

**PART 27 RULES, PRACTICES & PROCEDURES**  
**JUSTICE ANNA CULLEY**

Supreme Court of the State of New York, Civil Term  
88-11 Sutphin Boulevard, Jamaica N.Y. 111435  
Courtroom 68

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Presiding Justice: Hon. Anna Culley

Motion Support Office:

(718) 298-1009

Principal Law Clerk: Geralyn Corcoran, Esq.

Ex Parte Support Office: (718) 298-1018

Part Clerk: Chris Nies (718) 298-1640

Trial Scheduling Part: (718)

298-1048

Part 27 Email: [QSCPart27@nycourts.gov](mailto:QSCPart27@nycourts.gov)

DCM Clerk's Office: (718)

298-1140

**GENERAL RULES**

1. All questions regarding motions, adjournments, calendar calls, and scheduling should be made via email to [QSCPart27@nycourts.gov](mailto:QSCPart27@nycourts.gov) and NOT to Chambers. Absolutely NO TELEPHONE INQUIRIES concerning motions or applications may be made to Chambers.
2. Parties shall notify the Court if the action has been settled, discontinued, and/or the motion has been resolved or withdrawn via email to [QSCPart27@nycourts.gov](mailto:QSCPart27@nycourts.gov) and "cc" all parties to the action. Individual Court Parts do not receive notifications when e-filed papers are entered into the Queens County Clerk - NYSCEF system.
3. All cases in Part 27 are required to be electronically filed through the New York State Courts E-Filing (NYSCEF) system. For more information on e-filing rules, please refer to this link: <https://iapps.courts.state.ny.us/webcivil/ecourtsMain>
4. 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: <https://ww2.nycourts.gov/rules/trialcourts/202.shtml>.

**COMMUNICATIONS WITH PART 27 AND CHAMBERS**

1. Counsel and litigants (represented or self-represented) are advised that Justice Culley, her Law Clerk, Law Secretary, and Part Clerk may not engage in any ex parte communications.
2. Absolutely no telephone inquires concerning motions or applications may be made to chambers, such inquiries or concerns shall be addressed to the Part Clerk at (718) 298-1640 or via email at [QSCPart27@nycourts.gov](mailto:QSCPart27@nycourts.gov).

3. Do not send any letters, documents, papers, mail, or facsimile unless expressly permitted by these Practice Rules or by prior approval of the Court to the part or chambers.
4. **Any and all communications with chambers shall include all parties.**

#### ELECTRONIC FILING

1. All cases in Part 27 are required to be electronically filed through the New York State Courts E-Filing (NYSCEF) system. Attorneys are expected to familiarize themselves with NYSCEF procedures at <https://iapps.courts.state.ny.us/nyscef/HomePage>. For more information on e-filing rules, parties may also visit: <https://iapps.courts.state.ny.us/webcivil/ecourtsMain>
2. “Etrack” is a case tracking service that enables parties to track active Civil Supreme Court cases and to receive notice of scheduled appearances. Parties and/or their counsel must be registered for the eTrack service for all Part 27 cases. To register or log in, please visit: <http://iapps.courts.state.ny.us/webcivil/etrackLogin>.
3. Please do not send courtesy copies to Part 27 of any documents that were e-filed, other than a Stipulation requiring Justice Culley’s signature. If submitting a Stipulation for signature, the Stipulation must be e-filed with NYSCEF and sent by email to [QSCPart27@nycourts.gov](mailto:QSCPart27@nycourts.gov).
4. When filing an Order or Judgment after a Decision has been entered in NYSCEF, please use one of the following document types only:
  - \* Order (Proposed) “Submit Order” per Judge’s Decision;
  - \* Judgment (Proposed) “Submit Judgment” per Judge’s Decision;
  - \* Notice of Settlement with Proposed Order/Counter Order;
  - \* Notice of Settlement with Proposed Judgment/Counter Judgment.

A Copy of the previously issued Memorandum Decision **must** accompany the Order or Judgment. A copy of the Transcript of the Minutes **must** also accompany the Order/Judgment if the proceeding took place on the record.

**Any previously filed documents that do not satisfy these requirements will delay processing.**

**For cases that are not electronically filed on NYSCEF, Orders and Judgments submitted pursuant to a Memorandum Decision issued by this Court must be submitted, in hard copy form, to the Motion Support Office.**

ORDERS TO SHOW CAUSE and EMERGENCY/ESSENTIAL APPLICATIONS

1. All Emergencies and Orders to Show Cause applications assigned to Judge Culley shall be made returnable and heard virtually or in person on Tuesdays at 10:00 A.M. The application 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 entertained forthwith, and
  - ii why the application could not have been brought to the court’s attention earlier
2. Emergency applications may be made in person or electronically filed on NYSCEF and shall be clearly identified as Emergency Applications and accompanied by an Emergency Affidavit and a Rule 202.7 Notice. The moving party/counsel must call the Ex Parte Office (718-298-1018) and the Part Clerk (718-298-1640) to advise that an emergency application has been filed.
3. Parties requesting up front relief in their application must appear virtually or in person on the record on the request for up front relief.
4. Filing parties are advised to consult Uniform Rules for the New York State Trial Courts 202.7(f) concerning notification.

