

NEW YORK STATE UNIFIED COURT SYSTEM
HONORABLE ANDREW A. CRECCA
SUFFOLK COUNTY DISTRICT ADMINISTRATIVE JUDGE

HONORABLE JOHN J. LEO, J.S.C.

DEDICATED MATRIMONIAL PART 51

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1. APPEARANCES BEFORE THE COURT:

a) In-Person: Unless otherwise directed, counsel and parties must appear, in-person before this Court, on all dates. In the event the Court waived an in-person appearance of a party, he/she must be available to their counsel by telephone, text message or email. In-person court appearances are subject to change to a virtual Teams Meeting appearance at the Court's discretion.

1) Arrival in Court: It is important that counsel and litigants be on time for all scheduled appearances and report to the court officer upon arrival. If counsel is scheduled on other matters in the court complex, counsel shall provide the court officer with the part information and cellular number where he/she can be reached.

2) Attire: Overcoats, jackets, winter coats and raincoats must be removed when the case is called. Tee-shirts, tank tops, flip flops and shorts are not permitted. In the event a party or counsel appears wearing any of the prohibited attire they will not be permitted to enter the courtroom.

b) Via TEAMS: When the Court has scheduled a virtual appearance by TEAMS, all parties and counsel **MUST** use a computer, laptop, lpad or tablet to connect and join the meeting, **NOT** a cellular telephone. The system experiences complications when joined via a cellular telephone.

c) Knowledge & Authority of Counsel: On all matters before the Court, counsel who appear must be familiar with the case, be fully prepared to discuss the matter and be fully authorized to resolve the issues that are the subject of the appearance. Failure to comply with this rule may be treated as a default for purposes of 22 NYCRR 202.27 and/or may be treated as a failure to appear for purposes of 22 NYCRR 130.2.1.

3. ADJOURNMENT REQUESTS:

a) **Procedure:** Any request for an adjournment, with or without consent of opposing counsel, Attorney for the Children, and self-represented litigant, shall be made as follows:

1) **Time Period:** Shall be made at least twenty-four (24) hours in advance and shall not be granted unless extraordinary circumstances exist, i.e., family emergency, medical emergency. This Court does not consider calendar issues of an attorney, or his/her firm, an extraordinary circumstance.

2) **Letter Required:** A letter shall be sent to Justice Leo at SUFLEO@nycourts.gov, on notice to opposing counsel, the Attorney for the Child(ren) and any unrepresented party. The letter shall include the name of the matter, the index number, appearance date, proposed adjourned date and the reason for the request. The Court will advise if the adjournment has been granted or denied via email communication. If the adjournment request is granted, the Court will send a notification setting forth the new date and time.

b) **Engagement of Counsel:** Requests predicated upon engagement of counsel must be by affirmation in conformity with 22 NYCRR 125.1 (e) and must include: (1) the basis for the priority to be afforded the other matter; (b) the name of the case in which the engagement is required; (3) the nature of the proceeding; (4) the court; (5) the assigned jurist; (6) the date such engagement was calendared and (7) whether the other court was made aware of this court's appearance date to which the adjournment is sought.

c) **Trial Adjournments:** All parties and counsel **MUST** appear on the scheduled trial date unless excused by the court. Any requests for an adjournment upon the consent of opposing counsel will not be granted without the express permission of the Court. If a case has been scheduled for trial at least two (2) months in advance and an attorney scheduled to try the case is engaged on trial elsewhere, he or she must provide substitute trial counsel. If neither trial counsel nor substitute counsel is ready for trial on the scheduled date, the Court may, in its discretion, impose sanctions [22 NYCRR 125.1(g)].

4. MOTION PRACTICE:

a) **Applications Seeking Interim Relief:** Upon review of the application, the Court will notify counsel of the date and time the Court will hear oral argument. Notifications shall be provided by email. As a general rule, the Court will respond within 24 hours.

b) In-Person Appearance Required: Unless otherwise directed, counsel and parties shall appear, in-person, on the return date of the motion, and all adjourned dates, prepared to conference the matter and proceed with oral argument, presentation of evidence and witnesses.

c) Adjournment Requests: Motion adjournment requests should be made at least three (3) days prior to the scheduled appearance for this Court's consideration.

