

Effective April 1, 2023

## **PART 7 RULES**

**JUSTICE WILMA GUZMAN**

Courtroom 624

Bronx County Supreme Court

851 Grand Concourse, Bronx, NY 10451

BxSupCiv-IA7@nycourts.gov

### **1. Communication with Chambers**

**A. Letters.** Any communication with the Court shall be by letter filed electronically via NYSCEF or sent to all counsel in non-Efile cases. Letters and/or emails, solely between parties or their counsel and not addressed to the Court, may not be filed on NYSCEF and will not be considered or answered by the Court.

**B. Scheduling Matters.** For questions concerning scheduling and calendar matters, contact the Park 7 Clerk at (718) 618-1288 or BxSupCiv-IA7@nycourts.gov.

**C. Telephone Calls.** Telephone calls to Chambers are permitted only in emergency situations requiring immediate attention. Do not contact Chambers for the status of a pending decision. No information regarding pending decisions will be given to any party.

**D. Requests for Adjournments or Extensions of Time.** Requests for adjournments or extensions of time must be filed in the form of a stipulation on NYSCEF. Any request for an adjournment of a court appearance shall be made at least 48 hours prior to the scheduled date. Hearings and oral argument on motions are held on Mondays, or in the event of a Monday holiday, on the following Wednesday.

Stipulations for adjournments are deemed granted unless counsel is otherwise notified by the Court. If the parties are unable to agree upon the terms of an adjournment of a court appearance, all counsel must appear on the scheduled appearance date.

### **2. Motions**

**A. Filing of Motion Papers.** Motion papers, as well as all submissions to the Court, including proposed orders, proposed judgments, stipulations to be So Ordered, and letters, must be electronically filed via the NYSCEF system. In non-NYSCEF cases, motion papers shall be filed in the Bronx County Clerk's Office promptly after service.

**B. Proposed Orders.** Where appropriate, the moving party on any motion, application, order to show cause, or other request for substantive relief shall submit a proposed order for signature by the Court via NYSCEF.

**C. Courtesy Copies.** Courtesy copies are NOT required unless specifically requested by Chambers. In the event that the Court requests courtesy copies, the moving party shall furnish to Chambers one set of courtesy copies of all the motion papers (including exhibits and papers in opposition to the motion) after the motion has been fully briefed.

**D. Oral Argument on Motions.** All motions, orders to show cause, and other submissions that are marked “fully submitted” by the Motion Support Office shall be scheduled for oral argument by the Part 7 Clerk. All motions require IN-PERSON appearances in Courtroom 624 by all counsel. Oral argument on motions is scheduled on Mondays. In the event of a Monday holiday, oral argument is held on the following Wednesday.

**E. Final Motion / Calendar Call.** The final call for motions and/or calendar call is at 11:00 a.m., at which time a default or dismissal may be entered on the record if a party fails to personally appear.

**F. Virtual Conferences.** The Court does not conduct virtual conferences absent exigent circumstances. In the event that a virtual conference is scheduled via Teams, counsel will receive further instructions from the Part Clerk.

**G. Compliance with Uniform Civil Rules / CPLR.** All parties must comply with 22 NYCRR § 202.8 and the CPLR with respect to motion practice. All motions for summary judgment must be filed no later than 60 days following the filing of the Note of Issue.

### **3. Conferences / Settlement**

A. At any time during the pendency of an action, any party may request a conference with the Court if he/she believes that a conference will help effectuate a settlement or otherwise expedite the case. Any such request must be filed by letter on NYSCEF and indicate whether all parties agree to the request.

B. All attorneys appearing at conferences must be fully prepared to proceed and be familiar with the facts of the proceedings. If another attorney is appearing for the attorney of record, they must have authority to act on behalf of the client.

### **4. Trials**

**A. Assignment.** Trials are assigned under the direction of the Special Trial Part (STP). All counsel and parties assigned to Part 7 for trial must be ready to proceed from the time the case is assigned to this Part through the conclusion of the trial.

**B. Motions *in limine*.** All motions addressing evidentiary issue or other matters which should be resolved *in limine* that are not raised at the first appearance in Part 7 may be deemed waived. Motions *in limine* are generally not required to be submitted in writing

unless the motion involves complex issues of law or fact.

**C. Filings Prior to Trial.** At least two business days prior to the date scheduled for trial, each party shall submit:

1. Two business cards/contact information, including email and cell phone numbers.
2. Copies of relevant stipulations and pleadings.
3. A list of the names of all witnesses (both fact witnesses and expert witnesses) that each party intends to call, in the likely order of appearance.
4. Any stipulations or statements of fact or law which have been agreed to by all parties.
5. Motions addressing evidentiary issues or other issues to be resolved *in limine*.
6. Proposed verdict sheets and requests to charge (PJI charges must reference the most recent edition).
7. A list by each party of exhibits to be offered in its case in chief, with a star indicating exhibits to which no party objects.
8. Requests for interpreters.
9. Any special requests for the use of technology in the Courtroom.
10. In jury cases, a brief summary of the relevant facts and contentions, and any anticipated issues in the case. The Court will not share the summary with opposing counsel.

## **5. Infant Compromise Orders**

A. Once the Infant Compromise Order and necessary documents have been submitted to the Clerk's Office in Room 217 and reviewed by the Court, the parties will be advised of the hearing date by the Park Clerk.

B. In order to avoid delay and ensure that all required documentation is submitted, counsel or *pro se* litigants should obtain an Infant Compromise Order checklist from Room 217 before submission of the proposed Order. Proposed Infant Compromise Orders without the required documentation will delay the process and may eventually be rejected.

C. The infant's appearance will not be waived. Plaintiff's counsel must make all arrangements to have the infant and parent/natural guardian appear in person. The Court does not conduct virtual conferences absent exigent circumstances. In the event that a virtual conference is scheduled via Teams, counsel will receive further instructions from the Part Clerk.

D. Proof of identity of the guardian appearing at the hearing must be furnished to the Court either prior to or on the date of the hearing.

## **6. Framed Issue Hearings / Traverse Hearings / Structured Settlement Hearings**

A. All parties to appear for hearings must call Chambers to confirm their attendance at least one day prior to the hearing. All hearings are conducted in-person.