

SUPREME COURT, BRONX COUNTY CIVIL I.A.S. PART 9 RULES  
JUSTICE DONNA M. MILLS

Part Clerk: John McConnell  
Telephone: (718) 618-1617  
Courtroom: 408

The following is a general list of rules for communications, motions, and trials for I.A.S. Part 9:

**Important:** Litigants shall have knowledge and authority to make decisions on behalf of themselves or their clients for the matter they are appearing on.

**Communication with the Court:**

1. Under no circumstances will ex-parte communications be accepted. All communications and calls shall be directed to the Part Clerk above unless the inquiry requires an immediate and substantive exercise of judicial discretion and all parties are present.
2. Requests for adjournments are to be made no later than 48 hours in advance in writing to the Part Clerk by mail. No exceptions. The Court must approve adjournments—stipulations of adjournment by the parties are unacceptable.
3. Parties are to promptly notify the Court of any resolutions. Please contact the Part Clerk to notify the Court of any settlements or of any motions or applications that are resolved, rendered moot, or withdrawn.

**Motion Practice:**

1. All motions and orders to show cause require personal appearance and oral argument.
2. Working copies (i.e., courtesy hard copies) are to be submitted to the Part Clerk or mailed to Motion Support, room 217. If a matter is E-filed, working copies must be provided for the Court on or after the submission date but no later than seven days before the appearance date. Working copies submitted (e.g., motions) in electronically filed matters must be downloaded from NYSCEF to ensure that they can be numbered in accordance and consistent with NYSCEF on short form orders. Failure to provide working copies may result in papers being disregarded or denial of the motion without prejudice.
3. Failure to appear at the call of any calendar may result in a dismissal or default judgment.
4. Papers submitted are to be timely made in accordance with the CPLR (e.g., CPLR 3212(a)).
5. All motion papers provided to the Court as working copies must include tabbed exhibits. Working copies that do not include tabbed exhibits may be rejected by the Court.

**Trials:**

6. All motions in limine and FRYE motions are to be brought by Order to Show Cause before the start of a trial (i.e., pre-openings).
7. All trial exhibits shall be pre-marked for identification.
8. Prior to an expert witness taking the stand, if any part of the expert witness's file is to be introduced into evidence, the file shall be examined by the opposing party and marked. Any objections to the expert's file shall be made at that time.
9. If any part of a deposition is to be read at trial, the party shall provide the Court with a copy of the deposition.
10. Any records submitted for evidence subject to or anticipated for redaction shall be submitted in duplicate.
11. At the commencement of the trial the parties shall submit suggested jury charges and suggested verdict questionnaire (interrogatories).

**COVID-19 Pandemic Addendum:**

1. While the Court continues to operate in a limited, remote capacity, all appearance dates are control dates. No appearances are necessary on those dates. The Court will contact the parties to schedule a remote conference, e.g., status, settlement, or oral argument.
2. Adjournments for conferences scheduled by the Court will be granted for emergencies. The requesting party must inform the Court before the scheduled conference date.
3. The Court is currently not accepting working copies. Please have all papers submitted and uploaded to NYSCEF at minimum 14 days prior to the control date or conference date without prior permission of the court.
4. Orders To Show Cause are to be submitted to the Part by 12:30pm if you expect the Court to take any action that day.