

# *Civil Term - Part Rules, Part 20, Courtroom 313*

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Justice Mojgan C. Lancman  
Part 20  
Courtroom 313  
(718) 298-1093  
[QSCPART20@nycourts.gov](mailto:QSCPART20@nycourts.gov)

All inquiries as to case or calendar status must be made to the appropriate clerk's office.

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

## Preliminary Conferences

**THERE ARE NO APPEARANCES FOR PRELIMINARY CONFERENCES BEFORE JUSTICE LANCMAN.**

**PRELIMINARY CONFERENCE ORDERS ARE GENERATED AUTOMATICALLY.**

Please refer to the rules of the [Preliminary Conference Part](#) and [Compliance Part](#).

### QUESTIONS:

Notwithstanding any Preliminary Conference Order to the contrary, virtual conferences requests to resolve discovery disputes related to the Preliminary Conference Order, or applications to modify the discovery schedule set by the Preliminary Conference Order, should be made to the assigned IAS Judge or the Compliance Part.

Questions concerning the scheduling of a Preliminary Conference date and the status of an Order should be directed to [QUEENSPC@NYCOURTS.GOV](mailto:QUEENSPC@NYCOURTS.GOV).

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) upon filing a written Request for a Preliminary Conference with the Clerk's Office, Room 140, in compliance with 22 NYCRR 202.12(a); or (3) an appropriate notice is filed in malpractice or certiorari cases pursuant to 22 NYCRR 202.56 and 202.60; or (4) automatically by the court pursuant to 22 NYCRR 202.12(j).

## Discovery Disputes in Part 20

**PRE-MOTION CONFERENCES ARE REQUIRED FOR DISCOVERY DISPUTES:**

If the parties are unable to resolve a discovery dispute after a good faith effort, an application stating the nature of the dispute shall be made via email to [QSCPART20@nycourts.gov](mailto:QSCPART20@nycourts.gov) to schedule a pre-motion conference. All parties shall be included on all emails to the Court. A virtual conference will then be set down by the Court, and a Microsoft Teams link shall be emailed to the parties. If

the discovery dispute is not resolved at the conference, a briefing schedule will be issued for the making of a motion.

**No discovery motions shall be entertained unless** the parties have been granted leave to make the motion after the having a conference in Part 20 or in the Compliance Part before one of the Compliance Part judges.

See below for Rules pertaining to appearances concerning discovery motions.

## Motion Practice in Part 20

Any attorney appearing on a case for any purpose must be familiar with the case, prepared, and authorized to resolve any and all issues.

Direct all questions regarding motions to the Part Clerk at (718) 298-1093. Do not call chambers.

### **MOTION APPEARANCES:**

The Motion Calendar will be called promptly every Wednesday at 9:30 A.M. in Courtroom 313 and motions shall be noticed accordingly. See below for whether an appearance is required.

**EFFECTIVE FEBRUARY 6, 2023: An in-person appearance for Part 20's calendar call is mandatory for all discovery-related motions only.** The calendar call shall take place every Wednesday at 9:30 A.M. in Courtroom 313.

If the movant fails to appear, the motion will be marked off the calendar. The failure of opposing counsel to appear will result in the motion being marked fully submitted without opposition. The decision shall be rendered on default even if opposition papers are filed.

**To avoid an in-person appearance for a discovery motion,** a stipulation fully resolving the motion, withdrawing the motion, and specifying a discovery schedule must be submitted to [QSCPART20@nycourts.gov](mailto:QSCPART20@nycourts.gov) and e-filed, if appropriate, before the calendar call.

**If the parties cannot agree** on (1) whether to vacate the Note of Issue; or (2) a deadline to file the Note of Issue or a summary judgment motion, the parties may leave said dates blank in the submitted stipulation to be So-Ordered. The Court will fill in the dates.

**In general, if the motion is not a discovery-related motion, there is no appearance required.** If Justice Lancman decides to hear oral argument, a virtual Teams link will be sent in advance. If you have not received a link, there is no appearance. Do not call chambers if you have not received a link. Motion Submission Forms, however, are required (*see below*).

