

HON. LYNN W. KEANE

3 North Erie Street
Mayville, NY 14757-0292
Fax: (716) 753-4993
Law Clerk: dglascot@nycourts.gov
Court Clerk: scaldwel@nycourts.gov
Secretary: hpark@nycourts.gov

LAW CLERK:	DENNIS P. GLASCOTT, ESQ.	(716) 845-9448
SECRETARY:	HOLLY PARK	(716) 845-9447
COURT CLERK:	STACEY CALDWELL	(716) 753-4357

PRELIMINARY CONFERENCES:

Preliminary conferences will be scheduled within 45 days of the Court's receipt of a filed RJJ, as required by 22 NYCRR §202.12(b). The first preliminary conference will be scheduled with Judge Keane or Law Clerk. Pleadings and a brief summary of the case in letter form are required in advance of the initial conference forwarded by first class mail only. Prior to the conference, the parties are expected to comply with 202.70(g) Rule 8. At the conference, the Court will issue a Scheduling/Trial Order and where appropriate an ADR referral.

All other conferences per the Scheduling Order or upon request.

Adjournments granted with the consent of all parties, subject to the Court's approval by contacting the Court's Secretary.

MOTIONS:

Chautauqua Motions: Every Monday at 10:00 a.m.

- Attorneys shall contact the Court Clerk to schedule a motion.
- Hard copies of e-filed motion papers are not required at this time
- All submissions, including replies, must be received by the Court via e-file no later than the Wednesday prior to the return date. Motions will be automatically adjourned to the following special term if any papers are e-filed after the Wednesday prior to the return date.
- Motions may be made returnable on any business day by appointment, beginning at 9:30 a.m. Please contact the Court Clerk for exact dates and times prior to scheduling motions. Allow one hour for motions, especially on newly filed cases. Orders to show cause are not required where the motion is served upon at least 8 days' notice, as set forth in CPLR 2214.
- Please note that temporary injunctive relief will not be granted in the absence of prior notice to the opposing counsel or party, as required by 22 NYCRR § 202.7(f), unless the

moving party can demonstrate significant prejudice from providing such notice. Live (Skype) testimony of the moving party may be required prior to signing an order to show cause containing temporary injunctive relief.

- Motions to resolve discovery disputes shall be accompanied by an affidavit of good faith attempt at resolution. The Court is available to assist parties in resolving discovery issues, without resort to motion practice, by scheduling an informal “Discovery Oversight Conference” (DOC). Counsel should communicate with opposing counsel to select a mutually agreeable date and time to meet in Part 20 and then schedule a conference through Chambers.

APPEARANCES AND ADJOURNMENTS:

Parties must be personally present for the settlement conference, trials and such other court dates as the court shall direct. If a party cannot be present at any such required appearance, counsel for such party will immediately notify opposing counsel before the appearance.

Minor children are not to be brought to the courthouse absent a direction of the court requiring their presence.

Short adjournments of motions or report back conferences may be obtained based upon consent of opposing counsel, by contacting Chambers or Expedited Matrimonials, depending on where the conference is scheduled. It is required that counsel complete the Request for Adjournment document and obtain new dates from opposing counsel (see adjournment request link). If consent is denied, the Court has a liberal adjournment policy for motions, especially when made on minimum notice, unless the relief sought is emergency in nature. Counsel should keep in mind the Standards of Civility (22 NYCRR §1200, Appendix A). Motions must be adjourned to a specific date and must include notice to the Attorney for Children, if applicable. Trial dates are firm and adjournments are seldom granted.

SUBMIT OR APPEAR DATES:

When counsel believes they have reached agreement in principle, the next appearance may be to “submit or appear”. The signature page of the agreement should be faxed to Chambers prior to the submit date. If the agreement is not forthcoming, the Court may set a mandatory appearance by clients or may schedule a trial, if it appears the parties are unable to reach resolution. If there is no appearance, the Court may move to dismiss such action.

ORDERS:

All orders and other papers for signature (except orders to show cause) must first be circulated to opposing counsel or pro se party for comment and approval. Orders and judgments will not be signed without proof that opposing counsel or the pro se party had the opportunity to review them. Proof of opposing counsel’s consent by letter or e-mail is preferred.