

**Hon. Ta-Tanisha D. James, J.S.C.
Part 26 Guardianship Part
60 Centre Street, Room 438
New York, NY 10007**

Principal Law Clerk: Ashley N. Lane, Esq.
Email: alane@nycourts.gov

Part Clerk: Alina Dumea
Email: SFC-Part26-Clerk@nycourts.gov

Courtroom Telephone Number: 646-386-3308
Chambers Telephone Number: 646-386-4460

I. General Rules:

1. Appearances are scheduled in-person unless determined otherwise by the Court. The Court will consider a virtual appearance via Microsoft Teams upon request of counsel or a party, or as required by the circumstances of a particular matter.
2. All parties and attorneys must be present on any scheduled court date, whether for a conference or motion, unless expressly excused by the Court.
3. All court appearances shall be assigned a time certain, unless impracticable under the circumstances. All counsel and parties are expected to adhere strictly to that schedule and appear on time.
4. Court Evaluator reports shall be e-mailed to the Law Clerk two (2) days prior to the scheduled hearing and shall not be released to counsel and/or the parties until directed by the Court.

II. Communications with the Court:

1. There shall be no *ex parte* communications with Chambers regarding substantive matters.
2. All communications shall be directed to either the Part Clerk or the Law Clerk, as specified herein. Do not directly email Judge James unless instructed otherwise.
3. The Court prefers email communication. Phone calls to the Courtroom or Chambers may be made for urgent matters.
4. All emails to the Part Clerk or Law Clerk must be copied to all parties. Failure to do so will result in the email being disregarded.
5. Do not copy the Court on letters and emails exchanged between counsel or parties unless expressly requested by the Court.
6. The Court does not litigate matters by email, letter, or telephone. Letters submitted to the Court must also be e-filed on NYSCEF where applicable. A courtesy copy of letters filed on NYSCEF shall be e-mailed to the Law Clerk.
7. All scheduling inquiries shall be directed to the Part Clerk. Do not contact Chambers regarding scheduling matters unless it is urgent, and you have been unable to reach the Part Clerk.
8. If an issue regarding a pending matter arises, a brief e-mail may be sent to the Law Clerk requesting a conference call, *only after a good faith attempt to resolve the issue without Court assistance (where applicable)*. Requests shall be copied to all attorneys and *pro se* parties (if any) and shall state the basis for the request.

III. Adjournments:

1. All adjournments require Court approval and shall be requested by emailing the Part Clerk no later than two days prior to the scheduled appearance.

2. If the adjournment is on consent, the party seeking the adjournment may email the Part Clerk, with all counsel and any *pro se* litigant copied, with a brief description of the reason for the adjournment. If the adjournment is granted, the Part Clerk will provide the Court's availability to select a new date.
3. If the adjournment is not on consent, an e-mail should be sent to both Law Clerks, copying all attorneys and self-represented litigants, if any, and the Court will determine whether to grant or deny the adjournment or hold a brief conference.
4. Last minute or day of adjournment requests due to exigent circumstances may be made by calling the Part Clerk.
5. Failure to appear by any party without prior approval of the Court may result in a default.

IV. Motions:

1. All motions shall be filed by Order to Show Cause, not by Notice of Motion.
2. If the moving party is seeking interim relief, that must be clear in the body of the Order to Show Cause.
3. If a temporary restraining order is sought, the movant must clearly set forth the reasons why pursuant to MHL § 81.23(b) and if no prior notice was given, specify why notice should not be required pursuant to Uniform Rule 202.7(f).
4. For all non-NYSCEF cases, papers requiring filing must be filed with the Guardianship and Fiduciary Support Office at 60 Centre Street.

V. Virtual Appearances

1. A Microsoft Teams invite will be sent in advance of the scheduled appearance. Do not reply all to an email containing the Microsoft Teams link.
2. The Court expects everyone to dress and conduct themselves with the same level of civility and professionalism as if they were in the actual courtroom.
3. All parties, counsel and participants are expected to appear online promptly and shall ensure their ability to participate remotely in advance.
4. Video appearances are preferred. The dial-in telephone number may be used as a backup option and/or where absolutely necessary due to technological issues.
5. All parties and counsel are to stay connected for the entire appearance, unless excused by the Court.
6. All participants are to mute their microphones when not speaking.
7. Counsel may request that a proceeding be paused to privately consult with a client.
8. Recording audio and/or video or taking photos or screenshots of any court proceedings (whether in person, over video, computer, or telephone) is expressly prohibited pursuant to 22 NYCRR Parts 29, 131.

IX. Miscellaneous:

1. Part 26 is a paperless part for e-filed matters, however working or courtesy copies of any papers filed are appreciated, especially if the filing is voluminous.
2. If you have items such as stipulations, subpoenas, transcripts and proposed Orders that need to be "so ordered," you may submit a hardcopy directly to the Part or upload to NYSCEF and notify the Part Clerk of the filing and request for it to be "so ordered."
3. If you have a Matrimonial Matter retained by Judge James, you may inquire with the Law Clerk by email regarding any pre-motion or pre-trial Part Rules.
4. The Court reserves the right to vary these rules and modify/update them in the interest of justice or for good cause shown.