

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF WESTCHESTER

INDIVIDUAL PART RULES OF
JUSTICE JAMES L. HYER

(Amended December 19, 2023 – These Rules are subject to change)

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(Amended December 19, 2023 – These Rules are subject to change)

Commencing March 16, 2023, matters before the Honorable James L. Hyer, Justice of the Supreme Court, Westchester County, shall be conducted pursuant to the following information, practices rules and procedures:

General Information:

Courtroom: 1003
Address: 111 Dr. Martin Luther King, Jr., Blvd., White Plains, N.Y. 10601
Telephone: 914-824-5427

Justice Hyer’s Staff:

Principal Law Clerk: Lisa R. Marlow Wolland, Esq.
E-Mail: 9jd-JudgeHyer@nycourts.gov
Telephone: 914-824-5427

Secretary: Rita Cavero
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Telephone: 914-824-5427

Part Clerk: Kimberly Kirklin
E-Mail: 9jd-JudgeHyer@nycourts.gov
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These Rules supplement and, where inconsistent with, supersede the Uniform Civil Rules of the Supreme and the County Court, 22 NYCRR § 202.1, et seq., and the amendments thereto, which became effective February 1, 2021, and the Westchester Supreme Court Matrimonial Part Operations Rules, Effective November 1, 2022, and as thereafter amended.

A. Appearances:

- a. **Within ten (10) days of written notification of this Part’s assignment to a case, or written notification of a Preliminary Conference, whichever shall first occur, each attorney shall file a record of appearance with Chambers. The record of appearance shall include the attorney’s name, firm affiliation, e-mail address, mailing address, telephone and facsimile numbers, as well as the party represented. The record of appearance shall also contain a written acknowledgement that counsel is familiar with these Part Rules.**

B. Certification of Papers:

- a. Every pleading, written motion and other paper served or filed in an action must be signed by an attorney pursuant to § 130-1.1a of the Rules of the Chief Administrator of the Courts.

C. Communications with the Court:

- a. **Correspondence** – All correspondence to the Court must bear the full Title and Index Number of the action and indicate that a copy was sent to all other counsel or self-represented litigant(s) simultaneously with transmittal to the Court. Correspondence addressing substantive non-procedural issues, such as adjournments, will not be considered by the Court absent approval, and shall be treated as having been denied without further action by the Court. Correspondence between counsel and/or self-represented litigants shall not be copied to the Court unless there is some specific judicial purpose to be served by transmitting copies to the Court. **Correspondence to the Court shall be transmitted by NYSCEF (E-file) only. Only if a party is not participating in NYSCEF, the parties shall e-mail OR mail their correspondence to the Court upon notice to all parties.**
- b. **Telephone Calls** – Telephone calls to the Court’s staff are permitted only in urgent situations requiring immediate attention that cannot be attained by correspondence.
- c. **E-Mail** – E-Mails to the Court’s staff are to be avoided whenever possible. However, all e-mails should be brief and concise, stating the relief or action requested to be taken by the Court. All e-mails to the Court must bear the full Title and Index Number of the action and indicate that a copy was sent to all other counsel or self-represented litigant(s) simultaneously with transmittal to the Court.
- d. **E-Courts** – While E-Courts can be a useful tool, it is not always accurate. In the event of conflict between the appearance date provided by the Courts and E-Courts, the parties should appear on the date and time provided by the Court.

D. E-Filing Rules & Protocol:

- a. **E-Filing Protocols** - Counsel and self-represented litigants shall familiarize themselves with the statewide E-Filing Rules (§§ 202.5-b and 202.5-bb of the Uniform Rules, available at www.nycourts.gov/efile) and the Joint Protocols for New York State Courts e-filing for cases filed in Westchester County available at: <https://www.nycourts.gov/LegacyPDFS/courts/9jd/Efile/WestchesterCountyJointProtocols.pdf>

General questions about e-filing should be addressed to the E-Filing Resource Center at (646) 386-3033 or efile@nycourts.gov. Specific questions about local procedures should be addressed to the Civil Calendar Office at 914-824-5300.

All documents in mandatory e-filed cases, except documents subject to the opt-out provision of § 202.5-bb of the Uniform Rules, or documents subject to e-filing in which consent is being withheld, are to be filed through the New York State Courts E-Filing System (NYSCEF). All submissions to the Court, except correspondence as per these Rules (*see* Section C[a], *supra*), must be electronically filed.

