SUPREME COURT, CIVIL BRANCH
RICHMOND COUNTY
26 CENTRAL AVENUE, STATEN ISLAND N.Y. 10301

HELP CENTER
25 HYATT STREET, 5TH FLOOR
718- 675-8589

How to File a Request for Judicial Intervention

Note: All persons involved in a lawsuit should consult an attorney. This office gives you information, forms and instructions on court procedures. As an office of this court, we cannot give legal advice or act as your advocate.

Although a law suit begins upon filing with the County Clerk of a **summons with notice, summons with notice of petition,** or **summons and complaint**, or, in the case of a **special proceeding**, a **petition**, the matter has not yet entered the court system and is not known to the court or a Justice. This will happen when a party files a "Request for Judicial Intervention Form" (referred to as an RJI), pays the fee, and asks the court to take some action regarding the matter.

A special proceeding, because of its particular nature, will have to come into court promptly. However, a civil action brought on by summons and complaint or summons with notice can proceed for a considerable time, even for years, before judicial intervention becomes necessary and before the case is heard in the court. The initial documents containing allegations and responses in a civil action, the **complaint** and **answer**, set the framework of the dispute; some additional action is required to bring the dispute to a head, or to put the plaintiff to his or her proof before the court or a jury. In contrast with the practice in Federal and other courts, in New York cases are litigated between the parties until some dispute arises or the case otherwise requires action by a judge. Only then does the case come into court. The RJI is the method used to the assign a Justice to the case. This is done randomly. Once the case is assigned, all future proceedings in the case take place in front of the same Justice (unless the Justice leaves the court or is reassigned to a different category of case).

A point at which many cases first come before the court is upon the making of certain kinds of **motions**, such as a motion to dismiss or a motion for summary judgment. (A motion is a form of application within a case for some form of relief. The kinds of motions available are set forth in the Civil Practice Law and Rules.) A case may also come into court if a party wishes a conference before a Justice for the purpose of setting dates for the completion of information exchange (called "discovery"). If the case does not come before the court for these reasons, the plaintiff may, at an appropriate time, cause the case to be placed on the trial calendar. Until the case is placed on the trial calendar, it can never be called for trial.

However. When a case first comes to court for judicial assignment, an RJI is required to be filed. Only one RJI is filed in a case.

A party wishing to file an RJI must have some purpose for which the intervention of a Justice is required. This is called the Nature of Judicial Intervention. The RJI is used for the court to have your case assigned to a Judge. The principal purposes are to obtain a conference, to make a motion, to bring on a special proceeding or to place the case on the trial calendar. Each of these objectives requires the filing of a paper or papers. Before the court can accept such filing, the applicant must present an RJI. The form must be completed and signed by the filing party.

A copy of the RJI and Addendum must be served upon all other parties to the case with the papers to which the RJI relates. The RJI must be paid for in the cashier's office of the County Clerk. The cost for an RJI is $95. The County Clerk will issue a receipt for the RJI. This, together with an original and a copy of the RJI and Addendum, must be presented to the Civil Term Office of the Supreme Court at 26 Central Avenue in which the applicant's papers are to be filed in room 131.

REQUEST FOR JUDICIAL INTERVENTION

UCS-840
(rev. 07/29/2019)

SUPREME COURT, COUNTY OF RICHMOND

Index No: _____ Date Index Issued: _____

For Court Use Only:
IAS Entry Date
Judge Assigned
RJI Filed Date

CAPTION Enter the complete case caption. Do not use et al or et ano. If more space is needed, attach a caption rider sheet.

Plaintiff(s)/Petitioner(s)

-against-

Defendant(s)/Respondent(s)

NATURE OF ACTION OR PROCEEDING Check only one box and specify where indicated.

COMMERCIAL

- ○ Business Entity (includes corporations, partnerships, LLCs, LLPs, etc.)
- ○ Contract
- ○ Insurance (where insurance company is a party, except arbitration)
- ○ UCC (includes sales and negotiable instruments)
- ○ Other Commercial (specify):_____

NOTE: *For Commercial Division assignment requests pursuant to 22 NYCRR 202.70(d), complete and attach the* ***COMMERCIAL DIVISION RJI ADDENDUM (UCS-840C)****.*

REAL PROPERTY Specify how many properties the application includes: _____

- ○ Condemnation
- ○ Mortgage Foreclosure (specify): ○ Residential ○ Commercial
  Property Address: _____
  NOTE: *For Mortgage Foreclosure actions involving a one to four-family, owner-occupied residential property or owner-occupied condominium, complete and attach the* ***FORECLOSURE RJI ADDENDUM (UCS-840F)****.*
- ○ Tax Certiorari
- ○ Tax Foreclosure
- ○ Other Real Property (specify): _____

OTHER MATTERS

- ○ Certificate of Incorporation/Dissolution [see ***NOTE*** in **COMMERCIAL** section]
- ○ Emergency Medical Treatment
- ○ Habeas Corpus
- ○ Local Court Appeal
- ○ Mechanic's Lien
- ○ Name Change
- ○ Pistol Permit Revocation Hearing
- ○ Sale or Finance of Religious/Not-for-Profit Property
- ○ Other (specify): _____