1. There shall be no more than three (3) stipulated adjournments in an aggregate period of sixty (60) days without prior permission of the Court [22 NYCRR 202.8(e).]
2. Except for good cause, all motions shall be adjourned to the next scheduled conference date ONLY, except for good cause.

d) Resolution in Advance of Application: If appropriate, counsel is encouraged to resolve issues with opposing counsel prior to filing a motion. Counsel may request a Team meeting with the Court for the purpose of assisting in the resolution of disputes. Any issue resolved by a pre-motion conference, or otherwise, must be memorialized in a written stipulation signed by counsel and both parties. Alternatively, counsel may submit a proposed order to the Court.

e) Settlement of a Pending Motion: If a pending motion is resolved, in whole or in part, a Stipulation settling the motion, or a portion thereof, shall be promptly uploaded to NYSCEF and an email sent to SUFLEO@nycourts.gov alerting chambers of the settlement.

f) Memoranda of Law: Where unique or novel issues of law are presented, counsel should submit memoranda of law in support of their respective positions.

g) Undecided/Pending motions: Attorneys and parties shall appear prepared for a hearing and to present themselves and evidence at every court appearance.

h) Orders to Show Cause (22 NYCRR 202.8-d): Motions shall be brought on by Order to Show Cause only when there is genuine urgency, such as applications for provisional relief, a stay is required or is mandated by statute. Absent advance permission of the Court, reply papers shall not be submitted, nor be accepted by this Court, on applications made by Order to Show Cause.

5. POST-JUDGMENT MOTION PRACTICE:

Each rule set forth in #4 above (Motion Practice). In addition:

a) Procedure: An application to the court for post-judgment relief must be made by Order to Show Cause.

b) Service Provisions: Post-judgment applications shall not provide for service upon an opposing party's prior attorney unless the supporting papers state that said attorney has been retained to accept such service. Service shall be required on the opposing party in the same manner required to initiate a special proceeding or as otherwise directed by the Court.

c) Custody & Parenting Time Issues: Any post-judgment application concerning custody or parenting time issues must identify any previously appointed Attorney for the Children.

6. EX-PARTE APPLICATIONS:

Each rule set forth in #4 above (Motion Practice). In addition:

a) Order to Show Cause with Temporary Relief Requested: Appearances are required by all parties and counsel on the date and time set by the Court. Counsel and parties should be prepared for oral argument, presentation of evidence and witnesses and shall have three (3) copies of any exhibits that such moving party will be offering for evidence at a hearing.

b) Required Notice Pursuant to 22 NYCRR 202.7(f): In any application for temporary *ex parte* relief, the movant must identify counsel for the opposing party, if any, and must include a sworn statement that counsel, Attorney for the Children or self-represented litigant, has been notified of the application, except where the preservation of marital assets, child custody or the safety of the litigants could be compromised by such notification.

c) Continuation of Ex-Parte temporary relief: Where the consent of the opposing party cannot be obtained, oral applications to continue, or vacate, any *ex-parte* relief contained in an Order to Show Cause shall be made on the return date of the motion. All parties are required to appear for oral argument on the return date and any adjourned dates.

d) Sworn Statement of Net Worth: In any application for child support and/or temporary maintenance, counsel shall annex, as an exhibit, a current Statement Net Worth for his/her client.

e) Temporary Support Guidelines Worksheet: In any pendente lite application seeking child support and/or spousal maintenance, completed worksheets shall be annexed as an exhibit in support of, or in opposition to, any such application.

7. PRELIMINARY CONFERENCES:

a) Time Period: All Preliminary Conferences (PC's) must be conducted within **45** days of the filing of the Request for Judicial Intervention (RJI) [22 NYCRR 202.16(f).] A PC is scheduled based on the Court's availability. No adjournments will be granted beyond that time except for good cause shown.