- b. **Working Copies** – In e-filed cases, working copies of all legal papers which require judicial action are not required, **except** in motions with large records to be reviewed. When in doubt, counsel and self-represented litigants **MUST** contact Chambers and ask if working copies are needed. The working copy of a motion **must** include all documents filed in support of the motion, including exhibits with **external tabs**.

Working copies of proposed judgements, orders and separation agreements must be separated from the motion submission for ease of uploading. Bindings or fastenings either on the top or left-side of the page shall not encroach upon, delete, or otherwise omit the content of the papers. Do **not** bind papers with heavy-duty staples.

All working copies shall be submitted to Chambers, by mail or hand delivery, within twenty-four (24) hours of e-filing and no later than the return date or notice of settlement date. In the event the Court does not receive working copies, the Court may not consider the submission until the working copy is received by Chambers.

All working copies must include a copy of the NYSCEF Confirmation Notices and must comply with all the requirements of the Westchester County and Supreme Court E-Filing Protocols. The Confirmation Notice is generated when the case is e-

filed and is available in the specific file at <http://www.nycourts.gov/efile>. Working copies that do not include a NYSCEF Confirmation Notice will be rejected.

E. Court Conferences:

- a. **General Rules** – See Uniform Rules §§ 202.1(f), (g) and 202.11. In addition, the Court’s calendar will be called at 9:30 a.m. in Courtroom 1003 of the Westchester County Courthouse, unless otherwise directed. Counsel, including per diem covering counsel, and self-represented litigants, must appear on time, be fully familiar with the action(s) on which they appear, be authorized and prepared to discuss all factual and legal issues presented by the litigation and settlement demands or offers, and be authorized to enter into any agreement on behalf of their client. **Failure to comply with this Rule may be treated as a default for purposes of 22 NYCRR § 202.27 and/or may be treated as a failure to appear for purposes of 22 NYCRR § 130.2.1.**

In matrimonial actions, attorneys **must** appear with their clients for all conferences, unless such appearances are dispensed with by the Court on prior written request, on notice to the adversary, and if applicable, the children(s)’s attorney(s).

If counsel or a party is unable to appear on time due to unforeseen circumstances (i.e., delays due to inclement weather or road closures), counsel should contact opposing counsel(s), and advise the Part Clerk or Court’s staff, by telephone, as soon as possible. Tardy arrivals will not be tolerated.

Counsel scheduled to appear simultaneously before this Court and another must communicate that fact to Chambers prior to the date of appearance so the conflicting appearances can be reconciled. Counsel may not rely on opposing counsel to advise the Court of their conflict at the time the case is called. In the event counsel does not advise the Court of a conflict, the Court may proceed in the absence of the attorney.

- b. **Adjournment of Conferences** – A request to adjourn a conference must be made in writing, **by NYSCEF ONLY, except as provided in Section C(a)**, at least two (2) full business days in advance of the scheduled conference, unless there is an emergency.

All applications for adjournments must set forth:

- (1) The reason why an adjournment is necessary;
- (2) Whether the opposing part(ies) consent(s) or object(s) to the application;
- (3) The length of the adjournment sought or, if on consent, three (3) dates and times all parties are available. All such communications must be copied to all counsel and self-represented parties.

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Where the adjournment sought is not on consent, the requesting party must briefly set forth why the adjournment is necessary, the length of the adjournment and the reason offered by the non-consenting party for the lack of consent. Opposing counsel of a self-represented litigant may succinctly provide their reasons for objecting to the requested adjournment if they believe their position has been stated incorrectly. No further communication concerning the request for adjournment will be permitted. The request and the response, if any, are not to be used to advocate a position on the substantive dispute and shall address only the reason that consent for the requested adjournment is being declined.

The Court will advise the requesting party by NYSCEF (or by e-mail as per Section C[a] with copies to all parties copied on the original e-mail) whether the requested adjournment has been granted. Requests that are not copied to all other parties will not be acted upon. The parties should not assume that the request for adjournment (even if consented to) has been granted, unless specifically advised by the Court.

To the extent that counsel seeks an adjournment based upon engagement of counsel, compliance with the Rules of the Chief Administrative Judge Part 125 shall be complied with, including, but not limited to, the filing of an Affirmation of Engagement.

