 202.56 and 202.60; or (3) automatically by the court pursuant to 22 NYCRR 202.12(j). Until further notice, PC Orders are being automatically issued without the necessity of an appearance; however, please refer to specific rules of the [Preliminary Conference Part](#).

Preliminary conferences are NOT held in this Part. Do NOT contact this Part with questions regarding preliminary conferences. You MUST contact the Preliminary Conference Part.

COMPLIANCE CONFERENCES

The Compliance Conference Part is automatically generating Compliance Conference Orders. For more information, please refer to the specific rules of the [Compliance Conference Part](#).

Compliance conferences are NOT held in this Part. Do NOT contact this Part with questions regarding compliance conferences. You MUST contact the Compliance Conference Part.

MOTIONS

All motions shall be made returnable and heard virtually through Microsoft Teams on **Thursdays at 9:30 a.m.** Failure to notice a motion with the designated

courthouse, Part, day, and time may result in the motion being marked off calendar or denied without prejudice. Oral arguments may be required in the discretion of the Court. The Microsoft Teams Link to the Motion Calendar is: [Part 14 Motion Calendar](#).

Appearances are mandatory for ALL motions and applications. Any attorney appearing on a case for any purpose **MUST** be familiar with the case and authorized to resolve any and all issues, including settlement. Please note that this Part does NOT take motions on submission only—an appearance is required.

The Court may administratively reschedule any application or motion. Information about the rescheduling will be available on e-Courts. If the Court administratively reschedules, the movant will be responsible for notifying all parties of the rescheduled date and providing proof of the same to the Court on the rescheduled adjournment date.

If a motion is marked off or “denied without prejudice with leave to *refile*,” for noncompliance with the Part Rules, a new motion for the original relief sought may be filed in accordance with the Part Rules. A motion to Restore, Renew or Reargue is NOT required.

The parties shall notify the Court **immediately** when withdrawing any pending motion or application because the matter is settled or discontinued. Stipulations of settlement or a discontinuance shall immediately be e-mailed to QSCPart14@nycourts.gov and e-filed.

No Sur-Reply papers shall be accepted without the express permission of the Court.

No supplemental or additional papers shall be accepted after a motion is marked fully submitted without the express permission of the Court.

Motions to renew and/or reargue shall contain a copy of the Court’s original decision and cite the NYSCEF numbered papers submitted in support of the original motion. Failure to comply with the requirements of this section may result in the rejection of the motion.

Motions relating to discovery require appearances by all parties. Parties must speak with one another prior to the return date in an attempt to resolve the dispute.

Letters and/or correspondences in lieu of a motion, order to show cause, etc. will not be entertained or acknowledged.

Adjournments

A matter may be adjourned on consent by stipulation. Such stipulation must contain the signatures of all appearing parties and shall be e-filed and e-mailed to Chambers at QSCPart14@nycourts.gov at least 48 hours before the return date.

All stipulations for adjournments must include a briefing schedule (if applicable) and the reason for the adjournment.

If a party does not consent to an adjournment and will not sign a stipulation, then the application must be made at the virtual motion calendar call.

Please note that the stipulated adjourn date is merely a requested date. If the requested adjourn date is unavailable, the Court will adjourn it to the next available Thursday—under those circumstances, the Court’s later adjourn date does NOT affect the **stipulated briefing scheduling** (e.g., a stipulation states that opposition is due by August 11, 2022, and the adjourn date is August 18, 2022; however, the Court adjourns the motion to September 8, 2022. The opposition is still due on August 11, 2022).

Multiple requests for adjournment will be granted sparingly in the Court’s discretion.

STATUS OF DECISIONS

Decisions or orders will be available on NYSCEF or at the County Clerk’s office located in the Jamaica Courthouse, Room 106. Do **NOT** call Chambers about the status of a motion or application decision.

INFANT COMPROMISE ORDERS

Before submitting a proposed infant compromise order, counsel shall review the infant compromise checklist at [ICO CheckList2.PDF](#) to ensure the submission of all necessary information and documentation. The Court will schedule the infant compromise virtual hearing and the plaintiff’s attorney will be informed of the date and time. The infant and the infant’s guardian **MUST** appear at the virtual hearing.

UNCONTESTED MATRIMONIALS

Although preferred, these are the only type of papers not required to be e-filed. Uncontested matrimonial papers are filed with the appropriate Clerk in the Jamaica courthouse. Papers will be reviewed in the Part and those requiring corrective action or additional documents **MUST** be corrected or submitted within 30 days of receipt of the request for addition information letter or Uncontested Matrimonial Submission Checklist. Corrected papers **MUST** be mailed and e-mailed directly to Chambers or hand delivered to Part 14. If corrected papers are not submitted within 30 days, the case may be dismissed without prejudice.

ALTERNATE DISPUTE RESOLUTION

If you believe your case may benefit from Alternative Dispute Resolution, please visit [Alternative Dispute Resolution \(ADR\) | NYCOURTS.GOV.](https://www.nycourts.gov/alternative-dispute-resolution/)

TRIALS

If your trial is assigned to Part 14, the Court shall schedule a pretrial conference where the following may be discussed:

- The status of the case
- Settlement
- Scheduling
- Any special needs such as interpreters, easels, blackboards, shadow boxes, television, subpoenaed material, etc.

The Court will send an e-mail to the parties requesting witness lists, exhibit lists, proposed jury instructions, proposed verdict sheet, and any caselaw and/or statutory provisions which any party will rely upon, both redacted for relevancy and in their original form and other documents as requested by the Court.

- Parties making motions in limine **MUST** submit a memorandum of law in support. The movant shall e-mail the memorandum of law to the Court and counsel for all parties.
- If the proposed jury instructions are verbatim from the Pattern Jury Instructions (“PJI”), only PJI numbers are necessary.
 - If a PJI provides wording options, you must provide the chosen wording.
 - If a PJI is being modified, the exact language must be submitted together with the appropriate authority for the modification.

- **NOTE: the PJI was updated in December 2021. You MUST verify that you are using the updated numbers, which can be found on Westlaw.**

Counsel shall inform the Part Clerk of any special needs, e.g., interpreter, easels, blackboards, shadow boxes, television, subpoenaed material, etc., as soon as possible to avoid any delays in the trial.

The Court strongly encourages parties to pre-mark trial exhibits for identification and, where possible, stipulate to the admissibility of clearly admissible documents and records.

Tort actions are generally bifurcated. The Court expects any trial on damages will follow immediately after a verdict finding the defendant(s) liable. Trials will be conducted on a continual basis until conclusion. No adjournments during the trial will be granted unless exigent circumstances arise.

SETTLEMENT AND DISCONTINUANCES

If an action is settled, discontinued or otherwise disposed of, counsel shall immediately notify the Court by e-mailing the stipulation of settlement or a letter directed to QSCPart14@nycourts.gov. All stipulations of discontinuance must be accompanied by proof of payment of the appropriate fee (CPLR 8020 [d] [1]). If there are any open or pending motions at the time of settlement, then the movant must e-file and e-mail this Part a letter withdrawing such.