

AMENDED INDIVIDUAL PART RULES
EFFECTIVE September, 2016
Hon. Charles D. Wood
Supreme Court Justice, 9th J.D.
Westchester County Courthouse
111 Dr. Martin Luther King Jr. Blvd.
White Plains, New York 10601

Court Clerk	Maryann Tamberella	914-824-5781
Law Clerk	Elyse J. Angelico, Esq.	
Secretary	Rosemarie A. Gannon	914-824-5451

Communications With the Court

(a) Written correspondence

No written correspondence may be sent to the Court without prior permission. Written correspondence sent by letter, fax or any other means, without permission will not be read and will be discarded.

(b) Telephone calls

1. Counsel may call the Part Clerk with respect to the scheduling of appearances and with respect to adjournment applications.
2. Counsel may call Chambers and/or the Part Clerk to arrange for a telephone conference with the Court or with the Law Clerk.
3. Counsel may not contact Chambers without all opposing counsel on the phone, except for the purpose of facilitating a conference call.

Certification Of Papers

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.

Motions

Motions are returnable on Fridays, except by order of this Court. Permission is not required to make a motion. Counsel should strive for brevity in the making of all motions and the opposition thereto.

Appearances are not required. Oral argument may be requested by noting "Oral Argument Requested" immediately over the index number on the Notice of Motion, but counsel should proceed under the assumption that there will be no appearance. If this Court, in its discretion, requires such argument, the movant's attorney will be so advised and will be required to notify all parties.

Sur-replies will not be considered, unless this Court otherwise directs. Other papers, including letters sent after the submission of the motion, will not be considered.

Adjournments

a) On Consent - The clerk of this Part is to be advised by telephone, followed by a letter, that the motion is adjourned on consent. No more than two adjournments on consent will be allowed, unless granted by the Court.

b) Opposed - The application must be made on or before the return date of the motion. The requesting party must advise all other parties of the application. No appearances are required unless directed by the Court.

Trials

Prior to the commencement of a trial, counsel shall provide the court with marked pleadings.

Requests to charge shall be submitted to this Court at a conference immediately preceding trial. The charge will be drawn from the Pattern Jury Instructions (PJI). A complete list of requested charges is to be submitted. Unless counsel seek a deviation from the pattern charge or additions to the pattern charge, only the PJI numbers and topic need to be submitted. Where deviations are sought, the complete text of the requests must be submitted, together with any supporting legal precedents.

Verdict sheet

Counsel shall jointly prepare a verdict sheet. The verdict sheet is to be typed and in final form for presentation to the jury. If agreement cannot be reached, then each side shall present a proposed verdict sheet. Such proposals shall also be submitted on a CD-ROM or USB flash drive in format convertible to Word Perfect 8.0.

General

Counsel who appear must be fully familiar with the case and have authority to enter into any agreement, either substantive or procedural, on behalf of their clients. Counsel shall be on time for all scheduled appearances.

Faxes

Faxes to chambers are permitted only if copies are simultaneously faxed or delivered to all counsel. The fax number is 914-824-5874.

If an action is settled, discontinued, or otherwise disposed, **counsel shall immediately inform the Court by submission of a copy of the stipulation or other document evidencing the disposition.**

E-Filing Rules and Protocol

All parties should familiarize themselves with the statewide [E-Filing Rules](#) (Uniform Rule §§202.5-b and 202.5-bb – available at www.nycourts.gov/efile) and the [Westchester County E-Filing Protocol](#) available at <http://www.courts.state.ny.us/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@courts.state.ny.us

Specific questions relating to local procedures should be addressed to the Civil Calendar Office 914-824-5300.

Electronic Filing

All documents in mandatory e-filed cases, except documents subject to the opt-out provision of Section 202.5-bb of the Uniform Rules for the New York State Trial Courts, 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, including proposed orders, proposed judgments, and letters, must be electronically filed.

Working Copies

It is necessary to provide working copies when E-Filing.

Hard Copy Submissions

Hard copy submissions in e-filed cases will be rejected unless they bear the Notice of Hard Copy Submission – E-Filed Case required by Uniform Rule §202.5-b(d)(1). The form is available at <http://www.nycourts.gov/efile>.

Scheduling

All questions about scheduling, appearances, or adjournments shall be addressed to the Part Clerk Maryann Tamberella at 914-824-5781.