- c. **Preliminary Conferences** – At the Preliminary Conference, the Court will set specific dates for completion of various items of discovery, the date by which all disclosure must be completed, and the dates for a Compliance Conference and Settlement Conference. All counsel and self-represented litigants are expected to abide by, and comply with, the Court’s discovery schedule and deadlines. As per Uniform Rule § 202.20-e, no modifications of the dates set by the Court are permitted, except by Court Order.
- d. **Discovery Disputes** – Parties who have a discovery dispute shall not wait until the Compliance Conference to bring such dispute or complaint about any non-compliance to the Court’s attention. Rather, counsel (or self-represented litigant) who believes that discovery is not being conducted in accordance with the Preliminary Conference Order (or other Order) is to discuss, in good faith, as required by the Uniform Rule § 202.7, the claimed non-compliance with the counsel or self-represented litigant who is allegedly non-compliant with the Court Order. A *pro forma* letter does not constitute a good faith effort. There must be actual, substantive communication between counsel, either telephonically or in writing, regarding the claimed non-compliance, or the other. The parties are not to copy the Court on correspondence between counsel concerning discovery issues, unless specifically requested by the Court to do so. Similarly, any scheduling issues for depositions, medical examinations, appraisals, etc., must be addressed by counsel, and must not wait until the Compliance Conference.

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The parties are not to make any motion concerning discovery without first having attempted to resolve the issue(s). If counsel cannot resolve the discovery issue between themselves after a good faith effort, then the counsel who believes that the discovery is not being conducted in accordance with the Court's Order is to contact the Court by letter, limited to three pages, to advise of the nature of the dispute and the efforts that have been made to attempt to resolve it. The Court will either resolve the issue by letter or Court Order, or by scheduling a conference.

Counsel shall abide by the Uniform Rules for the Conduct of Depositions, 22 NYCRR § 221.1, *et seq*, in particular Section 221.2, which prohibits, except in certain instances, directing a witness not to answer a question. Rulings concerning disputed objections may be obtained by calling the Court.

Exception: Where an Order of Protection prohibits one party from contacting another party, the party who believes that discovery is not being complied with shall contact the Part Clerk without contacting the opposing party.

- e. **Compliance Conferences** – The Court will conduct a Compliance Conference as directed at the Preliminary Conference. At the Compliance Conference, the Court will ensure that discovery is proceeding as scheduled, or has been completed, so that the Court can direct a date by which a Notice of Issue shall be filed and can schedule a Pre-Trial Conference and trial dates. The Court may also conduct a Settlement Conference at this time. Counsel are to be fully familiar with the action as well as all settlement discussions that have previously taken place so that meaningful discussions can be held.

Each party reserves all rights to raise issues and arguments, notwithstanding the admissibility of the document(s). The parties' failure to stipulate to undisputed matters of fact or the admissibility of documents, thereby generating unnecessary trial time, shall be a factor in evaluating requests for the granting, or denying, or counsel fees, if otherwise authorized.

- f. **Settlement Conferences** – ***Per diem* counsel are not permitted.** Counsel attending the Settlement Conference must be fully familiar with the action and be authorized to discuss all factual and legal issues presented by the litigation, settlement demands or offers, witness scheduling, and trial procedure – including, for example, whether any party or witness will require a translator or accommodation for a physical challenge. Counsel must be authorized to enter into binding settlements on terms agreeable to the parties and to the Court. The Court will explore limitation issues for trial (e.g., in an appropriate case, whether liability may be conceded, or certain claims or defenses withdrawn).

Counsel are advised that, in an effort to foster settlement discussions, the Court may meet with one side or the other apart from opposing counsel. Counsel are presumed to have consented to the Court doing so unless an objection is stated.

Counsel/self-represented litigants must bring to the Settlement Conference: (1) the complete case file; (2) completed spousal support and child support worksheets; and (3) all evaluation reports.

g. Pre-Trial Conferences – At the Pre-Trial Conference, the Court shall be provided with a Trial Notebook with the following included with tabs for each section (except for exhibits which shall be in a separate binder with tabs):

