

**Hon. Amy C. Martoche**  
25 Delaware Avenue, Part 21  
(Judicial Chambers on Fifth Floor)  
Buffalo, New York 14202  
716.845.9486  
amartoch@nycourts.gov

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Court clerk:	Laura Haas	<a href="mailto:lhaas@nycourts.gov">lhaas@nycourts.gov</a>	716.845.9416

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### GENERAL MATTERS

**APPEARANCES:** Due to COVID-19 restrictions, until further notice and unless otherwise scheduled preliminary conferences and report-back conferences will be conducted by telephone, except that all preliminary conferences involving pro se parties will be conducted via Microsoft Teams. The court and its law clerk will establish contact using the primary telephone number provided by counsel in the preliminary matrimonial information sheet to be submitted to this part. (That sheet appears in Appendix A to these rules, and an electronic copy of that document may be obtained by contacting Kate Schroeder via email.)

**MOTIONS:** Generally, motions are returnable on Tuesdays at a time to be made in consultation with Kate Schroeder. Sometimes, for efficiency, motions may be scheduled to coincide with an already-scheduled conference. All submissions will be reviewed using the NYSCEF platform; however, as a courtesy to the court, please also email PDF copies of all submissions to Justice Martoche, Michael Pastrick, and Kate Schroeder. The court will not accept papers via fax.

Applications with respect to discovery disputes must be supported by an affidavit or affirmation of good faith attempt at resolution (*see* 22 NYCRR 202.7 [a]-[c]). Applications lacking the affidavit or affirmation of good faith effort may be rejected. Parties are encouraged to discuss discovery issues during conferences to minimize such motion practice.

**ADJOURNMENTS:** Adjournments are granted with the approval of the court. Consent of opposing counsel or counsels is preferred, but not mandatory. It is the responsibility of counsel seeking the adjournment to arrange the request with opposing

counsel or counsels. It also is the responsibility of counsels to furnish to the court (preferably by email) three dates and times at which the matter may be rescheduled.

### **MATRIMONIAL ACTIONS**

**PRELIMINARY INFORMATION SHEET:** Please complete the preliminary matrimonial information sheet contained in Appendix A to these rules and return a PDF copy of that document to the court in advance of the preliminary conference.

**PRELIMINARY CONFERENCE:** Pursuant to 22 NYCRR 202.12 (b), the preliminary conference must be held within 45 days of the filing of a request for judicial intervention. Please email the completed preliminary matrimonial information sheet to the court (through Kate Schroeder, at [kschroed@nycourts.gov](mailto:kschroed@nycourts.gov)) in advance of that conference. Please also upload a retainer agreement, summons, affidavit of service, and Domestic Relations Law § 236 part B affidavit to NYSCEF in advance of that conference.

**FINAL JUDGMENT ROLL:** Please complete and submit to Michael Pastrick the judgment roll checklist contained in Appendix B to these rules in conjunction with the tender of a proposed judgment for judicial signature. Submission of a PDF copy of a completed judgment roll checklist will facilitate the review and execution of a proposed judgment.

**DEFAULT:** To the extent a default is taken in the absence of any prior appearance by the defaulting party, please serve a courtesy copy of the motion for default judgment upon that party through the same means by which service of the summons and complaint was effectuated and include an affidavit of service in your motion papers.

## APPENDIX A



**NEW YORK STATE SUPREME COURT**  
**Expedited Matrimonial Program**  
25 Delaware Avenue, Fifth Floor  
Buffalo, New York 14202  
716.845.9486

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**PRELIMINARY MATRIMONIAL INFORMATION SHEET**  
Submitted to Hon. Amy C. Martoche, J.S.C.  
on Behalf of Plaintiff/Defendant (Select One)

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**I. PARTIES**

<b>Plaintiff:</b>	
<b>Defendant:</b>	
<b>Index No.:</b>	

**II. ATTORNEYS**

**A. Plaintiff's Attorney(s):**

<b>Attorney(s):</b>	
<b>Preferred Phone #:</b>	
<b>Alternate Phone#:</b>	
<b>Email:</b>	

**B. Defendant's Attorney(s):**

<b>Attorney(s):</b>	
<b>Preferred Phone #:</b>	
<b>Alternate Phone #:</b>	
<b>Email:</b>	

**C. Attorney for the Child/Children (if known):**

<b>Attorney:</b>	
<b>Preferred Phone #:</b>	
<b>Alternate Phone #:</b>	
<b>Email:</b>	