1. Scheduling Order, etc: The Court will email counsel and/or self-represented litigants a PC Scheduling Order, PC Form & DRL §240(1)(a-1) Information Sheet. A fully completed, fully executed PC Form and DRL Form is to be uploaded to NYSCEF at least three (3) business days prior to the PC date. The PC Form provided by this Court simultaneously with the order scheduling the conference **MUST BE USED**. (See attached).

2. Statements of Net Worth: Pursuant to 22 NYCRR 202.16(f)(1), ten (10) days prior to the Preliminary Conference date the parties are required to exchange Statements of Net Worth (SNWs), attorney's retainer statements, all paycheck stubs for the current calendar year, the last paycheck stub for the immediately preceding calendar year, all W-2 wage and tax statements, state and federal income tax returns for the past three (3) years, and financial account statements. Statements of Net Worth and supporting financial documents are to be uploaded to NYSCEF, at least three (3) business days prior to the Preliminary Conference.

3. Consultation between Counsel: Pursuant to 22 NYCRR 202.23, counsel for all parties shall consult prior to a Preliminary/Compliance Conference regarding the resolution of the matter, in whole or in part; discovery of electronically stored information and any other issues to be discussed at the conference; the use of alternate dispute resolution to resolve all, or some, issues in the litigation and any voluntary and informal exchange of information that the parties agree would help aid early settlement of the case. Counsel shall make a good faith effort to reach agreement on these matters in advance of the conference.

4. Appearance: In-person appearances are mandatory at the Preliminary Conference for all parties and counsel [22 NYCRR 202.16 (f)] Failure to appear for a Preliminary Conference, unless excused by the Court, may result in the imposition of costs or sanctions against the defaulting party. If a party does not appear at the scheduled Preliminary Conference date, a default shall be entered against that party and an inquest appearance date will be scheduled.

5. Preliminary Conference Order: At the conclusion of the Preliminary Conference, the parties shall stipulate, in writing or on the record, as to all resolved issues and set forth a schedule of discovery for all unresolved issues which the Court will then "so order". The Preliminary Conference Order shall include date(s) certain for depositions of the parties. A date for trial may be selected to be held no later than **six months** from the date of the Preliminary Conference, unless the Court determines that it is a complex case.

6. Disclosure: Discovery proceedings must be completed within six (6) months of the date of the Preliminary Conference, and a Note of Issue filed, unless, and depending upon the circumstances of the matter, otherwise shortened or extended by this Court [22 NYCRR 202.16(f).]

7. Note of Issue: The failure to file a Note of Issue as directed in the Preliminary Conference Order, or subsequent order, may result in dismissal pursuant to CPLR §3216.

8. Compliance. Any party who fails to comply with a Preliminary Conference Order requiring discovery may be subject to penalties prescribed in CPLR §3126.

8. COMMUNICATIONS WITH THE COURT:

a) Ex-Parte: There shall be no *ex-parte* communications with the court concerning substantive matters. Letters or emails sent to the court will not be considered unless there is an indication that a copy has been sent to opposing counsel, Attorney for the Children and any unrepresented party.

b) Requests for Telephone Conferences/Team Meetings: All requests for conferences with the Court must be prearranged with chambers, by letter on notice to all parties, including the Attorney for the Child(ren), and EMAILED to Chambers. If a telephone conference is scheduled, counsel will be advised via email. If a Teams conference is scheduled, a link will be sent to all parties.

9. APPOINTMENTS BY THE COURT:

a) Neutral Expert Witness: On its own initiative, or on consent of the parties, the Court may appoint a neutral expert witness.

1) **By Parties on Consent:** Shall be by written agreement and shall set forth the following: (a) name and address of the expert; (b) the asset to be valued; (b) allocation of payment between the parties; (c) that the parties agree to be bound **OR** not bound by the expert's opinion; (c) if any party does not agree to be bound by the expert's opinion, then the agreement must provide that the qualifications of the expert will not be challenged.

2) **By the Court:** In its discretion, the Court shall appoint a neutral expert, specify the asset to be valued and make a direction, in its discretion, as to allocation of payment between the parties for production of the report and trial testimony, subject to reallocation upon application of either party.

