

UPDATED RULES for PART 19 – REMOTE ACCESS

Courtroom 44: VIA SKYPE/REMOTE CONFERENCE

Presiding: Honorable Pam Jackman Brown, JSC

Chambers Phone: (718) 298-1653

Email: QSCPART19@nycourts.gov

EFFECTIVE IMMEDIATELY

All appearances shall be by remote access via Skype for Business as provided below until further notice.

Pursuant to Administrative Order AO-115-20/NYSCEF, all filings and documents must be e-filed through the New York State Court Electronic Filing (NYCEF) System.

CONTACT: All communication and correspondence with the Court must be done by email to QSCPART19@nycourts.gov or by telephone at **718-298-1653**. **The Court is not accepting any correspondence via mail or fax.**

APPEARANCES AND COMMUNICATION

All appearances must be in accordance with the CPLR and all appropriate document(s) such as a Notice of Appearance shall be properly e-filed with the Office of the County Clerk and the NYCEF System (AO-115-20).

CHANGE OF ATTORNEY: Upon withdrawal of an attorney, there must be a properly filed Consent to Change Attorney e-filed with the Office of the Queens County Clerk and NYCEF System (AO-115-20).

There shall be **NO** ex parte communication with the Court. Attorneys must copy their adversary on all email correspondence to the Court.

MODE OF CONDUCT: Electronic devices such as beepers, cellular phones, radios, iPads, tablets, laptops or any other similar electronic devices shall be placed on **MUTE** during **ALL** remote/virtual conferences with the Court, unless necessary to use for the purposes of accessing

the Court.

All recording devices must be turned off when communicating with the Court and during Skype conferences with the Court. There is absolutely no permission to record any virtual proceeding. Upon request, a Court Reporter may be available with the permission of the Court.

MANDATORY CONFERENCE: All conferences scheduled by the Court are mandatory and all Counsel must be readily available for the conference once scheduled. A Skype Scheduling Conference form shall be sent to Plaintiff's Counsel which shall be completed and return to the Court before the scheduled Skype or telephone conference with the Court. Plaintiff's counsel shall provide the Court with the email addresses of **all attorneys involved in the case.**

Counsel may make a request for a conference to the Part via email, and such request shall be determined by the Court based upon review and necessity.

COMMUNICATION WITH CHAMBERS

Counsel **SHALL NOT** call Chambers to check on the status of any Notice of Motion/Order to Show Cause. All requests shall be made via email to QSCPART19@nycourts.gov on notice to all counsels/parties.

NOTE: Courtesy copies of Decisions and/or Orders will NOT be sent to counsel. All such documents must be retrieved from NYSCEF.

PRELIMINARY and COMPLIANCE CONFERENCES

All inquiries regarding Preliminary and/or Compliance Conferences, including adjournment requests, **MUST** be addressed to the appropriate Conference Part.

MOTION PROCEDURE

All motions shall be made returnable and heard on **Mondays** at **9:30 a.m.** This is a submission calendar only. No appearance or working copies are required. All information for motion dates must be obtained via NYSCEF or eCourts.

Oral arguments: The Court, upon its discretion, shall schedule such arguments after the

submission of the motions.

Discovery Motions: Pursuant to Administrative Order dated June 22, 2020, **all Discovery related motions are strongly discouraged. On any discovery related motion or application, attorneys are encouraged to conference the issues among themselves with the expectation that the issues will be resolved by stipulation.** All stipulations must indicate that the motion, and any cross motion, is/are being withdrawn pursuant to the stipulation and must be signed by the attorneys and e-filed prior to the scheduled time and date of the calendar. Any items of discovery not specifically identified as outstanding at the time of the stipulation resolving the motion are deemed waived.

No motion relating to disclosure or a Bill of Particulars will be accepted without an affirmation of good faith, as set forth in Uniform Rule 22 NYCRR 202.7.

MOTION PAPERS

All motion papers **MUST** be made in compliance with 22 NYCRR 202.5, 202.7 and 202.8, concerning papers e-filed with the Court pursuant to AO-115-20.

NOTE: All pages and paragraphs are to be numbered.

All exhibits **MUST** have a numbered exhibit tab and be properly separated.

All motion sequence numbers must be on the first page of all submissions.

Papers: All Motions, Orders to Show Cause, Response Papers, and Applications, **MUST** be properly e-filed.

Rejection: Failure to comply with the requirement of this section may result in rejection of the papers submitted to the Court.

RESPONSE PAPERS: All responsive papers shall be e-filed pursuant to CPLR and other applicable statutes. There is no submission of papers after the motion date unless permission was specifically granted by the Court. All responsive papers shall be served in accordance with the applicable statutes.

SUR-REPLY: There is no Sur-Reply papers or additional papers without express permission of the Court.

RENEW/REARGUE: Motions to renew and/or reargue shall contain a copy of the Court's

original decision and copies of all papers submitted in support of the original motion.

MOVING PAPERS: must be in accordance with Uniform Rule 22 NYCRR 202.7, other applicable rules/statutes and this Part's Rules.

ORDERS TO SHOW CAUSE: must comply with Uniform Rule 22 NYCRR 202.7(d), other applicable rules/statutes and this Part's Rules.

ADJOURNMENTS

Stipulations requesting a consent adjournment or withdrawing a motion must be made **no less than (2 business days) 48 business hours prior** to the return date **via email to QSCPART19@nycourts.gov** and e-filed pursuant to AO-115-20/NYSCEF.

Applications for adjournments made less than two 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 QSCPART19@nycourts.gov**.

EX PARTE ORDERS

All ex parte orders must be e-filed with the Ex Parte Support Office prior to judicial review and signature.

SETTLEMENT/DISCONTINUANCE

If an action is settled, discontinued or otherwise disposed of, counsel shall immediately inform the Court by submission of a copy of the letter on notice to all adversaries, **via email to QSCPART19@nycourts.gov** and e-filed via AO-115-20/NYSCEF.

All Stipulations of Discontinuance must be accompanied by proof of payment of the appropriate fee and **e-filed pursuant to AO-115-20/NYSCEF**.