

**INDIVIDUAL PART RULES
IAS PART**

HON. JOAN B. LEFKOWITZ

Supreme Court Justice, 9th JD
Westchester County Courthouse
Courtroom 1600

111 Dr. Martin Luther King Jr. Boulevard
White Plains, New York 10601

The following are the Part Rules for Justice Lefkowitz's **IAS Part only**.

Do not contact Chambers for questions concerning matters pending in the: Preliminary Conference Part (PCP); Compliance Part (CP), including discovery disputes and discovery motions; or Settlement Conference Part (SCP), including infant compromise proceedings.

For rules concerning matters pending in the PCP, CP, and SCP, refer to the Differentiated Case Management (DCM) Protocol available at:
https://www.nycourts.gov/LegacyPDFS/courts/9jd/diffCaseMgmt/DCM_protocol.pdf.

Send questions concerning matters pending in the Preliminary Conference Part, to:
preliminaryconferencewestchester@nycourts.gov.

Send questions concerning matters pending in the Compliance Part, to:
compliancewestchester@nycourts.gov.

Send questions concerning motions pending in the Compliance Part, to:
compliancemotionswestchester@nycourts.gov.

Send questions concerning matters pending in the Settlement Conference Part, to:
settlementconferencewestchester@nycourts.gov.

I. MOTION PRACTICE

a. Requests for Adjournments. All requests for motion adjournments shall be directed to the Part Clerk, Amanda Hall, by email to: amhall@nycourts.gov. The email shall include (1) the short title of the case (*i.e.*, *Smith v Jones*); (2) index number; (3) the original return date; (4) the proposed return date; (5) the number of prior adjournments; and (6) whether the adversary consents, and, if not, the reason(s) given by the adversary for refusing to consent.

Requests for adjournments shall be made no less than two (2) court business days before the return date. No more than three (3) adjournment requests may be made. A motion may not be adjourned more than a total of sixty (60) days.

Stipulations of adjournment between counsel do not mean the motion will be adjourned. Adjournments are not granted unless they are confirmed by the court and comply with the foregoing.

Do *not* contact the Part Clerk or Chambers to determine the status of an adjournment request. The court will respond as soon as possible to the request. The party requesting the adjournment is responsible for notifying all parties of the status of the adjournment.

b. Return Date. Motions are returnable on Friday. If the movant makes the motion returnable on another day, the court will administratively adjourn the motion to a Friday.

There are no appearances on motions unless directed by the court. All contentions should be in the motion papers.

c. Motion Papers. Unless otherwise permitted by the court: (i) affirmations, affidavits, and memoranda of law in support and in opposition to motions are limited to twenty-five (25) pages; and (ii) affirmations, affidavits, and memoranda of law in reply are limited to ten (10) pages. Memoranda in excess of ten (10) pages shall contain a table of contents and a table of authorities. Legal argument should be confined to the memoranda of law. The court will not consider letter submissions to be part of the motion.

Unless prior permission has been granted, the court will not consider papers in surreply or papers submitted after the return date. Non e-filed motions and non e-filed ex-parte applications which require disposition by the court, i.e., a decision, order, judgment, must have a stamped, self-addressed envelope attached to the papers.

d. Working Copies. This part *does not* require the submission of “working copies” of electronically filed documents. Hard copy submissions in e-filed cases will be rejected unless those submissions bear the Notice of Hard Copy Submission – E-Filed Case required by the E-Filing Rules (Uniform Rules of Trial Courts [22 NYCRR] § 202.5-b [d] [1]).

II. GENERAL

a. Appearing Counsel. Counsel who appear before the court must be fully familiar with the case and have authority to enter into any agreement, either substantive or procedural, on behalf of their clients. Counsel should be on time for all scheduled appearances.

b. Communications. In general, communications with Chambers shall be by letter, submitted on NYSCEF, unless subject to an exception or an exemption. Letters in non e-filed cases shall be sent by fax to Chambers. The fax number is: 914-824-5862, Attention: Hon. Joan B. Lefkowitz, J.S.C.

Letters and faxes must indicate service on all parties.

Questions about scheduling and calendar matters shall be addressed to the Part Clerk, Amanda Hall, by email to: amhall@nycourts.gov.

The phone number of Chambers is: 914-824-5421.

The phone number of the Principal Court Attorney, Joseph P. Fogarty, is: 914-824-5422.

The phone number of the Assistant Law Clerk, Donato J. Callara, is: 914-824-5421.

c. Settlement/Discontinuance. If an action is settled, discontinued, or otherwise disposed, counsel shall immediately inform the court by submission of a copy of the stipulation or other document evidencing the disposition.

III. E-FILING RULES AND PROTOCOL

All parties in matters subject to the E-Filing Rules (Uniform Rules for Trial Courts [22 NYCRR] §§ 202.5-b and 202.5-bb)¹ should review the Westchester County E-Filing Protocol available at:

<https://www.nycourts.gov/LegacyPDFS/courts/9jd/Efile/WestchesterCountyJointProtocols.pdf>.

General questions about e-filing should be addressed to the E-Filing Resource Center at 646-386-3033 or efile@nycourts.gov. Specific questions relating to local procedures should be addressed to the Civil Calendar Office at: 914-824-5300.

In e-filed cases, all submissions to the court, including motion papers, exhibits, proposed orders, proposed judgments, and letters, must be e-filed.

Each e-filed document (e.g. notice of motion, affidavit, exhibit) must have its own e-file document number and each e-filed document shall contain a brief description of the document (e.g., 1- Notice of Motion; 2- Affirmation in Support; 3- Exhibit A: deposition transcript of defendant John Doe).

¹ Available at: <https://iappscontent.courts.state.ny.us/NYSCEF/staging/legislation.htm>.