

Part 29 Local Rules

HON. LETICIA M. RAMIREZ, J.S.C.

Supreme Court of the State of New York
1st Judicial District-New York County
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Generally

1. The Supreme Court's Uniform Rules of the Justices apply in Part 29.
2. The Court's calendar day is **Wednesday**. Discovery conferences and oral arguments are conducted at 9:30 am.
3. **All scheduled appearances shall be in person**, unless specifically directed by the Court.

Communications & Adjournments

1. **All inquiries must be directed to the Part Clerk.** The following is a non-exhaustive list of such communications:
 - a. Case has been settled, discontinued, or stayed, due to the death of a party.
 - b. Motion has been withdrawn or resolved.
 - c. Adjournment of motions, conferences, and oral arguments
 - i. Adjournments must be made in writing. Oral applications will not be considered.
 - ii. Uncontested adjournment of motions must comply with *NYCRR* §202.8-a(c).
 1. Should the adjournment be more than a cumulative total of 60 days, the stipulation must set forth the basis for the adjournment and be emailed to the Part Clerk at sfc-part29-clerk@nycourts.gov. Failure to do so will result in the denial of the adjournment.
 2. Adjournments granted beyond the cumulative total of 60 days shall be marked FINAL. The Court will not grant subsequent adjournments, absent extraordinary circumstances.
 - iii. Uncontested adjournments of conferences or oral arguments must be filed no later than 12:00pm on the last business day prior to the scheduled appearance.
 - iv. Applications seeking an adjournment shall only be made upon failure to procure an adjournment on consent of all parties. Such application must be filed and emailed to the Part Clerk prior to the appearance. Failure to do so may result in the denial of the adjournment.
 - v. Adjournment of an Order to Show Cause must be filed and emailed to the Part Clerk at least one business day prior to the appearance.
 - d. Stipulations, subpoenas, or orders to be "so ordered" by the Court.
 - i. Subpoenas will only be so ordered upon showing that a subpoena, pursuant to *CPLR* §2302(a), does not suffice.
2. Self-represented litigants are under an obligation to notify the Part, in writing, if an action is settled or discontinued, if a case or motion has become unnecessary, or if a party has died or filed bankruptcy.
3. **Any *ex parte* communications, concerning any matters pending before the Court, are strictly prohibited.**

Motion Practice

1. All motions shall be submitted, without oral argument, unless directed by the Court. For e-filed motions, no courtesy paper copies shall be submitted unless requested.
 - a. Should a motion be scheduled for oral argument, failure to appear at the directed time will result in a default.
2. All papers must comply with *CPLR* §§2101, 2103 and 2214 as well as *NYCRR* §§202.8-b and 202.8-g. Failure to comply will result in denial of the motion.
3. All summary judgment motions must be filed within 120 days from the filing of the Note of Issue.
4. Orders to Show Cause must comply with *NYCRR* §§202.7(d) and 202.8-d.
 - a. Parties may only move by Order to Show Cause if it is an emergency or it is proscribed by statute, court rule, etc.
 - b. Proof of service must be filed with the Part Clerk by 9:45am on the return date. Non-compliance may result in denial of the Order to Show Cause.
 - c. Adjournments—see Communications section.

Discovery Conferences & Motions

1. Parties must file the RJ1 indicating a request for a Preliminary Conference (PC) and email the Part Clerk. The Part Clerk will provide the PC Order form and schedule the in-person appearance.
 - a. In lieu of an in-person appearance, a proposed PC Order must be sent to the Part Clerk at sfc-part29-clerk@nycourts.gov, copying all Parties. **The proposed Order must be sent no later than 3:00 pm the day prior to the scheduled appearance.** Failure to submit by the deadline will require an in-person appearance on the scheduled date.
 - b. **Parties shall not upload the proposed Compliance Conference Order to NYSCEF.**
 - c. The proposed PC order must leave blank the spaces provided for the Compliance Conference date and Note of Issue filing deadline.
2. Parties may submit a stipulation or proposed Compliance Conference (CC) or Status Conference (SC) Order in lieu of an in-person appearance on the scheduled date. The proposed CC or SC Order must be sent to the Part Clerk at sfc-part29-clerk@nycourts.gov, copying all Parties. **The Proposed order must be sent no later than 3:00 pm the day prior to the scheduled appearance.**
3. Should the parties need a conference and no future conference date has been set forth in a prior Order, the Parties may request a conference, *via* written correspondence filed on NYSCEF and send an e-mail to the Assistant Law Clerk at abazil@nycourts.gov.
4. Discovery motions are **STRONGLY DISCOURAGED**. **Should an issue arise, that cannot be resolved between the parties, an email or phone call to Chambers should be attempted in the first instance.**
5. Discovery is not automatically stayed pending the determination of any motions in cases assigned to this Part.

Trials

1. Generally, trials will commence at 9:30am, with parties and witnesses expected by 9:00am, unless otherwise directed.
 - a. All scheduling concerns and issues should be raised promptly.
 - b. Should plaintiff fail to appear for trial, the case may be dismissed. Should defendant fail to appear for trial, plaintiff may be granted a default judgment on liability and the trial may proceed solely on the issue of damages.
2. Evidentiary and Charging conferences shall be held with the Principal Law Clerk. Prior to the conference, parties are expected to submit a stipulation regarding evidence not in dispute as well as proposed charges. If there is a dispute that cannot be resolved during the conference, the dispute will be determined by the Judge. Jury packets, if required, shall be professionally bound.
3. Any special requests, such as interpreters, blackboards, media equipment, etc. must be made one week prior to the commencement of the trial or as soon as possible.
4. Transcripts and any portions of depositions to be read into evidence on a party's case must be disclosed in advance. The Court and all parties must be provided with all page and line numbers for the portions to be read into the record.
5. Post trial motions shall be made within 15 days after verdict. *CPLR §4405*.