MATRIMONIAL

- ○ Contested
  NOTE: *If there are children under the age of 18, complete and attach the* ***MATRIMONIAL RJI ADDENDUM (UCS-840M)****.*
  *For Uncontested Matrimonial actions, use the Uncontested Divorce RJI (****UD-13****).*

TORTS

- ○ Asbestos
- ○ Child Victims Act
- ○ Environmental (specify): _____
- ○ Medical, Dental or Podiatric Malpractice
- ○ Motor Vehicle
- ○ Products Liability (specify): _____
- ○ Other Negligence (specify): _____
- ○ Other Professional Malpractice (specify): _____
- ○ Other Tort (specify): _____

SPECIAL PROCEEDINGS

- ○ CPLR Article 75 (Arbitration) [see ***NOTE*** in **COMMERCIAL** section]
- ○ CPLR Article 78 (Body or Officer)
- ○ Election Law
- ○ Extreme Risk Protection Order
- ○ MHL Article 9.60 (Kendra's Law)
- ○ MHL Article 10 (Sex Offender Confinement-Initial)
- ○ MHL Article 10 (Sex Offender Confinement-Review)
- ○ MHL Article 81 (Guardianship)
- ○ Other Mental Hygiene (specify): _____
- ○ Other Special Proceeding (specify): _____

STATUS OF ACTION OR PROCEEDING Answer YES or NO for every question and enter additional information where indicated.

	YES	NO	
Has a summons and complaint or summons with notice been filed?	○	○	If yes, date filed: _____
Has a summons and complaint or summons with notice been served?	○	○	If yes, date served: _____
Is this action/proceeding being filed post-judgment?	○	○	If yes, judgment date: _____

NATURE OF JUDICIAL INTERVENTION Check one box only and enter additional information where indicated.

- ○ Infant's Compromise
- ○ Extreme Risk Protection Order Application
- ○ Note of Issue/Certificate of Readiness
- ○ Notice of Medical, Dental or Podiatric Malpractice Date Issue Joined: _____
- ○ Notice of Motion Relief Requested: _____ Return Date: _____
- ○ Notice of Petition Relief Requested: _____ Return Date: _____
- ○ Order to Show Cause Relief Requested: _____ Return Date: _____
- ○ Other Ex Parte Application Relief Requested: _____
- ○ Poor Person Application
- ○ Request for Preliminary Conference
- ○ Residential Mortgage Foreclosure Settlement Conference
- ○ Writ of Habeas Corpus
- ○ Other (specify): _____

RELATED CASES List any related actions. For Matrimonial cases, list any related criminal or Family Court cases. If none, leave blank.
If additional space is required, complete and attach the **RJI ADDENDUM (UCS-840A)**.

Case Title	Index/Case Number	Court	Judge (if assigned)	Relationship to instant case

PARTIES For parties without an attorney, check the "Un-Rep" box and enter the party's address, phone number and email in the space provided.
If additional space is required, complete and attach the **RJI ADDENDUM (UCS-840A)**.

Un-Rep	Parties List parties in same order as listed in the caption and indicate roles (e.g., plaintiff, defendant, 3rd party plaintiff, etc.)	Attorneys and Unrepresented Litigants For represented parties, provide attorney's name, firm name, address, phone and email. For unrepresented parties, provide party's address, phone and email.	Issue Joined For each defendant, indicate if issue has been joined.	Insurance Carriers For each defendant, indicate insurance carrier, if applicable.
☐	Name: Role(s):		○ YES ○ NO	
☐	Name: Role(s):		○ YES ○ NO	
☐	Name: Role(s):		○ YES ○ NO	
☐	Name: Role(s):		○ YES ○ NO	
☐	Name: Role(s):		○ YES ○ NO	
☐	Name: Role(s):		○ YES ○ NO	
☐	Name: Role(s):		○ YES ○ NO	
☐	Name: Role(s):		○ YES ○ NO	
☐	Name: Role(s):		○ YES ○ NO	
☐	Name: Role(s):		○ YES ○ NO	
☐	Name: Role(s):		○ YES ○ NO	
☐	Name: Role(s):		○ YES ○ NO	
☐	Name: Role(s):		○ YES ○ NO	
☐	Name: Role(s):		○ YES ○ NO	
☐	Name: Role(s):		○ YES ○ NO	
☐	Name: Role(s):		○ YES ○ NO	

I AFFIRM UNDER THE PENALTY OF PERJURY THAT, UPON INFORMATION AND BELIEF, THERE ARE NO OTHER RELATED ACTIONS OR PROCEEDINGS, EXCEPT AS NOTED ABOVE, NOR HAS A REQUEST FOR JUDICIAL INTERVENTION BEEN PREVIOUSLY FILED IN THIS ACTION OR PROCEEDING.