1. Marked pleadings.
2. A copy of all prior Decisions or Orders on motions issued in the case.
3. A fully executed Stipulation of relevant facts that are not in dispute. The Court expects that no matter how contentious the case, there will be at least some facts that are not in dispute (e.g., the date of the marriage, the children's names and birth dates, the location of any residential real estate and the approximate date of acquisition, approximate cost, the approximate balance on any mortgage and the dates of creation of financial accounts and deferred compensation).
4. Any forensic reports, appraisals, evaluations conducted in the matter.
5. 3101(d) Expert Witness Disclosures made in this matter with proofs of service.
6. An exhibit list and pre-marked exhibits. Only those items that are received in evidence will be marked by the reporter. Copies of all exhibits intended to be offered must be presented to the Court in a ringed notebook with a table of contents, with Plaintiff's exhibits numbered, and Defendant's exhibits lettered in the order in which they are generally intended to be used, with external tabs separating each exhibit. Counsel shall exchange their notebooks with proposed exhibits at least seven (7) business days prior to the Pre-Trial Conference. Failure to timely submit an exhibit list and proposed exhibits may result in preclusion. At the Pre-trial Conference, counsel must either stipulate to the admission of the exhibits to be offered by the adverse party or state the ground or any objection to admission of any such exhibit. Such Stipulation must be prepared before the Pre-Trial Conference, in writing, so that it may be presented to the Court at the Pre-Trial Conference. Counsel must be prepared to argue to the Court at the Pre-Trial Conference, the admissibility of any exhibits to which an objection is taken. Counsel are advised that the failure to include an exhibit in the exhibit list and/or to participate in the exhibit exchange provided for herein, may result in preclusion of that exhibit.

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7. A List of Witnesses, including the address of each witness, the time anticipated for the witness' direct examination, and the general subject matter of his or her testimony. The failure to identify a witness may result in the preclusion of that witness' testimony.
8. A Joint Statement of Proposed Disposition. To the extent the parties disagree on any item, Plaintiff's position should be set out first, followed by Defendant's position.
9. A Child Support Worksheet, if applicable.
10. A Spousal Support Worksheet, if applicable.
11. Updated Statements of Net Worth (with the latest available supporting documents, such as income tax returns, W-2s, brokerage and retirement plan statements).
12. Memoranda of Law concerning any procedural, evidentiary, or other legal issue which the parties anticipate the Court will need to determine.

F. Motions in Limine:

- a. Any applications addressing the preclusion of evidence, testimony or other trial related matters shall be brought to the attention of the Court immediately upon counsel becoming aware of such matter to be addressed, and at the latest, must be in writing and made returnable on the day of the Pre-Trial Conference. Such motions must be made on no less than seven (7) days' notice to opposing counsel and/or self-represented parties. To the extent possible, the Court will decide such motions prior to commencement of the trial. Failure to bring the matter before the Court in a timely fashion may result in summary denial of such application.
- b. Motions in Limine must be in writing and made returnable on the day of the Pre-Trial Conference. Such motions must be made no less than ten (10) days' notice to opposing counsel and/or self-represented parties. Opposition submissions must be made no less than five (5) days' notice to opposing counsel and/or self-represented parties. No reply submissions may be made. To the extent possible, the Court will decide such motions prior to commencement of the Trial. To the extent that any Motions in Limine are not made timely as set forth herein, such applications will be waived.

G. Motions/Orders to Show Cause/Temporary Restraining Orders:

a. General Rules –

1. Parties may only file motions and cross motions by **Order to Show Cause**.

2. **ALL MOTIONS, EXCEPT IN EMERGENCIES, REQUIRE COURT APPROVAL PRIOR TO BEING FILED.** A party that wishes to make a motion must submit a written request briefly explaining the issue(s) that warrant briefing. Failure to seek permission may result in the Court declining to sign the Order to Show Cause.
3. Proposed Orders to Show Cause submitted for consideration by the Court, in non-e-filed cases, **must** include an email address to permit a confirmed copy of the signed Order to be sent to the movant. If a self-represented litigant does not have an e-mail address, a telephone number shall be provided so the Court can contact the self-represented litigant to arrange pick-up of the signed Order.
4. Absent express permission obtained in advance from the Court, briefs/memoranda of law are limited to twenty (20) pages each, and affirmations and affidavits are limited to fifteen (15) pages each. Papers exceeding these limitations may not be considered, or may be rejected, by the Court. Motion papers are limited to Moving Papers, Opposing Papers, and Reply Papers. **Sur-Reply papers are not permitted.**
5. There will be no oral argument required on any motion or Order to Show Cause unless directed by the Court. Parties seeking oral argument of a motion or Order to Show Cause may request that oral argument be heard by stating “Oral Argument Requested” above the Index Number on the first page of the papers submitted. If the Court grants the request for oral argument, the Court staff will inform the requesting party’s attorney of the date and time for argument. It is the responsibility of that person to inform all other attorneys of the date and time set, and failure to do so may result in sanctions. A request for oral argument should not be construed as an automatic grant of the same.
6. Except by permission of the Court, all motion papers and Orders to Show Cause must be typewritten (minimum 12-point type), double-spaced, and entirely legible, including exhibits. Plaintiffs shall designate exhibits by number; Defendants shall designate exhibits by letter. Exhibit lettering or numbering should not begin anew for subsequent papers submitted by the same party.
7. Reference to exhibits longer than ten (10) pages shall indicate the page number on which the information cited is contained. Should the exhibit not contain page numbers, the exhibit shall be bates-stamped.
8. Citations to legal authority must be to the official citations.

