

**RICHMOND COUNTY SUPREME COURT
PART 10 RULES (CIVIL)**

Effective: July 9, 2024

Hon. Ralph J. Porzio
26 Central Avenue, Rm. 420
Staten Island, NY 10301
Phone: 718-675-8640 Courtroom: 718-675-8646

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GENERAL PART RULES

All attorneys appearing before the Court are to appear in business professional attire. This means jacket and tie or professional dress. This is regardless of whether the appearance is in person or virtual. The Court will not hear a case if an attorney is not appropriately dressed. If clients are required to appear for an appearance they are required to appear in court appropriate attire.

Outlook invitations for all court appearances are sent to parties whose email addresses are listed in NYSCEF. All invitations will state whether the appearance is virtual or in person. If the E-Courts appearance indicates the appearance is **Hybrid**, the appearance is virtual. In person appearances will be specifically designated as such. The following is the link for the Virtual Courtroom: [Click here to join the meeting](#)

All adjournments require the prior approval of the Court. All adjournments on the grounds of engagement of counsel shall be granted only in accordance with Part 125 of the Rules of the Chief Administrator of the Courts. Affirmations must be emailed to the Court at least one (1) day prior to the court appearance. There will be no phone calls or emails to request adjournments after 4:00P.M. the day prior to the appearance.

MOTIONS

Oral argument is required on all motions and orders to show cause. Motions should be noticed for your next court appearance. However, if a party needs to file a motion, and noticing the motion for the next court date is inapplicable pursuant to the CPLR, a date may be chosen by emailing jamckeon@nycourts.gov and derickse@nycourts.gov to confirm court availability.

Counsel are required to file all responsive papers and cross motions at least two (2) days before the return date of the motion or on a motion schedule provided by the Court.

Summary judgment motions may be made at any time, however, they must be made no later than 60 days after the filing of the Note of Issue.

Any motions to seek or enforce discovery may not be made without prior court approval. After argument of an application, sur-replies, letters or memorandums addressing the substance of the pending application will not be considered without prior permission from the Court.

All motions and orders to show cause must comply with the Uniform Rules for the Supreme Court & County Court. Statements of Material Facts are required. *See* 22 NYCRR 202.8.

SUBPOENAS

Subpoenas submitted to chambers must be on notice unless otherwise instructed by chambers. Subpoenas seeking documents from a state agency or municipality must be served in compliance with CPLR §2307. Once signed, copies are available for pick up in the courtroom.

PRELIMINARY CONFERENCE

A Preliminary Conference appearance may be vacated with the submission of a proposed Preliminary Conference Order. All proposed Preliminary Conference orders must be e-mailed to chambers and e-filed.

The Court may modify the dates or terms of any Stipulated Order. If there is a disagreement between counsel which requires this Court's intervention, counsel are directed to notify the part.

A copy of the Bill of Particulars must be filed and served upon all parties prior to the Preliminary Conference.

All depositions must be scheduled within sixty (60) days of the Preliminary Conference. Depositions may be adjourned only with the consent of the Court and counsel.

STATUS CONFERENCE

A Status Conference will be held within before the scheduled depositions.

COMPLIANCE CONFERENCE

Compliance Conferences will be held on a date after the selected deposition dates in the Preliminary Conference.

PRE-TRIAL/SETTLEMENT CONFERENCE

Once discovery is complete, the case will be certified, and the Note of Issue must be filed within thirty (30) days of the Certification Order. The matter will be scheduled for a Settlement Conference.

After the Settlement Conference, if the case is not resolved, the matter will be scheduled for trial and a Pre-Trial Conference. *See* 22 NYCRR 202.26.

Any evidentiary or procedural issues shall be brought to the Court's attention by way of a written motion in limine prior to trial commencing.

TRIAL

For all trials, the court is to be provided with the following no later than the first day after jury selection if complete, or the first day of trial in the event of a bench trial:

1. Marked pleadings pursuant to CPLR §4012.
2. A list of all proposed exhibits. Plaintiffs will number their exhibits and Defendants will letter their exhibits.
3. A list of documents which counsel may stipulate into evidence.
4. A witness list, expert reports not previously filed and any pre-trial memoranda of law.
5. A copy of depositions intended to be used shall be furnished to the Court.
6. A written list of any issues or facts to which the parties can stipulate in advance of trial. Said stipulation shall be read into the record at the commencement of the trial.
7. Proposed jury charges and proposed verdict sheets.

Once a case has been assigned a trial date, it is presumed ready for trial. No consent adjournments will be accepted. Failure to proceed may result in default relief being granted or the action being dismissed.

In the event the action is resolved prior to the court date, counsel are expected to notify Chambers immediately.

The Court may direct one or both parties to order the transcript and allocate the costs.

Failure to comply with any of these Court rules shall be addressed appropriately, including the possibility of preclusion and/or sanctions.

FORMS

[Preliminary Conference Order](#)

[Short Form Order](#)

[Compliance Conference Order](#)

[Stipulation](#)