



**STATE OF NEW YORK
UNIFIED COURT SYSTEM
HON. MARTIN I. EFMAN, J.S.C.**

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Riverhead, NY 11901
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*Principal Law Clerk
Martha M. Rogers, Esq.*

*Secretary
Arlene Keeffe*

COURT RULES FOR THE FILING OF SUPERIOR COURT INFORMATION

PART 3 AND JUDICIAL DIVERSION PROGRAM

Permission from chambers is required prior to the filing of any Superior Court Information. This is done by calling chambers and coordinating the scheduling with judicial staff. The Clerk of the Court will not schedule any SCI's unless they are pre-approved by chambers.

The Suffolk County District Attorney's Office is required to provide chambers with written notice of the proposed SCI. In addition to case information, the notice must include the names of counsel for both sides as well as the applicable DA Bureau. The Court accepts such information by telefax to (631) 852-2729.

Prior to the scheduled SCI date, the Court requires that a copy of the felony complaint and defendant's criminal history be delivered to chambers.

SCI's which contemplate participation in the Judicial Diversion Program are NOT automatically calendared on either the Part 3 or felony JDP calendar. Unless directed by the Court (e.g. defendant has other cases pending before a particular Judge), potential JDP cases are filed and handled in the same way as all other SCI's in the County Court. They are randomly assigned by the Clerk of the Court and the JDP application is processed in the same manner as all other JDP applications. Parties are reminded that participation in JDP is governed by the statutory requirements of CPL Article 216 and DA consent to JDP in an SCI is not a guarantee that such a disposition will be available from the Court.

Due to the regularly scheduled calendar for the Judicial Diversion Program, SCI's are not scheduled before the Court on Mondays. Any exceptions require express permission from the Court on a case by case basis.

SCI's which appear on the court calendar that have not complied with this procedure will be removed from the calendar.