3) **Cooperation:** Parties and counsel are expected to cooperate fully with the court appointed expert and must comply with all directives set forth in the Order of Appointment. Neither party may elect to modify or delay compliance with the court's order without the approval of the Court.

4) The expert's report shall be submitted under oath by the expert who shall be present and available for cross-examination [22 NYCRR 202.16 (g).]

5) In the discretion of the Court, the expert's written report may be used to substitute for direct testimony at the trial.

b) Attorney for the Child(ren) [AFC]: Upon the Court's appointment of an AFC, the parties must comply with all directives set forth in the Order of Appointment.

- 1) Absent a subsequent Order relieving the AFC, neither counsel nor party may take it upon themselves to inform the AFC that his/her services are no longer needed.
- 2) Counsel must keep the AFC informed and copied on all requests for conferences and requests for adjournments.
- 3) Upon settlement of any matter where an AFC has been appointed, counsel must inform and obtain the written approval of the AFC concerning any custody, parenting time and child support issues.

10. PRE-TRIAL CONFERENCE FILING:

a) Scheduling: The Court shall issue an Order setting a date for a Pre-Trial Conference, the filing of a Note of Issue and the filing of a Joint Pre-Trial Order.

1. Joint Pre-Trial Order: The Joint Pre-Trial Order controls the subsequent course of the trial, unless the order is modified upon consent of the parties and the Court, or by order of the Court to prevent manifest injustice.

2. Exchange Between Parties: The parties shall exchange proposed pretrial orders at least fourteen (14) days prior to the Pre-Trial conference.

3. Electronic Filing: No less than three (3) days prior to the Pretrial Conference, the parties **MUST** upload to NYSCEF the Joint Pretrial Order. If the parties cannot agree to the content of a Joint Pretrial Order, including exhibits to be presented, the attorneys/parties **MUST** upload the Joint Pretrial Order to NYSCEF no less than three (3) days prior to the Pretrial Conference with objections to disputed parts set forth therein. In the Court's discretion, the failure to timely upload shall result in an adjournment of the Pre-Trial Conference and trial date. A sample Order is attached for reference.

4. Separately Labeled Schedule: Each of the following topics shall be addressed in a separately labeled schedule:

- a) The full caption of the action.

- b) The names (including firm names), addresses, telephone numbers, cellular numbers and email addresses of all trial counsel.
- c) A brief statement by Plaintiff as to the basis of subject matter jurisdiction, and a brief statement by each party as to the presence or absence of subject matter jurisdiction. Such statement shall include citation to all statutes relied on and relevant facts as to citizenship.
- d) A summary by each party of the claims and defenses he/she has asserted that remain to be tried, without recital of evidentiary matters, but including citations to all statutes relied upon. Such summaries shall identify all claims and defenses previously asserted which are not to be tried.
- e) A statement of the number of trial days needed.
- f) Any stipulations or statements of fact or law that have been agreed to by all parties such as date of marriage, age of parties, children's names and ages, retirement assets, address of marital residence/other real estate owned by both parties and grounds.
- g) Witnesses: A list of names and addresses of all witnesses, including possible witnesses who will be called only for impeachment or rebuttal purposes and so designated, together with a brief narrative statement of the expected testimony of each witness. Only listed witnesses will be permitted to testify. In addition, for expert witnesses, the area of expertise must be listed. The parties shall list and briefly describe the basis for any objections that they have to any witnesses designated by any party.
- h) Deposition Testimony: A designation by each party of those portions of deposition testimony intended to be offered into evidence, with any cross-designations and objections by any other party. A designation by each party of deposition testimony to be offered as its case in chief, with any cross designations and objections by any other party.

5. Trial Exhibit Filing: No less than three (3) days prior to the Pre-Trial Conference date, all exhibits to be presented at trial shall be uploaded to NYSCEF Virtual Evidence Room.

- a) Schedule of Exhibits: A schedule listing exhibits, including a brief description sufficient to identify, to be offered in evidence, the party that will be offering them, including possible impeachment documents and/or exhibits and exhibits that will be offered only on rebuttal.

