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COURT CLERK: JUDY CONNERS (716) 845-9413

MOTIONS:

Motions may be made returnable on Wednesdays at 9:30 a.m. or by appointment through the secretary. Working copies of the papers are appreciated; lengthy exhibits are not required. Adjournments should be arranged through stipulation. Counsel are asked to observe the Rules of Civility regarding reasonable requests for adjournment.

Motions to resolve discovery disputes shall be accompanied by an affidavit of good faith attempt at resolution; parties are encouraged to discuss discovery issues during conferences in order to minimize motion practice. Requests for temporary injunctive relief will not be granted in the absence of prior notice to the opposing party, as required by 22 NYCRR §202.7(f). Orders and other papers for signature (except orders to show cause) must be circulated to opposing counsel on five business days' notice.

SETTLEMENT CONFERENCES & TRIALS:

Parties are encouraged to seek alternative dispute resolution to expedite resolution and minimize costs. Trial dates are firm, and adjournments are granted only in exceptional circumstances. Expert disclosure pursuant to CPLR 3101 is required 30 days before trial. Motions *in limine* will be heard the week before jury selection. A charge conference will be conducted prior to summations. Requests to charge and a verdict sheet are appreciated at the time of jury selection.

Exhibits for trial must be marked by the court reporter prior to openings. Counsel shall supply a courtesy copy of each exhibit to opposing counsel and the court. For lengthy exhibits, only the relevant pages need be copied. The parties will be asked to stipulate as many exhibits as possible into evidence prior to the start of trial in order to promote the flow of testimony.

MATRIMONIAL ACTIONS:

Parties must serve pleadings (complaint and answer) and 236B affidavits prior to the first conference. Parties must produce at the first conference the following items: the prior year's income tax statement; current pay stub; a copy of his or her lifetime Social Security earnings statement; an executed retainer agreement; and a completed copy of the court's Preliminary Matrimonial Information Sheet (available through the Chambers). If custody and access are at issue, the Court will designate an AFC (Attorney for Children), and the parties will be asked to work out a Parenting Plan, to be drafted by the AFC. The parties will also be encouraged to enter into a Property Settlement Agreement regarding finances.

If any issues remain unresolved, the court will set a trial date, to be preceded by a final settlement conference. Counsel for the plaintiff must circulate a proposed settlement agreement and e-mail it to Chambers at least one week prior to the settlement conference, so that any negotiated modifications can be inserted and the document printed and signed. Parties must be present for the settlement conference. If the case does not settle, a Statement of Proposed Disposition, pursuant to 22 NYCRR 202.16(h), is required one week prior to trial. At the close of proof, each counsel is required to provide a post-trial submission summarizing the issues to be judicially determined and his/her client's position on those issues.

MORTGAGE FORECLOSURES:

After the RJI has been filed, the court will schedule the case for a preliminary conference (if no motion has been filed), and thereafter keep the case on a 60-day diary. Conferences may be adjourned if a motion has been filed. Paper copies of motion papers should be provided. 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.