

**SUPREME COURT, RICHMOND COUNTY PILOT
SUMMARY BENCH TRIAL PROGRAM [SBT]
INFORMATION SHEET
26 Central Avenue, Room 510
Staten Island, NY 10301**

Essential Features:

- An SBT is a binding one-day bench trial with relaxed rules of evidence.
- Litigants may submit medical evidence without live medical testimony.
- Litigants stipulate to High-Low parameters, i.e., \$0/\$25k, \$50k/\$250k, which cannot exceed the insurance policy limits. The litigants shall communicate the insurance policy limits to the justice presiding and may communicate the high low parameters upon further stipulation of the litigants.
- Litigants waive their right to appeal any determination issued by the Court.
- The Court will not entertain a motion to direct a verdict.
- The Court will not entertain a motion to set aside the verdict.
- The litigants and the Court shall set an agreed date for the trial.
- The litigants shall submit bench briefs arguing their points of law and fact, including the submission of stipulated evidence as exhibits consisting of medical records, reports, PowerPoint presentations, etc.
- A Supreme Court Justice presides over the trial.

General Rules:

- Voluntary participation in an SBT requires a written stipulation between the attorneys for each litigant addressing the following issues:
 1. Insurance Policy Limits
 2. High Low agreement parameters
 3. Waiver of the right to appeal
 4. Waiver of the right to make post trial motions
- No Findings of Fact/Conclusions of Law required.
- The Court does not enter a judgment upon the completion of the SBT, litigants, instead, prepare and exchange releases and stipulations.

- Litigants exchange and submit to the Court pre-marked evidentiary exhibits, including medical records, expert reports, photos, diagrams, and other physical evidence at least one week before the agreed trial date. The Court may consider uncertified medical records or those lacking an affirmation authentication such records either on consent or by court order.
- Lawyers shall exchange documents in advance of their initial conference, including pleadings, prior court orders, bills of particulars, and all proposed evidence in the form of a tabbed three-ring binder, or the digital equivalent in a single PDF file that includes a table of contents.
- The Court shall conduct a hearing before trial where the litigants object to the submission of proposed evidentiary exhibits, or can't agree on proposed redactions.
- The Court shall utilize Skype for Business to take real-time witness testimony and argument by attorneys for the litigants. The Court may also consider pre-recorded video witness testimony and transcripts from examinations before trial upon the further stipulation of the litigants in addition to Skype testimony or in place of real-time witness testimony.
- The Court shall provide a remote court reporter.
- Witnesses shall testify in a room provided at 26 Central Avenue under the supervision of a court officer.

General Procedures:

- The Court shall limit each litigants' opening and closing statements to no more than 10 minutes.
- The Court shall limit Plaintiff's case in chief to no more than one hour, and cumulative cross-examination shall not exceed one hour.