The parties will list and briefly describe the basis for any objections that they have to the admissibility of any exhibits to be offered by any other party.

Parties are expected to resolve all issues of authenticity, chain of custody and related grounds, before the Pretrial Conference. If the Parties cannot agree on issues of authenticity, chain of custody and related grounds, the Court will make its determination at the Pretrial Conference.

Only listed exhibits will be received in evidence, except for good cause shown.

- b) Meritless Objections: Parties are not to interpose meritless objections.
- c) Voluminous Exhibits: When exhibits are voluminous, they should be uploaded to NYSCEF under one Exhibit number or letter labeled as to their exhibit number.
- d) Each exhibit shall be identified and described: Plaintiff's exhibits shall be identified by **numbers** (1, 2, 3...). Defendant's exhibits shall be identified by **letters** (A, B, C...)
- e) Legal Memoranda: Counsel for each party shall provide the court with legal memoranda addressing all contested legal issues in the Joint Pretrial Order including anticipated evidentiary problems.
- f) Motions in Limine: All such application shall be filed and uploaded to NYSCEF at least three (3) days prior to the Pre-Trial Conference.
- h) Adjournment: An adjournment of the Pretrial Conference does not adjourn the filing of the Pretrial Order.
- i) Trial counsel: Each must attend the Pretrial conference and sign and date the Pretrial Order.

6. One Week Prior to Trial: Unless directed otherwise, the following shall be uploaded at least one (1) week prior to Trial.

- a) **Legal Memorandum:** In addition to filing through NYSCEF, each party shall file and provide hard courtesy copies to the Court of legal memorandum addressing all contested legal issues including evidentiary issues or in any case where such party believes it would be useful.
- b) **Exhibits – Paper Copies:** Each party shall file provide two (2) hard copies to the Court of the proposed exhibits, pre-marked in suitable binders (one for the Judge, one for use when questioning witnesses).
- c) **Statement of Proposed Disposition.** Pursuant to 22 NYCRR 202.16(h), Statements of Proposed Disposition are required to be filed by both parties. A hard copy is to be provided to the Court.
- d) **Confirmation of trial date:** Three business days prior to any scheduled trial, counsel must call or email chambers to confirm the court’s availability for trial. Failure to be ready to proceed on a scheduled trial date may result in a dismissal of the cause of action.
- e) **Marked Pleadings:** If grounds are to be tried, marked pleadings, in accordance with CPLR §4012 are to be filed with the court one week prior to Trial.
- f) **Post-Trial Submissions:** Each counsel shall prepare and submit a post-trial Memorandum and Proposed Findings of Fact and Conclusions of Law with references to the Record. Legal arguments are to be supported by relevant case law and contain proper legal citations. References to the record must indicate the page and paragraph of the transcript, or exhibit, where such reference can be found. Counsel shall provide trial transcripts to the Court.

7. General Decorum at Trials/Hearings/Oral Argument: A trial or hearing is a rational and civilized inquiry to seek a just result.

- a) Attorneys are expected to adhere to appropriate courtroom behavior. Disruptive tactics or appeal to prejudice are not acceptable.

- b) Colloquy between counsel and Parties on the record is not permitted. All remarks are to be addressed to the Court.
- c) Vigorous advocacy does not preclude courtesy to opposing counsel and witnesses and respect for the Court. Calling attorneys, a witness or a party by first names on the record is not appropriate.
- d) Do not engage in activity at counsel table or move about the courtroom while opposing counsel is arguing or questioning witnesses, or in other ways cause distraction. Neither counsel nor client while at counsel table should indicate approval, disapproval, or other reactions to a witness's testimony or counsel's argument.
- e) If you have a question or problem, talk to the Judge's courtroom clerk or his Principal Law Secretary.
- f) When one lawyer is making a motion or application either before or at trial, all other lawyers should be seated, and the same is true when another is answering an such motion or application. Do not attempt to interrupt your adversary's argument unless the Court asks you a question-then rise, answer it, and resume your seat until your adversary is finished.
- g) If an objection to a question has been sustained (other than on the ground of "form"), do **not** attempt to circumvent the Court's ruling by repeating the question using other words.
- h) You are bound by written stipulation or those made in open Court whether made by you or by predecessor counsel unless you have been relieved therefrom by order of the Court.
- i) Histrionics, mini-summation, comments on testimony of a witness during questioning, repetitious questions, procrastination, delaying tactics, re-arguments following Court rulings (except at recesses), etc., will not be tolerated.
- j) Prior to trial, the attorneys should attempt to stipulate to the testimony of all *pro forma* witnesses, e.g., if the secretary of the XYZ Corporation were called to testify, he would testify that Exhibit A was kept in the ordinary course of business, etc., is admissible.

