

Supreme Court, Queens County, Civil Term - Part Rules, Part 30
Justice Chereé A. Buggs

88-11 Sutphin Boulevard
Jamaica, NY 11435
Chambers Phone: (718) 298-1117
Courtroom Phone: (718) 298-1042
Part 30 E-mail: QSCPart30@nycourts.gov
Facsimile: (212) 618-0512

Principal Law Clerk: Melissa B. Deberry
Assistant Law Clerk: Simone A. Grey
Part Clerk: Melissa Dalia

General Rules for Motions

All motions shall be made returnable on Wednesday at 10 a.m. at the Jamaica Courthouse located at 88-11 Sutphin Boulevard, Jamaica, NY 11435, Part 30. **All motion papers shall be e-filed.** Failure to notice a motion in compliance with the designated day, time, location and Part number above may result in the motion being denied without prejudice. If a motion is filed contemporaneously with the Request for Judicial Intervention (RJI), before movant has become aware of the assigned justice and part, movant must either conform the Notice of Motion to include the aforesaid information prior to the return date, and file and serve an Amended Notice of Motion to nonmoving parties, **OR** send notice to the nonmoving parties of the information and e-file proof of such notice. Failure to do one or the other in the instance of a contemporaneous RJI/motion filing will result in the motion being denied without prejudice.

All movants/cross-movants must submit a Motion Submission Form (https://www.nycourts.gov/LegacyPDFS/COURTS/11jd/supreme/civilterm/motion_submission_form.pdf) via e-mail to the Part e-mail QSCPart30@nycourts.gov no later than two (2) business days before the calendared date and time of the motion.

The motion calendar will be on submission; however, all motions are subject to being conferenced, at the Court's discretion. No appearances are required unless parties receive notification that their case will be conferenced by the Court. All conferences will be conducted via Microsoft TEAMS. There are no in-person appearances for motions at this time, and no working copies are required.

The Court may administratively reschedule any application or motion noticed for a holiday or a day on which the part is closed. Information will be available on e-courts. Should the Part administratively reschedule, the movant will be responsible for notifying all parties of the administratively rescheduled date and providing proof of same to the Part on the rescheduled adjournment date.

In any case where a motion is **MARKED OFF** or **DISMISSED WITHOUT PREJUDICE**, 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** upon withdrawing any pending motion or application, or when a matter is settled, discontinued or otherwise disposed. Stipulations of settlement or discontinuance shall immediately be e-mailed to QSCPart30@nycourts.gov and e-filed. Please include the motion return date and sequence number in the e-mail.

No sur-reply papers, reply papers to an Order to Show Cause, or any other additional papers shall be accepted without express permission of the Court.

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.

Discovery Motions

On any discovery-related motion or application, attorneys are encouraged to conference the issues among themselves with the goal of resolving the matter 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. All stipulations must be e-filed. Requests for stipulations to be so-ordered shall be sent to the Part at QSCPart30@nycourts.gov. Said stipulations shall be e-filed prior to submission to the Part.

Any items of discovery not specifically identified as outstanding at the time of the stipulation resolving the motion are deemed waived.

Settlement Conferences

Requests for a virtual settlement or discovery conference can be e-mailed to QSCPart30@nycourts.gov. All parties must consent to the conference prior to e-mailing the Court.

Preliminary and Compliance Conferences

Please be advised that preliminary conferences and compliance conferences are not held in Part 30. Please follow the rules set forth on the Court webpage for each type of conference.

For preliminary conferences:

https://www.nycourts.gov/LegacyPDFS/COURTS/11jd/supreme/civilterm/pc_announcement_instr.pdf

For compliance conferences:

https://www.nycourts.gov/LegacyPDFS/COURTS/11jd/supreme/civilterm/bar_notice.pdf

Appearances and Adjournments

At this time, all appearances for conferences and proceedings are via Microsoft TEAMS. All references to "appearance(s)" in this section and in these Rules shall refer to virtual appearances.

A notice of appearance shall be e-filed prior to the scheduled appearance.

At least one (1) day prior to the scheduled motion or proceeding date, Counsel/parties must notify any and all other counsel/parties of any intention to seek an adjournment, and if possible, obtain consent of all parties.

Adjournments may be sought by e-mail to QSCPart30@nycourts.gov at least one (1) day prior to the scheduled motion or proceeding, stating the reason for seeking the adjournment, and if not on consent,

the efforts made to seek such consent from the other parties. All stipulations of adjournment shall also be sent to the above e-mail address. **All adjournments are subject to the final approval by the Judge in advance of a court date.** Requests for an adjournment beyond ONE will be granted sparingly, in the Court's discretion.

All adjournments on the grounds of engagement of counsel shall be granted only upon submission of an Affirmation of Actual Engagement with specific details. Such affirmation must e-mailed to QSCPart30@nycourts.gov at least one (1) day prior to the Court appearance, and e-filed.

Parties represented by counsel must communicate with the chambers staff through their counsel only. There shall be no ex parte communication with the Court.

For all court appearances, notification for Court Interpreter Services shall be made to the court as soon as practicable.

Briefing Schedules

When the Court gives a briefing schedule upon an adjournment, such schedule shall be conveyed verbally or in writing to the attorneys. Failure to comply or serve responsive papers in accordance with the briefing schedule shall result in the rejection of those papers on the adjournment date.

Requests to So Order Stipulations

Requests to so order stipulations should be e-mailed, with a PDF format of the stipulation signed by the necessary parties attached, to QSCPart30@nycourts.gov. The stipulation must not contain typewritten "signatures," but must contain a copy of actual or electronic signatures. The stipulation must be e-filed prior to being e-mailed.

Status of Decisions

Copies of motion or application decisions or orders WILL NOT be sent to counsel unless deemed necessary by the Part. Decisions or orders can be retrieved online or at the County Clerk's office located in the Jamaica courthouse, Room 106. Calls regarding the status of a motion or application decision are properly made to the Part Clerk, at (718) 298-1042. Further inquiries should be directed to the Motion Support Office at (718) 298-1009 or, if an ex parte matter, to Ex Parte Support Office at (718) 298-1018.

Alternative Dispute Resolution (ADR)

If at any point, the parties decide that they would benefit from the New York State Unified Court System's 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. Please note that the Court may also order parties to the ADR program without the parties' request or consent.

For more information regarding the ADR program, please visit:
<http://ww2.nycourts.gov/courts/11jd/supreme/civilterm/adr/index.shtml>