

HON. MICHAEL J. NORRIS, J.S.C.

775 Third Street

Part 3

Niagara Falls, New York 14301

(716) 371-4140

Secretary	Amy Garcia	aegarcia@nycourts.gov	(716) 371-4140
Court Clerk	Victoria Hollenbaugh	vhollenb@nycourts.gov	(716) 371-4025
Law Clerk	David J. Haylett Jr.	dhaylett@nycourts.gov	(716) 371-4148

CORRESPONDENCE

Correspondence to the Court shall be sent to the Court's Secretary either as an attachment to an email or mailed as a hard copy. Any correspondence filed on NYSCEF shall be sent separately as directed above to the Court.

ORDERS OF PROTECTION

Application for Orders of Protection shall be directed to the Court Clerk and include police and/or medical reports, if available. The Protective Registry Information Sheet should also be filed with the application. If an individual is in imminent danger, please call 911.

ORDER TO SHOW CAUSE

Prior to filing an Order to Show Cause, counsel shall contact the Court's Law Clerk. An Order to Show Cause will only be granted when there is a genuine urgency, a stay is required, or an Order to Show Cause is required by law.

ORDERS

Orders must be submitted by the prevailing party within thirty (30) days from decision date with indication that the Order has been sent out to all opposing counsel or pro se litigant with at least seven (7) days notice to review and that no objection has been received. A transcript of the Court's decision, where applicable or directed, must be attached to the proposed Order (see standard sample order attached to these rules when transcript is used). If no objections are received by the Court after three (3) days from submittal, the Order will be signed without further delay.

ARTIFICIAL INTELLIGENCE

Any party who uses generative AI tool in preparation of any documents filed with the court must: (1) disclose the use of AI; (2) disclose the specific AI tool used; (3) identifies the portion of the filing drafted by AI; and (4) include a certification that the AI work product was diligently reviewed by a human being for accuracy and applicability.

SPECIAL TERM

CIVIL

Special Term is scheduled for the **Second** and **Fourth Wednesday** of each month. All motion, opposition and reply submissions are to be e-filed on New York State Courts Electronic Filing system (NYSCEF). All submissions, including replies, must be e-filed no later than 5:00 p.m. on the Friday prior to the return date. At the Court's discretion, late submissions may result in an adjournment of the motion or rejection of the untimely submission. Requests for oral argument will be granted in the discretion of the Court. All oral arguments will be by virtual TEAMS appearance unless otherwise directed by the Court.

MATRIMONIAL MOTIONS

If not placed on the Special term calendar as set forth above, matrimonial motions will be scheduled by the Court Clerk to be heard on available Thursdays or in conjunction with a conference. All motion, opposition and reply submissions are to be e-filed on New York State Courts Electronic Filing system (NYSCEF). All submissions, including replies, must be e-filed no later than 5:00 p.m. three (3) days prior to the return date. At the Court's discretion, late submissions may result in an adjournment of the motion or rejection of the untimely submission. Requests for oral argument will be granted in the discretion of the Court. All oral arguments for matrimonial motions will be in person appearance unless otherwise directed by the Court.

ADJOURNMENTS

Adjournments will be adjourned by the Court Clerk on consent of all parties, subject to the Court's approval. To request an adjournment, counsel must email the Court Clerk, Law Clerk, and all other counsel. If granted, the motion will be immediately rescheduled. Motions will not be generally adjourned.

CONFERENCES:

CIVIL

A preliminary conference will be held virtually through Microsoft Teams unless otherwise directed by the Court within 45 days of the Court's receipt of a filed RJI. Status conferences will be scheduled either virtually through Microsoft Teams (TEAMS) or in person as directed by the Court. All conferences will be with the Judge or Law Clerk. To request an adjournment, counsel shall confer with opposing counsel and select mutually agreeable dates to propose to the Court for the rescheduled conference. If an adjournment is granted, a new conference date will be scheduled immediately.

MATRIMONIAL ACTIONS

Pursuant to 22 NYCRR 202.12(b), the Court will schedule a Preliminary Conference within forty-five (45) days of the filing of an RJI, typically the first or Third Monday of each month. Parties must be present in-person at the preliminary conference unless otherwise directed by the Court. At least ten (10) days prior to the Preliminary Conference, the parties shall submit the following

Plaintiff:

- A summary of resolved and unresolved issues;
- A 236B financial affidavit;
- A copy of the signed retainer agreement;
- A copy of the date-stamped summons;
- A copy of the affidavit of service; and
- A copy of the current year W-2.

Defendant:

- A summary of resolved and unresolved issues;
- A 236B financial affidavit;
- A copy of the current year W-2; and
- A copy of the signed retainer agreement.

Pursuant to Uniform Civil Rule 202.16, the Preliminary Conference Order must be completed and signed by each attorney/party and submitted to the Court at least ten days prior to the preliminary conference.

The Court will address temporary support and the automatic stays at the preliminary conference and counsel should be prepared to discuss said issues of *pendente lite*. Status conferences will be heard virtually through TEAMS unless otherwise directed by the Court. Adjournments will be granted with consent of the parties, subject to the Court's approval by contacting the Secretary or Law Clerk. If custody and access are at issue, the Court will appoint an Attorney for the Child(ren) (AFC).

SPECIAL REQUIREMENTS ON POLICY LIMITS CASES (CIVIL)

If a case with a value in excess of the policy limits is being settled or tried for available insurance coverage, counsel shall submit as soon as possible an affidavit from the insureds detailing all existing insurance coverage; an affidavit from counsel offering the policy limits detailing their activities in ascertaining the existence of all available insurance coverage, and an affidavit from a principal with the insurance company swearing as to all existing insurance coverage.

TRIALS (CIVIL)

Trials will be scheduled after a Note of Issue is filed. The Court will issue a Trial Scheduling Order at an in-person pre-trial conference immediately following the filing of the Note of Issue. The Trial Scheduling order shall be strictly adhered to, including expert disclosure deadlines. Adjournments of trials are granted by the Judge only and require a showing of compelling circumstances.

Marked pleadings and papers for motions *in limine* shall be submitted one week prior to jury selection. Formal requests to charge and proposed verdict sheets shall be submitted one week prior to jury selection to the Law Clerk. The charge conference will be held following the completion of proof, unless otherwise directed by the Court.

STATE OF NEW YORK
SUPREME COURT: COUNTY OF NIAGARA

JOHN DOE

Plaintiff,

**SAMPLE
ORDER**

vs.

Index No.

JANE DOE

Defendant

At a virtual hearing held _____, it is hereby

ORDERED, that Plaintiff's/Defendant's motion for _____ is granted/denied in all respects.

The attached transcript of the proceedings and court Decision and Order are hereby incorporated by reference with this Order.

This constitutes the Decision and Order of the Court.

Hon. Michael J. Norris, JSC
NYS Supreme Court Justice

Dated:
Niagara Falls, New York