- k) Repetitious cross-examination by successive (or even the same) attorney(s) on the same subject area is inappropriate and will not be permitted except for good cause shown in exceptional circumstances.

11. TRIAL RULES & PROCEDURE:

1) Guidelines for the conduct of trials, pre-trials, pendente lite application hearings and other appearances.

a) **Opening Statements:** An opening statement is simply an objective summary of what counsel expects the evidence to show. No argument or discussion of the law is permissible.

b) Examination of Witnesses:

- a) Attorneys shall conduct the examination from the lectern located at the far end of the jury box. Ask permission to approach the witness when necessary and return to the lectern as soon as practicable. Treat witnesses with courtesy and respect, do not become familiar, such as by addressing witnesses by their first names. Attorneys are to refrain from shouting at witnesses.
- b) Ask brief, direct, and simply stated questions. Cover one point at a time. Leading questions may be used for background or routine matters.
- c) Cross-examination should consist of brief, simple, and clearly stated questions. Cross-examination should not be a restatement of the direct examination and should not be used for discovery (i.e., it is not like taking a deposition).
- d) Only one lawyer for each party may examine any one witness and may object as to questions asked of that witness on cross.

2. Objections:

- a) When making an objection, **rise** and say “objection,” and briefly state the legal ground, i.e., “hearsay, “privilege,” “relevance”.) **If you do not rise, your objection will be deemed waived and will be ignored by the Court.**

- b) Do not make a speech, argument or summarize evidence or suggest the answer to the witness. If argument is desired, ask for an opportunity to argue the objection at sidebar.
- c) Where an evidentiary problem is anticipated, bring it to the Court's attention in advance to avoid interrupting the orderly process of a trial.
- d) It is the responsibility of counsel to see that all exhibits counsel wants included in the record are formally offered and ruled on.
- e) Tapes are normally received in evidence; transcripts are normally not. Transcripts are marked for identification only and used as guides.

3. Conduct of Trial:

- a) The Court expects counsel and the witnesses to be present and ready to proceed promptly at the appointed hour-normally starting at 9:30 a.m. A witness on the stand when a recess is taken should be back on the stand when the recess ends.
- b) Bench conferences should be minimized. Raise anticipated problems at the start or the end of the trial day or during a recess.
- c) Have enough witnesses available in court to fill the time available. Running out of witnesses may be taken by the Court as resting your case.
- d) Trials normally are conducted from day to day. Do not assume that the Court will recess on any given day at any given time or times unless prior arrangements have been made with the Court and counsel.
- e) Attorneys are expected to cooperate with each other in the scheduling and production of witnesses. Witnesses may be taken out of order where necessary. An effort should be made to avoid calling a witness twice (as an adverse witness and later as a party's witness).

12. HEARING RULES & PROCEDURE:

a) Exhibits: At least seven (7) days prior to the hearing date, all exhibits shall be exchanged between the parties. At least five (5) days prior, parties shall meet to consult and agree on what documents are to be admitted on consent. At least three (3) days prior, each party shall upload exhibits to the Virtual Evidence Room via NYSCEF. In addition to the foregoing, the Court requires two (2) courtesy copies of the proposed pre-marked exhibits in suitable binders.

b) Witness Lists: At least seven (7) days prior to the hearing date, each party's witness lists shall be exchanged. At least three (3) days prior, each party shall upload his/her witness list to NYSCEF.