**III. BACKGROUND INFORMATION OF PARTIES**

	<b>Wife (Plaintiff/Defendant)</b>	<b>Husband (Plaintiff/Defendant)</b>
<b>Age:</b>		
<b>Health:</b>		
<b>Occupation:</b>		
<b>Current Address:</b>		
<b>Email:</b>		
<b>Phone:</b>		
<b>Cell Phone:</b>		
<b>D/O Marriage:</b>		
<b>Years Married:</b>		
<b>D/O Commencement:</b>		
<b>D/O Separation:</b>		

**IV. ORDER OF PROTECTION**

<b>Party Imposed Against:</b>	
<b>Issuing Court:</b>	
<b>Date of Issuance:</b>	
<b>Expiration Date:</b>	
<b>Type/Provisions:</b>	

## V. RELATED PROCEEDINGS

Please note any related proceeding or proceedings pending in any court (e.g., Family Court or City Court). To the extent there is a related proceeding or proceedings, please note the index number of such proceeding, the judge or justice before whom such proceeding is pending, the attorneys involved in such proceeding, and the subject matter of such proceeding.

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## VI. CHILDREN

Name	Age (d/o/b)	School	Special Needs (Y/N) <sup>1</sup>

<sup>1</sup> If the child has special needs, then please briefly describe those needs.

**Custody/Access:** Are custodial and access issues resolved? (Y/N)

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If custodial and/or access questions are not resolved, then please note the main issues with respect to those questions.

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**VII. INCOME, ASSETS, AND LIABILITIES**

**A. Income:**

Husband/ Wife	Employer/Source	Annual Income

**B. Real Property:**

**i. Property #1:**

<b>Address:</b>	
<b>City/Town:</b>	
<b>Titled Owner:</b>	
<b>FMV:</b>	
<b>Lien(s):</b>	
<b>Separate Property Claim (SPC) (H/W):</b>	

ii. Property #2<sup>2</sup>:

Address:	
City/Town:	
Titled Owner:	
FMV:	
Lien(s):	
SPC (H/W):	

C. Pension(s):

Plan/Administrator	Owner (H/W)	SPC (H/W)

D. Securities (401k/403b/Deferred Compensation/IRA/Investments):

Company/Type	Owner (H/W)	Current Balance	SPC (H/W)

E. Motor Vehicles:

Year/Make/Model	FMV	Lien	Title (H/W)	Primary User	SPC (H/W)

<sup>2</sup> Please note any additional real property holdings in an appendix to this information statement.



**F. Bank Accounts:**

Bank	Checking/ Savings	Owner (H/W/JT)	Current Balance	SPC (H/W)

**G. Business Entities:**

Entity	Nature of Business	Owner (H/W)	SPC (H/W)

**H. Debts (excluding mortgage and auto loans):**

Debt Holder	Nature of Debt	Balance	Debtor (H/W/JT)	SPC (H/W)

**I. Life Insurance:**

Company	Type	Face Amount	Cash Value (if any)	SPC (H/W)

**J. Personal Property/Household Furnishings:**

Please list personal property and household furnishings with respect to which there is a significant issue or dispute:

**K. Other Significant Issues/Assets/Liabilities:**

Please briefly note other assets, liabilities, or issues of significance.

## **APPENDIX B**

## JUDGMENT ROLL CHECKLIST

Case Name \_\_\_\_\_ Index No. SF \_\_\_\_\_

Plaintiff's Attorney \_\_\_\_\_ Defendant's Attorney \_\_\_\_\_

- Written proof that opposing counsel has reviewed and approved the proposed Judgment and Findings of Fact & Conclusions of Law.
- Withdrawal of appearance, if not in the agreement or transcript.
- Court exhibits.
- Copy of fully-executed agreement or  Written Ratification and complete transcript.
- Copy of Summons & Affidavit of Service (that has been filed in the ECCO).
- Copy of Complaint (that has been filed in the ECCO).
- Affidavit in Lieu of Testimony (if on papers).
- Removal of Barriers Language (if on papers).
- Non-Military Affidavit (if on papers).
- DRL § 236 (B) Affidavit       Plaintiff       Defendant
- Retainer Agreement       Plaintiff       Defendant

**If there are minor children, also submit the following:**

- Parenting Agreement, if not included in the Property Settlement Agreement.
- Written proof that the Attorney for the Child has reviewed and approved the Parenting Agreement, the Judgment and the Findings of Fact & Conclusions of Law.
- UCS 111
- STATE CASE REGISTRY FILING FORM, if Child Support is not paid through a Child Support Collection Unit.**