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9. Deposition/Examination before Trial transcripts included as exhibits must be single, front-faced pages only. Parties shall not submit minusccripts.
10. All counsel shall submit a self-addressed stamped envelope with their moving or opposition papers (except in e-filed cases), and to allow a copy of the Decision and/or Order to be mailed to the party. The case's name and Index Number, and return date of the motion, should appear on the envelope.

H. Judgments, Decisions and Orders:

- a. Where the Court issues a Bench Decision and a party desires a written Decision or Order, the party may submit a proposed Order to the Court, together with the transcript of the proceedings at which the Bench Decision was rendered to be "So Ordered."
 - b. Orders, judgments, counter-orders and/or counter-judgments submitted for signature on notice will be returned, unless an Affidavit of Service and Notice of Settlement for a date designated in accordance with 22 NYCRR § 202.48 has been included.
 - c. All papers which are submitted for signature by the Court shall be identified on the signature page so that the document being signed by the Court can be identified. Example: Jones v. Jones, Index #/year, Type of Document (Judgment of Divorce, etc.).
- I. Automatic Orders** - Counsel shall inform their clients of the Automatic Orders created by DRL § 236(B)(2)(b) as soon as the attorney-client relationship is formed.
- J. Trial Subpoenas** – Counsel are referred to CPLR §§ 2306 and 2307 for guidance as to subpoenas directed to municipal entities such as libraries, municipal corporations and their departments and bureaus. The Court's issuance of a subpoena to such entities does not constitute a ruling of admissibility of the subpoenaed records. Counsel are reminded that they are designated agents for service of subpoenas on their clients under CPLR § 2303-a. All subpoenas seeking the production of medical (or other) records subject to HIPAA Rules shall attach a duly executed authorization permitting the release of such records.
- K. Interpreters** – In the event a translator or interpreter is required, Counsel shall notify the Part Clerk at least seventy-two (72) hours before the appearance, so that timely and appropriate arrangements can be made.
- L. Non-Party Witnesses** - Non-party witnesses are not to be in the courtroom during the trial except when that witness is testifying.

- M. Reading of Exhibits** – If counsel intends to use/read from any anticipated exhibit or item of demonstrative evidence during Opening Statements and/or Summation, counsel is to advise the Court of such intention prior to commencement of trial.
- N. Objections** – Objections to questions at trial are to be limited to the objecting party standing (if physically able) and stating “Objection,” and no more than a one-or two-word statement as to the basis for the objection. Speaking objections are prohibited. If the Court requires further explanation of the objection, the Court will ask for further explanation, or invite Counsel to approach at side bar.
- O. Use of Videotapes** – If a party intends to use a videotape at trial, that party shall submit a copy of the videotape (or other video recording) and transcript of the proceedings, if applicable, to the Court at least two (2) weeks prior to the scheduled trial date in order to allow the Court to rule on the admissibility of the videotape (or other video recording), and any objections made during the video recording.
- P. Displays & Monitors** – The Court provides no electronic support. Specifically, counsel must bring all equipment it plans to utilize during trial (i.e., screens, monitors, etc.).
- Q. Post-Trial** – In accordance with the schedule set by the Court, the parties must submit and upload to NYSCEF: (1) a transcript of the proceeding; (2) closing memoranda; and (3) any other documents required to complete the record for purposes of appeal.
- R. Settled and Discontinued Cases:**
- a. Counsel **must** notify the Court by email or NYSCEF of the settlement, or withdrawal, of any action or proceeding immediately upon such settlement or withdrawal. A copy of the signed Stipulation of Discontinuance, which has been (or will be) submitted to the County Clerk shall be submitted to the Part Clerk. The matter will not be marked disposed until the Stipulation of Discontinuance is filed with the Court.
- S. Stay:** Counsel shall promptly notify the Court if a basis for a stay exists on a case; on the status of any case marked stayed by a pending bankruptcy proceeding or otherwise; and when a stay is lifted or otherwise the basis for the stay no longer exists.
- T. Substitution/Discharge of Attorneys:**
- a. Except in cases where an attorney is replaced by another attorney on consent, any change or withdrawal of counsel must be approved by the Court on motion, brought