#### MOTION CALENDAR CONFERENCES

1. Before resorting to motion practice, parties are strongly encouraged to schedule a conference with the Court. This part prefers in-person conferences but will allow virtual conferences as well. Counsel **MUST** be fully familiar with the matter in dispute and must have authority to bind their clients at the conference.
2. The movant in a residential foreclosure matter must submit as exhibits a separate statement from the moving party, detailing whether the action does or does not fit the criteria for inclusion in the Residential Foreclosure Program as well as a copy of the Attorney Affirmation pursuant to Administrative Order 431/11 or Certificate of Merit pursuant to Administrative Order 208/13. Additionally, any application submitted to the Court involving a foreclosure action, where a mandatory settlement conference was held pursuant to CPLR 3408 should contain a copy of the Residential Foreclosure Conference Order as an exhibit.

#### MOTION CALENDAR

1. **All motions shall be made returnable and heard on Tuesdays at 10:00 A.M.**
2. **Commencing March 27, 2023, all discovery motions which include motions made pursuant to Article 31 of the CPLR, 22 NYCRR § 202.7 and 22**

**NYCRR § 202.8, require an in-person appearance by all parties before this Part in Courtroom 68 at 10:00 A.M. on the return date.**

3. **All other motions on the calendar, except discovery motions, may be on submission only unless a conference is requested or the court determines a conference is necessary.** This part prefers in-person conferences but will allow virtual conferences as well. Appearances are generally not required on motions other than discovery motions, unless a conference is requested, nor are working copies required.
4. The movant and/or cross movant will be required to **submit a Motion Submissions Form** which can be found on the OCA website under the 11<sup>th</sup> JD - Civil Term page and email to [QSCPart27@nycourts.gov](mailto:QSCPart27@nycourts.gov) **no later than two (2) business days [forty-eight (48) hours] prior to the calendared date and time.**
5. Any requests for adjournment, see adjournment section below.
6. 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.
7. The Court, upon its discretion, shall schedule oral arguments after submission of the motion. Any requests for oral argument must be indicated on the Motion Submission Form and may be held virtually or in person.
8. 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.**
9. No Sur-Reply papers (without express permission of the court). No additional papers shall be accepted after a motion is marked “fully submitted.”
10. All papers submitted via NYSCEF must be properly labeled so as to give the Court notice as to what’s being submitted, i.e., opposition, reply, cross motion etc. Furthermore, all exhibits accompanying motions and cross motions must be labeled and identified so as to give the Court notice as to what is submitted in support.

#### ADJOURNMENTS OF MOTIONS

1. Motions may be adjourned on consent provided a written stipulation of all parties is submitted to the Part Clerk no later than two (2) business days [forty-eight (48) hours] prior to the calendar date and time via email at [QSCPart27@nycourts.gov](mailto:QSCPart27@nycourts.gov).

All stipulations must be fully executed by all parties consenting to the adjournment date.

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 [QSCPart27@nycourts.gov](mailto:QSCPart27@nycourts.gov).
3. Absent extenuating circumstances, consent adjournments shall be limited to one (1). Thereafter, the parties MUST contact chambers via email at [QSCPart27@nycourts.gov](mailto:QSCPart27@nycourts.gov) if seeking any further adjournments.

#### CONFERENCES AND DISCOVERY DISPUTES

1. Conferences will be conducted virtually or in person.
2. All discovery motions must have held a compliance conference with a compliance conference order having been issued before you may move by way of motion. The compliance conference order must be submitted with your discovery motion.
3. Discovery motions will be conferenced prior to submission of the motion. All discovery motions are expected to settle via a stipulation.
4. If the parties are exploring settlement of the case and would like a settlement conference for the sole purpose of exploring resolution of the case, the parties may send an email to [QSCPart27@nycourts.gov](mailto:QSCPart27@nycourts.gov) with cc to ALL parties to request an in-person or virtual settlement conference.

#### PRELIMINARY and COMPLIANCE CONFERENCES

Please click on the following links: [Preliminary Conference Part](#) and [Compliance Conference Part](#) 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. Judges and attorneys should make every effort to appear via video, with cameras engaged. 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 at [QSCPart27@nycourts.gov](mailto:QSCPart27@nycourts.gov).

#### TRIALS

1. Upon assignment to Part 27, all parties appearing for trial must be familiar with the case, ready, and authorized to participate in settlement discussions and/or to 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 [QSCPart27@nycourts.gov](mailto:QSCPart27@nycourts.gov).
3. 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 all parties with a copy.
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 accepted absent exigent circumstances.

## SUMMARY JURY TRIALS

For more information on Summary Jury Trials please click this link:

[Summary Jury Trial - 11JD Queens Supreme Civil | NYCOURTS.GOV](#)

## SETTLEMENTS AND DISCONTINUANCES

If any action is settled, discontinued or otherwise disposed of, parties should immediately inform the Court by submission of a copy of the Stipulation or a letter directed to the Clerk of the Part and sending it via email to [QSCPart27@nycourts.gov](mailto:QSCPart27@nycourts.gov). All Stipulations and Discontinuances must be accompanied by proof of filing with the County Clerk and payment of the appropriate fee [CPLR 8020(d)(1)].

## SUBPOENAS

A party seeking to have a subpoena signed by Justice Culley shall submit a courtesy copy of the subpoena with an accompanying affidavit in support of the request to have the subpoena So-Ordered, to chambers, via the Part email at [QSCPart27@nycourts.gov](mailto:QSCPart27@nycourts.gov).

## INFANT COMPROMISE ORDERS

Applications for Infant Compromise Orders shall be made pursuant to CPLR 1207 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 e-mail.

All counsel desiring the checklist for documents and information that must be submitted should get the checklist and the link for the PDF is contained herein:

[infant\\_compromise\\_order.pdf \(nycourts.gov\)](#)

## 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:  
[Alternative Dispute Resolution \(ADR\) | NYCOURTS.GOV](#)

Updated as of February 14, 2023