Dated: _____

_____
Signature

_____
Attorney Registration Number

_____
Print Name

If you are commencing an action

skip the next page

And use the from:

Affirmation of Initiating Papers

For all other circumstances,

use the form:

Affirmation of Service After Commencement of Litigation

on the next page only.

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF RICHMOND

Plaintiff(s)/Petitioner(s),

- against-

Defendant(s)/Respondent(s).

Index Number
AFFIRMATION OF SERVICE AFTER COMMENCEMENT OF LITIGATION

I , affirm, depose and say:

I am over 18 years of age and am not a party to this case.
I reside at
On, at PM I served a true copy of the following papers, in the following manner:

□ Personal By personally delivering the papers to

Service at

The individual I served had the following characteristics **[check one box in each Category]**

Sex	Height	Weight	Age
□ Male	□ Under 5'	□ Under 100 lbs.	□ 21 - 34 years
□ Female	□ 5'0" - 5'3"	□ 100 - 130 lbs.	□ 35 - 50 years
	□ 5'4" - 5'8"	□ 131 - 160 lbs.	□ 51 - 61 years
	□ 5'9" - 6'0"	□ 161 - 200 lbs.	□ Over 61 years
	□ Over 6'	□ Over 200 lbs.	

Color of skin:
Hair color:
Other identifying features, if any:

□ Mail By mailing the same in a sealed envelope, with postage prepaid thereon, in a post office or official depository of the U.S. Postal Service within the State of New York, addressed to the last-known address of the addressee(s) indicated below:

□ Overnight Delivery Service By depositing the same with an overnight delivery service in a wrapper properly addressed. Said delivery was made prior to the latest time designated by the overnight delivery service for overnight delivery. The delivery service used was

Name(s) and address(es) of person(s) served by mail/overnight delivery:

I, _____ (Print or Type Name), affirm this ___ day of _____, _____, under the penalties of perjury, under the laws of New York, which may include a fine or imprisonment, that the foregoing is true, and I understand that this document may be filed in an action or proceeding in a court of law.

_____
Server's Signature

INSTRUCTIONS: THIS AFFIRMATION MUST BE USED FOR SERVICE OF INITIATING PAPERS (A SUMMONS AND COMPLAINT, SUMMONS WITH NOTICE, NOTICE OF PETITION AND PERITION, OR ORDER TO SHOW CAUSE AND PETITION). SERVER MUST SIGN AND PRINT NAME AND USE BLACK INK ONLY. FILL IN THE NAMES OF THE PARTIES AND COMPLETE THE BLANK SPACES.

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF RICHMOND

Plaintiff(s)/Petitioner(s),

- against-

Defendant(s)/Respondent(s).

Index Number

AFFIRMATION OF SERVICE
OF INITIATING PAPERS

I, , affirm, depose and say:
I am over 18 years of age and am not a party to this case.
I reside at
On, , at PM I served a true copy of the following papers:
, On
a Choose in this case.
The address of the place where the papers were served is

I served the papers in the manner indicated below:

1) ☐ Individual — By delivering a copy of each to the defendant personally; I knew the person served to be the person named in those papers. [Fill out '*description*' below]

2) ☐ Corporation — , a domestic corporation, by delivering a true copy of each to who is ;
I knew the corporation to be that listed in the papers served and I knew the title of the person named above theat he/she was authorized to accept service.

3) ☐ Substituted Service — By delivering a true copy of each to , a person of suitable age and discretion, at the actual place of business, dwelling house, or usual place of abode in the state, and mailing, as indicated below.

☐ Substituted Service — By affixing a true copy to the door at
Which is the defendants
I made prior attempts to serve at this location on the following dates and times:

Mailing
(Use with 3)

I also enclosed a copy of the above papers in a postpaid (already had the stamps on it), sealed envelope properly addressed to defendant at defendant's last know residence of actual place of business, located at

, and I deposited the envelope in a post office depository under the exclusive are and custody of the United States Postal Service within New York State.

Description
(Use with 1, 2, or 3)

The individual I served had the following characteristics:

Sex	Height	Weight	Age
□ Male	□ Under 5'	□ Under 100 lbs.	□ 21 - 34 years
□ Female	□ 5'0" - 5'3"	□ 100 - 130 lbs.	□ 35 - 50 years
	□ 5'4" - 5'8"	□ 131 - 160 lbs.	□ 51 - 61 years
	□ 5'9" - 6'0"	□ 161 - 200 lbs.	□ Over 61 years
	□ Over 6'	□ Over 200 lbs.	

Color of skin

Hair color

Other identifying features, if any:

□ Military Service

I asked the person to whom I spoke whether the defendant was in active service in the military of the United States or New York State in any capacity and I was told that he/she was not. Defendant did not wear a military uniform. I state upon information and belief that the defendant is not in the military service of the United States or New York State. The bases for my belief are the conversations and observations described above

Dated:_____

I, _____ (Print or Type Name), affirm this ___ day of _____, _____, under the penalties of perjury, under the laws of New York, which may include a fine or imprisonment, that the foregoing is true, and I understand that this document may be filed in an action or proceeding in a court of law.

_____

Server's Signature