13. SETTLEMENTS:

a) Where a case has been settled prior to the trial date or any other court date, in lieu of appearing in court, chambers **must** be notified in writing in advance that a stipulation has been executed by both sides resolving all outstanding issues. If a case has been settled by a stipulation, counsel will forward the first and last pages bearing the parties signatures and the complete agreement shall be uploaded to NYSCEF.

b) On any date that the case appears on the calendar and the parties are present, a stipulation of settlement may be placed on the record and, in its discretion, "so ordered" by the court.

c) No case shall be marked as settled or disposed unless an oral stipulation has been placed on the record or written notification is submitted to chambers confirming that a stipulation of settlement has been executed by both sides. If a written agreement, see (a) above.

d) At the time of a global settlement, the case will be adjourned to a judgment submission calendar to assure that the Judgment of Divorce and supporting documents are timely submitted.

14. JUDGMENT SUBMISSIONS:

a) Time Period: Submission packages must be submitted within 60 days of the date the case was marked settled by the court unless extended by the court for good cause. Counsel for the submitting party must file the submission through NYSCEF. Requests for submission extensions must be in writing and supported by good cause.

b) Form/Required Language: Follow the forms on the nycourts.gov website for Judgments (#UD-11) and Findings (#UD-10). You do not need to use the form, but please make sure all required language is included in the document submitted by your firm. Also make sure you include the language at 22 NYCRR 202.50(b)(3)&(4).

c) Rejection: Proposed judgment submissions rejected for noncompliance with the Rules of the Chief Judge, or any other deficiency, must be corrected and resubmitted to the Court within thirty (30) days of the notice of rejection. A failure to comply may result in restoration of the case to the calendar for appearance by all parties and, in the event of non-appearance of parties or counsel, the action may be dismissed. Requests for extensions must be in writing and supported by good cause.

d) Outstanding motions: Motions pending at the time a case is marked settled are to be formally withdrawn by Stipulation and filed through NYSCEF.

15. MISCELLANEOUS PROVISIONS:

a) Part Calendar vs. E-Court Calendar: All court appearances and adjourned dates are provided directly from this Part via email and not always updated/reflected accurately by e-courts. Counsel should rely on Part communications.

b) Notice ≠ Team Meeting: This Part provides a link via email communication regarding dates and times of conferences, etc. Counsel are required to accept the link for confirmation purposes of his/her receipt of the notification. THIS DOES NOT MEAN THAT A TEAMS MEETING HAS BEEN SCHEDULED. Counsel and/or staff must read the email link which will reflect the manner of appearance – the heading will reflect whether an in-person appearance is required or, alternatively, if the court has determined that a conference via Teams is sufficient.

c) Restoration of Case to Calendar: An application to restore a case that has been dismissed or marked off the calendar and deemed abandoned pursuant to CPLR §3404 **shall** be by motion unless the party seeking the restoration was granted leave to restore on letter notice.

d) Withdrawal of Counsel by Motion: An attorney moving for permission to withdraw as counsel shall appear in court on the return date of the motion and shall advise the court if there are any open motions pending or if a hearing or trial has been scheduled that would be delayed by the granting of the attorney's application.

e) Writs of Habeas Corpus: On the return of a writ of *habeas corpus* involving custody or visitation disputes, the child(ren) must be brought to court unless their presence has been excused by the Court.

f) Required Notifications: Counsel and self-representing litigants are under a continuing obligation to notify the Court, as promptly as possible, by letter, on notice to opposing counsel, Attorney for the Children and self-represented litigants, specifically referencing the character of the resolution and attach the pertinent documentation, via NYSCEF and email to SUFLEO@nycourts.gov, in the event of the following: (1) If an action is settled, in whole or in part; (2) If a pending motion is settled or become moot, in whole or in part; (3) If an action is discontinued; (4) The death of a litigant and (5) A litigant has filed a petition in bankruptcy.

g) Page Numbering: Any document submitted to the Court must include page numbers.

h) Settlement Agreements: All global settlement agreements shall have a Table of Contents.