### **MOTION SUBMISSION FORMS:**

At least two business days prior to the return date of a motion, a Motion Submission Form shall be uploaded to NYSCEF and emailed to [QSCPART20@nycourts.gov](mailto:QSCPART20@nycourts.gov). The form can be found on the court's website. A Motion Submission Form must be submitted for every appearance on the calendar; otherwise, the motion will be marked off the motion calendar.

## **ADJOURNMENT REQUESTS:**

Adjournment requests can be made via the Motion Submission Form. If an adjournment is on consent, attach the Motion Submission Form to a fully executed stipulation to that effect. The stipulation and Motion Submission Form shall be e-filed **and** emailed to [QSCPART20@nycourts.gov](mailto:QSCPART20@nycourts.gov).

## **E-FILING:**

The parties are encouraged to convert non-e-filed cases to e-filing prior to engaging in motion practice so that applications can be heard promptly. E-filed motions must comply with 22 NYCRR 202.5-b. To view instructions on how to e-file, click [here](#), scroll down to “Supreme Court – Civil Term” and click “read more.”

## **Trials in Part 20**

### **SUMMARY JURY TRIALS**

For information concerning Summary Jury Trials please click [here](#).

Please be advised that once a case has been assigned by the Trial Scheduling Part to Part 20 as a regular trial, it cannot be converted to a Summary Jury Trial.

### **IN ADVANCE OF TRIAL:**

Prior to the commencement of trial, counsel shall submit to the Court via [QSCPART20@nycourts.gov](mailto:QSCPART20@nycourts.gov):

- marked pleadings;
- a copy of the bill of particulars;
- a witness list;
- an exhibit list;
- a proposed jury instructions; and
- a proposed verdict sheet.

Further, a party intending to use deposition transcripts must furnish a copy to the Court. The Court may preclude the use of transcripts of deposition testimony which are not provided to the Court.

### **MOTIONS IN LIMINE:**

On the first appearance in the Part for trial, any party intending to make a motion in limine shall 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 and provide counsel for all parties with a copy.

### **ADJOURNMENTS:**

No adjournments or delays during trial will be accepted unless exigent circumstances exist.

**PLEASE REFER TO THE COURT'S VIRTUAL BENCH TRIAL PROTOCOLS AND PROCEDURES:** [summary-bench-trials-11-jd-queens-civil-supreme-31086](https://www.nycourts.gov/summary-bench-trials-11-jd-queens-civil-supreme-31086)

## Infant Compromise Orders in Part 20

### **APPLICATIONS FOR 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.

### **CHECKLIST OF DOCUMENTS AND INFORMATION TO BE SUBMITTED:**

A checklist of documents and information that must be submitted can be found [here](#).

## Settlements and Discontinuances in Part 20

### **SETTLED, DISCONTINUED, AND DISPOSED ACTIONS:**

If an action is settled, discontinued or otherwise disposed of, counsel shall immediately inform the Court by submission of a copy of the stipulation or a letter directed to the Clerk of the Part. All Stipulations of Discontinuances must be accompanied by proof of filing with the County Clerk and payment of the appropriate fee. [CPLR § 8020(d)(1)].

### **SETTLEMENT CONFERENCE REQUESTS AND ADR:**

Any parties interested in pursuing settlement through the Court may request a settlement conference by contacting the part at [QSCPART20@nycourts.gov](mailto:QSCPART20@nycourts.gov). Include all parties on all emails to the Court.

Any parties interested in pursuing settlement through the Court's ADR program may contact the Queens Supreme court ADR Coordinator, Linda Dardis, Esq., by emailing [qscadr@nycourts.gov](mailto:qscadr@nycourts.gov). All parties shall be included in all emails to the ADR Coordinator.

## Requests to Substitute Banks (e.g., Signature Bank)

Requests to substitute banks named in Orders of this Court (e.g., Signature Bank) shall be submitted as Ex-Parte Orders on notice to all appearing parties and shall include at least two suggested substitute banks.