

## **HON. DEBRA L. GIVENS**

Part 23

25 Delaware Avenue

Buffalo, New York 14202

PHONE: 716-845-9372 / FAX: 716-845-7514

Law Clerk:	Holly P. Tucker, Esq.	845-9373
Secretary:	Shawn A. Fagan	845-9372
Court Clerk:	Patricia Koenig	845-9413
Court Reporter:	Maria Pisarek	845-2141

### **CRIMINAL MATTERS**

Assistant District Attorneys to provide copy of NYSIS to the Court prior to arraignments on indictments, bail motions, and SCI pleas. All SCI paperwork and Defendant Information Sheet is to be provided to the Court at least 48 hours in advance of the scheduled plea.

All motion papers (including responding papers) should be properly served upon counsel and the Court. Refer to time schedules and procedures set forth in the CPL. The Court must be in receipt of all papers at least three (3) days prior to the return date.

### **CIVIL MATTERS**

An initial conference will be automatically scheduled upon receipt of an RJI and/or calendar Note of Issue.

Conferences will be held virtually via MS Teams unless otherwise indicated.

### **E-FILING**

All papers and exhibits subject to e-filing, including motions, proposed orders and proposed judgments shall be electronically filed. Papers in matters not subject to e-filing are to be provided to the Court simultaneously with service on all parties.

## **FORECLOSURES**

After the RJI has been filed, the Court will schedule the case for a preliminary conference and thereafter keep the case on a 60-day diary. Conferences may be adjourned if a motion has been filed. There should be a separate motion for the Order of Reference. The first motion should include proof of compliance with the 90-day pre-foreclosure notice, where required by RPAPL 1304. Where the premises are occupied, notice of any motions should be mailed to the defendant(s), regardless of whether they are in default in answering the complaint. Requests for costs and/or attorney fees must be accompanied by a bill of costs and an affidavit indicating the basis for the award requested.

Foreclosure scheduling are by email to: [htucker@nycourts.gov](mailto:htucker@nycourts.gov) and [pkoenig@nycourts.gov](mailto:pkoenig@nycourts.gov) and [sfagan@nycourts.gov](mailto:sfagan@nycourts.gov).

## **CIVIL TRIALS**

Trial dates issued by the Court are considered to be "DATE CERTAIN". Disclosure of experts shall be made thirty (30) days prior to the commencement of jury selection. Pleadings, list of witnesses, proposed jury charge, and verdict sheets are required one (1) week prior to jury selection. Any motions *in limine* shall be heard the day prior to jury selection.

## **ADJOURNMENTS**

Any request for an adjournment shall be made to the Judge's secretary, law clerk, or court clerk and must be obtained *in advance of* the scheduled court date.

Confirmation of any adjournment together with its rescheduled date must be made in writing to all parties and to the Court by counsel seeking the adjournment.

Adjournments will only be granted upon consent of counsel, except in cases of emergency.