



HON. ROBERT J. PRISCO

County Court Judge, 9th Judicial District

Orange County Courthouse | Part 12

285 Main Street | Goshen, New York 0924

(845) 476-3469 [part clerk] | (845) 476-3373 [chambers] | (212) 618-2136 [fax]

| 2020 PART RULES |

Appearances. Court begins promptly at 9:30 a.m. Attorneys and clients-at-liberty are expected to be present in Courtroom 12 and prepared to proceed at that time. Matters scheduled for afternoon appearances begin promptly at 2:00 p.m. unless otherwise directed, with the same expectations regarding presence and preparation. To the extent that unforeseen and unavoidable circumstances result in counsel or clients being delayed in their arrival to Court, they must so advise the Court by telephone call to its Part Clerk at the above number. In the event the Part Clerk does not answer, a second call is to be placed to Chambers at the above number.

Court date reminder form (UCS-517). Upon arrival to Court, counsel are expected to have their clients complete the UCS-517 form. Copies are available at the defense counsel table or from the Part Clerk.

Correspondence to the Court shall be copied to opposing counsel and must reflect the Indictment Number of the case to which it relates. Correspondence may be submitted by facsimile, provided that the cover sheet or correspondence reflects that the communication was sent to opposing counsel. The Court will not accept papers required to be filed with the Clerk's Office prior to such papers being so filed. Once filed, the Court will accept a courtesy copy clearly marked as such.

Adjournment requests. Absence compelling reasons, all requests for adjournments are to be made in writing and submitted to the Court (by fax or hand delivery) at least twenty-four (24) hours in advance of the scheduled appearance. Such requests must include: (1) the date of the scheduled appearance; (2) good cause establishing the reason an adjournment is sought; (3) whether the requestor has conferred with opposing counsel and whether they consent to or oppose the request; and (4) a proposed date and time for the rescheduled appearance, falling within one week of the original date. Requests are to be copied to opposing counsel. Absent a response from the Court (i.e. a return fax bearing a notation that the request has been approved), counsel must attend (or arrange for coverage) of the scheduled appearance.

Motion dates and papers. Motions are to be submitted within the time frames required under applicable statutes and/or as established by the Court at preliminary conferences or otherwise. To the extent that a submission deadline falls upon a weekend or holiday, parties may submit motions on the following Monday or the next business day after a holiday or other court closure (i.e. a

weather-related closing). All motions are to be supported by affirmations/affidavits and applicable legal authority (by way of a stand-alone memorandum of law or by reference in the body of the motion). Motions must contain the Indictment Number and address and telephone numbers of counsel. Motions are to be typewritten and securely bound, with exhibits clearly labeled and identifiable as such.

Suppression hearings. Prior to a suppression hearing, counsel are expected to confer regarding matters related thereto, including confirmation of witness availability and documents anticipated to be relevant to the hearing. Upon scheduling of a suppression hearing (i.e. at a case conference), counsel are to inform the Court of the issues submitted for its determination and associated legal authority (i.e. suppression of a photo array, pursuant to *Wade*) and the anticipated duration of the hearing.

Criminal histories/orders of protection. At all first appearances before the Court (including arraignments and bail applications), the People must furnish a copy of: (1) the principal/ defendant's criminal record as maintained by the New York State Division of Criminal Justice Services; (2) all active orders of protection involving the principal/defendant and relevant to the matter before the Court; and (3) where applicable, the felony complaint and related information. To the extent that the People anticipate seeking a new or modified order of protection, the Court requests that the same be brought to Court with the covered parties' pedigree information (names/addresses/etc.) completed.

Article 245 discovery compliance. Counsel are reminded of the automatic discovery requirements imposed by Article 245 of the Criminal Procedure Law and are strongly encouraged to meet, confer and resolve discovery-related issues prior to seeking Court intervention. Deadlines for production of materials pursuant to Article 245 will be strictly adhered to absent compelling reasons articulated in writing or set forth on the record in open court.

Last updated 8/2/21