

MATRIMONIAL PART 51 RULES

(2/24/20)

HON. MATTHEW F. COOPER
SUPREME COURT, NEW YORK COUNTY
60 CENTRE STREET, ROOM 212

Courtroom: (646) 386-3846

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<u>Principal Law Clerk:</u>	Timothy T. Corbo, Esq.	tcorbo@nycourts.gov
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<u>Part 51 Court Clerk:</u>	Charlotte Williams	chwillia@nycourts.gov

GENERAL PART RULES

1. All parties and attorneys are required to be present on scheduled appearance dates and on every subsequent date unless otherwise authorized by the court.
2. All adjournments require the prior approval of the court and must be requested no later than 1:00 P.M. of the business day immediately preceding the appearance date. **Barring extraordinary circumstances, adjournment requests received after 1:00 P.M. will be denied.**
3. Any adjournment granted by the court must be memorialized in writing, preferably by written stipulation prepared by counsel for the party requesting the adjournment. Adjournments involving open motions must include a detailed briefing schedule for the submission of any outstanding responsive papers.
4. Motion papers, responsive papers, and any other correspondence shall **NOT** be faxed or e-mailed to the court without the court's express permission. With regard to correspondence only, if prior permission to fax or e-mail is obtained, **DO NOT** send hard copy duplicates by mail or hand delivery unless otherwise advised. Likewise, if a hard copy is submitted via mail or hand delivery, no electronic duplicates shall be sent.

MOTIONS AND CONFERENCES

5. Wednesdays (at 9:15 A.M.) are the Part's designated motion/conference days.
6. **All motions are required to be brought by Order to Show Cause**, unless authorization to proceed by Notice of Motion is obtained from the court prior to filing. Failure to do so may result in a denial of the motion.
7. Oral argument is required on all motions and orders to show cause unless otherwise directed by the court. If a hearing is requested or required, the parties shall be prepared to go forward on the return date of the application.

8. The court does not require courtesy copies and they will not be accepted unless requested.
9. All cross-motions must first be presented to the County Clerk for payment of the appropriate fee. After payment of the fee, the original cross-motion with proof of payment must be filed with the Part 51 court clerk.
10. **MOTION SEQUENCE NUMBERS ARE REQUIRED** on all motion papers including orders to show cause, notice of motion/cross-motion, opposition, reply, memos of law, exhibits, affirmation, affidavits, and proposed/settle orders must indicate the respective motion sequence on the first page in the upper right hand corner. Failure to do so may result in rejection of the papers.
11. All attorneys and *pro se* litigants must provide their contact information (including e-mail address and fax number) to Room 119 at 60 Centre Street, New York, NY 10007.
12. At the preliminary conference, the parties are required to provide to the court copies of Statements of Net Worth, retainer agreement, and the pleadings. A preliminary conference shall take place on the return date for all motions seeking *pendente lite* relief in a newly filed divorce action, unless otherwise directed by the court.
13. All discovery deadlines set by the court are final and may only be extended by court order for good cause shown. The court will consider granting an extension of a discovery deadline only if an application is made by order to show cause prior to its expiration.
14. At the pre-trial conference for a custody trial, the parties shall exchange and submit to the court Proposed Parenting Plans and witness lists. At the pre-trial conference for a financial trial, the parties shall exchange and submit to the court Statements of Proposed Disposition, updated Statements of Net Worth, witness lists, and tax returns for the previous three years. Proposed Parenting Plans and Statements of Proposed Disposition shall be submitted in hard copy and e-mailed to the law clerks listed above as a Microsoft Word compatible document. Absent extraordinary circumstances, all trial dates are final and will not be adjourned.
15. For all emergency applications, the movant must first contact the court to ascertain a convenient date/time to have the application heard and the order presented for signature. If represented by counsel, **THE MOVANT-CLIENT MUST APPEAR** on the application or the emergent relief requested may be denied.

CHANGE OF ATTORNEY

16. Any attorney seeking to withdraw from a case **MUST FILE A MOTION** by order to show cause where the granting of such application would result in the litigant being self-represented. **The court will not accept a stipulation where the litigant consents to proceeding *pro se*.** Where the litigant is merely switching attorneys, a stipulation consenting to change attorneys is required and a motion need not be brought.