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by Order to Show Cause, pursuant to CPLR § 321. The Court does not recognize the purported withdrawal of Counsel where such withdrawal would result in a party becoming a self-represented litigant (except where the party is an attorney) by the filing of a “Consent to Change Attorney” form. The use of a “Consent to Change Attorney” form to withdraw where a party becomes a self-represented litigant is specifically prohibited. Any attempt to do so will not be recognized by the Court.

U. Accommodations:

- a. The New York State Unified Court System is dedicated to ensuring that all qualified individuals with disabilities have equal and full access to the judicial system. We are committed to making sure that our services, programs, and activities are accessible to every person who uses the Court. In the event that any accommodations are required at any time during any matters before the Court, counsel or self-represented litigants shall notify the District Executive at ada9jd@nycourts.gov or (914) 824-5100, and the Chief Clerk’s Office, Supreme Court Westchester County at (914) 824-5300, so that timely and appropriate arrangements may be made. More information about reasonable accommodations for Court users may be located online at: http://ww2.nycourts.gov/Accessibility/CourtUsers_Guidelines.shtml

V. Fiduciary Appointments:

- a. **Part 36** - In order to be eligible for appointments to serve as receiver or other fiduciary appointment counsel must appear on the Part 36 list promulgated by the Office of Court Administration.
- b. **Attorney for the Child** - In order to be eligible for appointment to serve as an attorney for a child, counsel must be a member of the appropriate panel.
- c. **Forms** - Court evaluators and appointed attorneys must complete and file each of the following forms:
 - i. Notice of Appointment (UCS 830.1)
 - ii. Statement of Approved Compensation (UCS 830)
 - iii. Certificate of Compliance (UCS 930.3)
 - iv. Affirmation of Legal Services

W. Alternative Dispute Resolution:

- a. **Court Policy** - It is the policy of the Unified Court System to encourage the resolution of civil legal disputes by methods including mediation, arbitration,

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neutral evaluation, in-court settlement practices, and summary jury trials. All civil actions or proceedings heard in the Supreme Court, shall be presumptively eligible for early referral to an alternative dispute resolution process unless otherwise excluded. Courts may refer parties to an ADR process at any time after an action has been commenced and are encouraged to do so at the earliest appropriate opportunity.

- b. **Presumptive Mediation Cases** – The following types of cases are subject to Presumptive Mediation in the Westchester County Supreme Court and will be assigned by the Court to a mediator at the time of the Preliminary Conference:
- i. ***Matrimonial*** – Cases involving W-2 employees with issue of maintenance; child support; and equitable distribution. Cases where custody is resolved may be included.
 - ii. ***Post Judgment*** – All cases.
- c. **Court Rules** – Counsel and self-represented litigants are directed to review and be familiar with the following alternative dispute resolution rules for the 9th Judicial District and Westchester County:

<https://www.nycourts.gov/LegacyPDFS/courts/9jd/ADR/rules/DISTRICT-WIDE-RULES.pdf>

<https://www.nycourts.gov/LegacyPDFS/courts/9jd/ADR/rules/Westchester-Matrimonial-Rules.pdf>

- d. **Non-Presumptive Mediation Cases** – At any time during a litigation, Counsel and/or self-represented litigants may request an Order of Reference from the Court, appointing a mediator to assist the parties in reaching a resolution. While the parties may select any mediator, a 9th Judicial District Mediator Roster is available at:

<https://ww2.nycourts.gov/courts/9jd/ADR.shtml#rom>

X. Civility:

- a. This Court values civility and courteousness. Parties are encouraged to refrain from histrionics, showmanship, gamesmanship, and discourteousness. The Court expects that the Judge, his staff, the Part Clerk, the Court Reporter, the Court Officers, and all attorneys and parties will be treated respectfully. The Court will not tolerate discourteous behavior (i.e., constant interruptions, outbursts, or *ad hominem* attacks). Counsel and self-represented litigants are to be guided by the Standards of Civility found at 22 NYCRR § 1200, Appendix A.

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-END-

(Effective December 19, 2023 – These Rules are subject to change)